

Town of Uxbridge
Planning Board
21 South Main Street
Uxbridge, MA 01569
(508) 278-8600, ext 2013

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Minutes of the Uxbridge Planning Board regular meeting held on **Wednesday, June 9, 2010**, at 7:00 P.M. in the **Board of Selectmen's Room, Uxbridge Town Hall, 21 South Main Street, Uxbridge, MA:**

Planning Board Members Present: Chairman Charles Lutton, Vice-Chair Debbie Bernier, Barry Desruisseaux, Peter Petrillo and Joseph Leonardo

Others Present: Donna C. Hardy, Planning Board Administrator

It being 7:00 pm, the meeting being properly posted, duly called and a quorum being present, Chairman Charles Lutton called the meeting to order and led the gathering in the Pledge of Allegiance.

MOTION by Mr. Petrillo to move the agenda item Aldrich Brook Estates out of order. Seconded by Mr. Leonardo, the motion carried unanimously.

Aldrich Brook Estates (Glendale Street) – Attorney Steven Greenwald was present and spoke on behalf of the applicant. Attorney Greenwald made a request to obtain Town Counsel's opinion concerning whether the substantial use requirement of the Aldrich Brook Estates Special Permit has been satisfied. It is Kevin Lobisser's belief that the effort and money spent on applying for and obtaining subdivision approval (which was the mandated next step after the Special Permit was granted), as well as clearing the lot and resolving the appeal of the subdivision approval, easily satisfies the substantial use requirement. Attorney Greenwald left the mylars to be signed by the Planning Board once the Town Counsel letter is received. The Planning Board office received a letter via email dated June 10, 2010 and forwarded the email to the Town Manager's office for assistance.

FY10-07 Mountainview Estates – Application for a Definitive Plan Approval – The applicant/owner of record Albee Realty Trust is seeking a Definitive Plan Approval for Mountainview Estates, located off of Albee Road and has seven (7) proposed lots. The plan is recorded in the Worcester Registry of Deeds Plan Book 36269, Page 394. The Chairman opened the public hearing. Mr. Mark Anderson with Heritage Design Group was present and spoke on behalf of the applicant. Mr. Anderson requests one (1) waiver to offset to Holbrook Road and Albee Road. No other changes or additional waivers have been requested. The Uxbridge Conservation Commission sent a memorandum to the Planning Board dated June 8, 2010 concerning Mountainview Estates. The letter states the following:

The Conservation Commission had a regular scheduled meeting on Monday, June 7, 2010. The Commission deliberated on the current site conditions at the Mountainview Estates Subdivision.

In the past, extensive soil erosion has been observed by several Commission members, along with Mr. Benn Sherman, DPW Director. The erosion appeared to have significantly impacted a wetland resource area adjacent to the entrance of the site as well as off-site properties. The Commission was concerned about the siltation and no control of the water flow.

Mr. Mark Anderson with Heritage Design Group was present at the June 7th meeting. Mr. Anderson informed the Commission that his client Albee Realty Trust has implemented several permanent erosion controls at the site. As indicated in the April 14th violation letter sent to the applicant, erosion controls were required to be implemented at the site, which could include installation of hay bales and silt fences, construction of swales to divert water to temporary basins, etc. Mr. Anderson indicated that his client decided to take a more permanent approach to fixing the problem, instead of performing a temporary fix. The permanent erosion controls included looming, seeding and hydro-seeding the site for stabilization. For the duration of the project, street sweeping will be done.

The Commission feels that the erosion control measures taken to date have been appropriate and should substantially reduce, if not eliminate, the potential for off-site erosion.

Discussion and areas of concern included a concern for a cemetery that is located on the Mountainview Estates subdivision property and what the boundary requirements are for cemeteries. Mr. Anderson informed that access has been made to the cemetery of approximately 15' setback and 15' no disturbance to protect the area for Lots #1 & #2 and this information has been recorded with the Worcester Registry of Deeds. Mr. Anderson advised that the easements will be listed separately for each homeowner. Other areas of concern included issues with catch basins and erosion control. Mr. Anderson provided an additional condition to the site, stating that the condition of approval will be to build in an asphalt berm in front of the wall, including having the area loamed, seeded and all repairs completed by July 30, 2010. Following discussion, **MOTION** by Ms. Bernier to continue the Public Hearing for Mountainview Estates to the next scheduled Planning Board meeting. Seconded by Chairman Lutton, the motion carried 2-3-0, the Public Hearing will not continue and will close.

FY10-03 Ledgemere Country IV (Hyde Park Circle and Tea Party Drive) Application for a Definitive Plan Approval – The applicant/owner of record Uxbridge Multi Family, LLC is seeking a Definitive Plan Approval for Ledgemere Country IV, located in the area within Crownshield Avenue and has ten (10) proposed lots. The plan is recorded in the Worcester Registry of Deeds Plan Book 18515, Page 241. Mr. Donald Seaburg with Benchmark Engineering and Mr. Peter Lavoie with Guerriere & Halnon were both present. Mr. Seaburg inquired what the proposed scope of work to be done from Graves Engineering. Chairman Lutton advised that the proposed scope of work to be done by Graves Engineering was put on hold until the Planning Board knew which bylaws were to be used for this project. Mr. Seaburg informed the Planning Board that the 2003 Zoning bylaws and 2004 Subdivision Rules & Regulations are to be used for this project. Discussions and areas of concern were brought up between both parties inquiring what the maximum numbers of units are permitted within the bylaws and if the lots will be subdivided again. Inquiry of a “living unit” on the property is not a shed. The Zoning Board of Appeals mad an exception for that piece of the land. A better definition is needed of how the land will be used. Mr. Seaburg advised the rest of the site shall be multi-family units. The Board advised a conceptual plan design is needed, in order to do an exact and accurate traffic study and engineering review. The traffic study and engineering review will better assist the board in understanding the amount of lighting needed, what type of drainage will be required, etc. Mr. Desruisseaux inquired what the absolute maximum of density will be needed for exact estimate of placement of units or buildings on the property. Following discussion, **MOTION** by Mr. Desruisseaux to continue discussions of FY10-03Ledgemere Country IV (Hyde Park Circle and Tea Party Drive) Application for a Definitive Plan Approval to the next scheduled Planning Board meeting. Seconded by Mr. Petrillo, the motion carried unanimously.

FY10-04 Ledgemere Country V (The Mews, Evangeline Lane, West Devonshire and East Devonshire) Application for a Definitive Plan Approval – The applicant/owner of record Uxbridge Multi Family, LLC is seeking a Definitive Plan Approval for Ledgemere Country V, located south of Crownshield Avenue and has eight (8) proposed lots. The plan is recorded in the Worcester Registry of Deeds Plan Book 25726, Page 38. Mr. Donald Seaburg with Benchmark Engineering and Mr. Peter Lavoie with Guerriere & Halnon were both present. Mr. Seaburg inquired what the proposed scope of work to be done from Graves Engineering. Chairman Lutton advised that the proposed scope of work to be done by Graves Engineering was put on hold until the Planning Board knew which bylaws were to be used for this project. Mr. Seaburg informed the Planning Board that the 2003 Zoning bylaws and 2004 Subdivision Rules & Regulations are to be used for this project. Discussions and areas of concern were brought up between both parties inquiring what the maximum numbers of units are permitted within the bylaws and if the lots will be subdivided again. Mr. Seaburg advised the rest of the site shall be multi-family units. The Board advised a conceptual plan design is needed, in order to do an exact and accurate traffic study and engineering review. The traffic study and engineering review will better assist the board in understanding the amount of lighting needed, what type of drainage will be required, etc. Mr. Desruisseaux inquired what the absolute maximum of density will be needed for exact estimate of placement of units or buildings on the property. Following discussion, **MOTION** by Mr. Desruisseaux to continue discussions of FY10-04 Ledgemere Country V (The Mews, Evangeline Lane, West Devonshire and East Devonshire) Application for a Definitive Plan Approval to the next scheduled Planning Board meeting. Seconded by Ms. Bernier, the motion carried unanimously.

FY10-05 Three Lots Road subdivision (off East Street) Application for a Definitive Plan Approval – The applicant/owner of record Aaron Richardson is seeking a Definitive Subdivision Plan for Three Lots Road, located off of East Street and has three (3) proposed lots. The plan is recorded in the Worcester Registry of Deeds Plan Book 42179, Page 184. Mr. Mark Anderson with Heritage Design Group was present and spoke on behalf of the applicant. Mr. Anderson advised that there is one home on the subdivision and two (2) available proposed lots to be developed. Mr. Anderson requested two (2) waivers for the subdivision: 1) Private way only in perpetuity. 2) Gravel surface for road/driveway to be 16' wide only. Mr. Anderson and Chairman Lutton had discussions with the Fire Department and Chief Ostroskey has no issues with the gravel driveway. The subdivision will require no maintenance by the town and will have municipal water and private septic systems. The abutter George M. & Mary M. Hamm at 22 East Street will obtain an additional 15' on their land. Following discussion, **MOTION** by Ms. Bernier to close the Public Hearing for FY10-05 Three Lots Road subdivision – Application for a Definitive Plan Approval. Seconded by Mr. Desruisseaux, the motion carried unanimously. **MOTION** by Mr. Petrillo to review and continue discussions to the next scheduled meeting to make a ruling on the decision for FY10-05 Three Lots Road subdivision –Application for a Definitive Plan Approval. Seconded by Ms. Bernier, the motion carried unanimously.

FY10-06 Hunting Whip Lane – Application for a Definitive Plan Approval – The applicant/owner of record Marcia G. Ferro is seeking a Definitive Subdivision Plan for Hunting Whip Lane, located off of Chestnut Street and has three (3) proposed lots. The plan is recorded in the Worcester Registry of Deeds Plan Book 32687, Page 390. The Chairman opened the public hearing. Mr. Mark Anderson with Heritage Design Group was present and spoke on behalf of the applicant. Mr. Anderson requested two (2) waivers for the subdivision: 1) Private way only in perpetuity. 2) Gravel surface for road/driveway to be 16' wide only with a 50' right of way. Mr. Anderson and Chairman Lutton had discussions with the Fire Department and Chief Ostroskey has no issues with the gravel driveway. The subdivision will require no maintenance by the town and will have private wells and private septic systems. Heritage Design Group will also be contacting the Conservation Commission for a wetland permit. Discussion and areas of concern included the proximity and placement of the wetlands on the subdivision. Following discussion, **MOTION** by Mr. Petrillo to continue discussions of FY10-06 Hunting Whip Lane – Application for a Definitive Plan Approval to the next scheduled Planning Board meeting. Seconded by Mr. Desruisseaux, the motion carried unanimously.

OLD/NEW BUSINESS:

ANR Plan – Lots #2 & #3, Freedom's Way – Mr. Michael Salvador with Grey Wolf Development was present and spoke on behalf of the applicant. Following discussion, **MOTION** by Mr. Petrillo to endorse the ANR plan prepared by Shea Engineering & Surveying, Inc. dated June 1, 2010. Seconded by Ms. Bernier, the motion carried unanimously.

Elmdale Estates (Jodie Circle) – Pursuing FATM 2011 street acceptance – The Planning Board has received the plans from Ken Torian, developer.

Davis Heights (Glen Street and Lee Street) –DPW Director Mr. Benn Sherman, Mr. Mark Anderson with Heritage Design Group and John Foley (abutter to property) met together for a site visit on May 18, 2010 at Davis Heights. Memorandum received from Mr. Sherman to Planning Board concerning site visit dated June 9, 2010. Mr. Anderson advised issues and concerns will be addressed within a week.

Meadow Valley Estates (Sandwedge Drive) – Mr. Mark Anderson with Heritage Design Group and were present and spoke on behalf of applicant. Mr. Anderson and his client request two (2) waivers to be listed for the decision: 1) Upgrade sidewalk would go in on property. 2) No curbing required. 3) Low impact development on private property (responsibility of the property owner) and 4) Continue to use a standard drainage opening. Easements shall be reflected on each homeowner deed. Following discussion, **MOTION** by Mr. Petrillo to accept Meadow Valley Estates subdivision waiver requests. Seconded by Mr. Desruisseaux, the motion carried unanimously.

Rogerson Commons/Rogerson Crossing – Mr. Mark Anderson with Heritage Design Group was present and spoke on behalf of the applicant. Mr. Anderson and his client request a one (1) year extension of the Rogerson Common's, located off of Rogerson Crossing. Following discussion, **MOTION** by Mr. Petrillo to grant a one (1) Planning Board Meeting Minutes – 6/9/2010

year extension of the Rogerson Common's, located off Rogerson Crossing. Seconded by Ms. Bernier, the motion carried unanimously.

Waucantuck Place – Mr. Mark Anderson with Heritage Design Group was present and spoke on behalf of the applicant. Mr. Anderson and his client request a one (1) year extension of The Mill on West River Pond located off of Mendon Street. Following discussion, **MOTION** by Mr. Petrillo to grant a one (1) year extension of The Mill on West River Pond located off of Mendon Street. Seconded by Mr. Desruisseaux, the motion carried unanimously.

MINUTES. MOTION by Mr. Petrillo to approve the Planning Board Meeting Minutes dated May 12, 2010. Seconded by Mr. Leonardo, the motion carried unanimously.

MINUTES. MOTION by Mr. Desruisseaux to approve the Planning Board Meeting Minutes dated April 13, 2010. Seconded by Mr. Leonardo, the motion carried unanimously.

MINUTES. MOTION by Ms. Bernier to approve the Planning Board Meeting Minutes dated April 28, 2010. Seconded by Mr. Petrillo, the motion carried unanimously.

MINUTES. MOTION by Mr. Desruisseaux to approve the Planning Board Meeting Minutes dated May 18, 2010. Seconded by Mr. Leonardo, the motion carried unanimously.

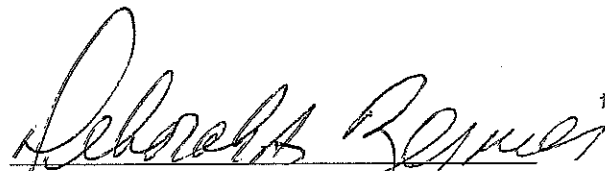
Minutes. Meeting minutes dated May 11th and May 26, 2010 will be reviewed at the next Planning Board meeting

MOTION by Mr. Desruisseaux to adjourn the meeting at 9:30 P.M. Seconded by Ms. Bernier, the motion carried unanimously.

The Board noted that Executive Session will not convene.

Respectfully Submitted by Donna C. Hardy, Planning Board Administrator


Charles Lutton, Chairman


Deborah Bernier, Vice-Chair

Barry Desruisseaux, Clerk


Peter Petrillo, Member


Joseph Leonardo, Member

Date 6/23/2010