

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

Minutes of the Uxbridge Planning Board regular meeting held on Wednesday, September 22, 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, Joseph Leonardo, Barry Desruisseaux, Peter Petrillo and Ernest Esposito

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.

#### CITIZEN PETITION FOR THE ACCEPTANCE OF BUTTERMILK WAY

To see if the Town will vote (a) to accept as a public way the street known as Buttermilk Way as laid out by the Board of Selectmen, and further authorize the Board of Selectmen, in the name and behalf of the Town, to acquire by gift easements and appurtenant rights in and for said way for the purposes for which other public ways are used in the Town; or to take any other action relating thereto. Said plans recorded at the Worcester County Registry of Deeds as Plan Book 738, Page 40. Chairman Lutton opened the public hearing. Mr. Benn Sherman, DPW Director was present. On October 14, 2009, a final inspection was performed by Department of Public Works staff to review the current condition of this street. Mr. Sherman informed the Board that most of the comments/issues have been addressed. DPW will be re-submitting response to Planning Board, once comments are received from Andrews Survey & Engineering. Mr. Stephen O'Connell with Andrews Survey & Engineering was present. Mr. O'Connell will be before the Conservation Commission to request a Certificate of Compliance be issued for this project on October 4, 2010. Following discussion, MOTION by Mr. Desruisseaux to continue discussions for the Citizen Petition for the Acceptance of Buttermilk Way to the next Planning Board meeting on October 13, 2010. Seconded by Mr. Petrillo, the motion carried unanimously.

#### CITIZEN PETITION FOR THE ACCEPTANCE OF CASSIE LANE

To see if the Town will vote (a) to accept as a public way the street known as Cassie Lane as laid out by the Board of Selectmen, in the name and behalf of the Town, to acquire by gift easements and appurtenant rights in and for said way for the purposes for which other public ways are used in the Town; or to take any other action relating thereto. Said plans are recorded at the Worcester County Registry of Deeds as Plan Book 741, Page 14. Mr. Joseph Bonapace, a resident on 30 Cassie Lane was present and spoke on behalf of the project. Mr. Bonapace provided pictures of seven main areas of concern for Cassie Lane. Mr. Bonapace noted all boundary markers have been identified and spray painted orange. The retention ponds have been addressed. Also, the spillways have been cleared and mowed. One section of the road has a manhole sinking; however this has since been repaired. The Final Inspection & As-built/Acceptance Plans Review prepared by Mr. Benn Sherman, DPW Director, for Cassie Lane pertaining to the drainage easement area for Final Inspection comments for #2 and #6 has been maintained. The Planning Board is pending recommendation from the DPW. Following discussion, MOTION by Mr. Leonardo to continue discussions for the Citizen Petition for the Acceptance of Cassie Lane to the next Planning Board meeting on October 13, 2010. Seconded by Mr. Petrillo, the motion carried unanimously.

#### CITIZEN PETITION FOR THE ACCEPTANCE OF JODIE CIRCLE

To see if the Town will vote (a) to accept as a public way the street known as Jodie Circle as laid out by the Board of Selectmen, a copy of which layouts are on file with the Town Clerk; (B) to authorize the Board of Selectmen in

the name and behalf of the town to acquire by gift, purchase, or eminent domain the necessary fee interests or easements and appurtenant rights in and for said ways for the purposes for which public ways are used in town; and (C) to see what sums the Town will raise and appropriate or transfer from available funds for such purposes; or take any other action relating thereto. Said plans are recorded at the Worcester County Registry of Deeds as Plan Book 472, Page 15. Chairman Lutton provided detailed comments concerning Jodie Circle. The Final Inspection & As-built/Acceptance Plans Review prepared by Mr. Benn Sherman, DPW Director, for Jodie Circle pertaining to the Final Inspection Comments: #1 the drainage manhole frame and cover should be removed and replaced; #3 the catch basin frame and grate should be reset to grade and patched with asphalt; #4 the basketball hoop installed in the cul-de-sac, needs to be removed; #5 several concrete bounds need to be found; #6 the water gate valve located at the intersection of Old Elmdale and Jodie Circle could not be located, verification of the location is required for street acceptance. The Planning Board is pending recommendation from the DPW. Following discussion, MOTION by Mr. Petrillo to continue discussions for the Citizen Petition for the Acceptance of Jodie Circle to the next Planning Board meeting on October 13, 2010. Seconded by Mr. Leonardo, the motion carried unanimously.

#### **CITIZEN PETITION FOR THE ACCEPTANCE OF JULIA DRIVE**

To see if the Town will vote (a) to accept Julia Drive as a public way, laid out by the Board of Selectmen, a copy of which layout is on file with the Town Clerk; (b) to authorize the Board of Selectmen, in the name and behalf of the Town, to acquire by gift, purchase, or eminent the necessary fee interests or easements and appurtenant rights in and for said way for the purposes for which public ways are used in the Town; and (c) to see what sums the Town will raise and appropriate or transfer from available funds for such purposes; or take any other action relating thereto. Said plans are recorded at the Worcester County Registry of Deeds as Plan Book 722, Page 28. Mr. James Lynch, a resident on 53 Julia Drive was present and spoke on behalf of the project. On August 9, 2010, the Planning Board received a Final Inspection & As-built/Acceptance Plans Review report from Mr. Benn Sherman, DPW Director. On September 22, 2010, the Planning Board granted the following waivers pertaining to this report:

1. Page 2, #7

There were no hoods installed in the catch basins. The approved plans do call for hoods to be installed. Hoods should be installed in accordance with the approved plans.

Following discussion, MOTION by Mr. Desruisseaux to waive the following: "There were no hoods installed in the catch basins. The approved plans do call for hoods to be installed. Hoods should be installed in accordance with the approved plans." Seconded by Mr. Petrillo, the motion carried unanimously.

2. Page 2, #3

The drainage swale running toward the stormwater basin needs to be surveyed and included on the as-built plans. It appears the drainage easement may need to be adjusted to accommodate the swales' field location.

Following discussion, MOTION by Mr. Desruisseaux to waive the following: "The drainage swale running toward the stormwater basin needs to be surveyed and included on the as-built plans. It appears the drainage easement may need to be adjusted to accommodate the swales' field location." Seconded by Mr. Leonardo, the motion carried unanimously.

Following discussion, MOTION by Mr. Petrillo to continue discussions for the Citizen Petition for the Acceptance of Julia Drive to the next Planning Board meeting on October 13, 2010. Seconded by Mr. Leonardo, the motion carried unanimously.

#### **CITIZEN PETITION FOR THE ACCEPTANCE OF LONG MEADOW ROAD**

To see if the Town will vote (a) to accept Long Meadow Road as a public way, laid out by the Board of Selectmen, a copy of which layout is on file with the Town Clerk; (b) to authorize the Board of Selectmen, in the name and behalf of the Town, to acquire by gift, purchase, or eminent the necessary fee interests or easements and appurtenant rights in and for said way for the purposes for which public ways are used in the Town; and (c) to see what sums the Town will raise and appropriate or transfer from available funds for such purposes; or take any other action relating thereto. Said plans are recorded at the Worcester County Registry of Deeds as Plan Book 706, Page 23. Attorney Henry Lane was present. Mr. Benn Sherman, DPW Director is working with Ms. Jill Gaines on 16

Longmeadow Road. Following discussion, MOTION by Mr. Petrillo to continue discussions for the Citizen Petition for the Acceptance of Long Meadow Road to the next Planning Board meeting on October 13, 2010. Seconded by Mr. Desruisseaux, the motion carried unanimously.

#### CITIZEN PETITION FOR THE ACCEPTANCE OF ROSE LANE

To see if the Town will vote (a) to accept as a public way the street known as Rose Lane as laid out by the Board of Selectmen, and further authorize the Board of Selectmen, in the name and behalf of the Town, to acquire by gift easements and appurtenant rights in and for said way for the purposes for which other public ways are used in the Town; or to take any other action relating thereto. Said plans are recorded at the Worcester County Registry of Deeds as Plan Book 786, Page 71. Mr. Benn Sherman, DPW Director has completed the final inspection for this project and will be providing a report by the next meeting. Following discussion, MOTION by Mr. Petrillo to continue discussions for the Citizen Petition for the Acceptance of Rose Lane to the next Planning Board meeting on October 13, 2010. Seconded by Mr. Desruisseaux, the motion carried unanimously.

#### CITIZEN PETITION FOR THE ACCEPTANCE OF STANPHYL ROAD

To see if the Town will vote (a) to accept Stanphyl Road as a public way, laid out by the Board of Selectmen, a copy of which layout is on file with the Town Clerk; (b) to authorize the Board of Selectmen, in the name and behalf of the Town, to acquire by gift, purchase, or eminent the necessary fee interests or easements and appurtenant rights in and for said way for the purposes for which public ways are used in the Town; and (c) to see what sums the Town will raise and appropriate or transfer from available funds for such purposes; or take any other action relating thereto. Said plans are recorded at the Worcester County Registry of Deeds as Plan Book 725, Page 90. Mr. Harry Vandermeer, a resident on 120 Stanphyl Road was present and spoke on behalf of the project. The Final Inspection & As-built/Acceptance Plans Review prepared by Mr. Benn Sherman, DPW Director, for Stanphyl Road pertaining to the cut and clear vegetation throughout all drainage easements for Final Inspection comments for #1, #2 and #4 will be completed by the contractor soon. Also, Mr. Vandermeer indicated that Heritage Design Group shall be making the corrections for the plans. Mr. Sherman's next inspection for Stanphyl Road is scheduled on Friday, October 1, 2010. Following discussion, MOTION by Mr. Petrillo to continue discussions for the Citizen Petition for the Acceptance of Stanphyl Road to the next Planning Board meeting on October 13, 2010. Seconded by Mr. Desruisseaux, the motion carried unanimously.

#### CITIZEN PETITION FOR THE ACCEPTANCE OF FOXWOOD LANE, DEER VIEW LANE AND WILDLIFE DRIVE

To see if the Town will vote (a) to accept Foxwood Lane, Deer View Lane and Wildlife Drive as a public ways, laid out by the Board of Selectmen, a copy of which layout is on file with the Town Clerk; (b) to authorize the Board of Selectmen, in the name and behalf of the Town, to acquire by gift, purchase, or eminent the necessary fee interests or easements and appurtenant rights in and for said way for the purposes for which public ways are used in the Town; and (c) to see what sums the Town will raise and appropriate or transfer from available funds for such purposes; or take any other action relating thereto. Said plans are recorded at the Worcester County Registry of Deeds as Plan Book 722, Page 28; Plan Book 725, Pages 89 and 90; Plan Book 706, Page 23. Ms. Lori Ensom, a resident on 26 Foxwood Lane was present and spoke on behalf of the project. Ms. Ensom questioned one of the easements on the property. The rounding easement in question has no physical features that would prohibit it from being there. Mr. Sherman indicated that a final report inspection has not been done on the property; however the 20'x20' rounding easement doesn't appear to have any issues. Following discussion, MOTION by Mr. Desruisseaux to waive the rounding easement on Foxwood Lane and West Street. Seconded by Mr. Petrillo, the motion carried unanimously. Following discussion, MOTION by Mr. Petrillo to continue discussions for the Citizen Petition for the Acceptance of Foxwood Lane, Deer View Lane and Wildlife Drive to the next Planning Board meeting on October 13, 2010. Seconded by Mr. Leonardo, the motion carried unanimously.

#### **FY10-03 Ledgemere Country IV – Application for a Definitive Plan Approval – cont'd**

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. Applicant or consultants were not present at

meeting. The Planning Board recommends a letter be sent to Benchmark Engineering and to cc: Michael Szlosek, Town Manager, Town Clerk, Town Counsel, Law Offices of Jeffrey L. Roelofs, P.C. and Peter Lavoie, Guerriere & Halnon. At their last scheduled Planning Board meeting on September 22, 2010, the Board discussed the subdivision above. The Planning Board has inquired of how long of an extension or continuance your client &/or your company will need before attending the next meeting to review the Definitive Plan Review for Ledgemere Country IV and Ledgemere Country V from Graves Engineering dated September 9, 2010. Please counter-sign this letter and return the final counter-signed letter to our office, indicating if you need to be granted a 30 day, 60 day or 90 day extension for this subdivision project. The letter was sent by certified mail and email on September 27, 2010. Following discussion, MOTION by Mr. Desruisseaux to continue discussions for FY10-03 Ledgemere Country IV – Application for a Definitive Plan Approval to the next Planning Board meeting on October 13, 2010. Seconded by Mr. Leonardo, the motion carried unanimously.

**FY10-04 Ledgemere Country V – Application for a Definitive Plan Approval – cont'd**

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. Applicant or consultants were not present at meeting. The Planning Board recommends a letter be sent to Benchmark Engineering and to cc: Michael Szlosek, Town Manager, Town Clerk, Town Counsel, Law Offices of Jeffrey L. Roelofs, P.C. and Peter Lavoie, Guerriere & Halnon. At their last scheduled Planning Board meeting on September 22, 2010, the Board discussed the subdivision above. The Planning Board has inquired of how long of an extension or continuance your client &/or your company will need before attending the next meeting to review the Definitive Plan Review for Ledgemere Country IV and Ledgemere Country V from Graves Engineering dated September 9, 2010. Please counter-sign this letter and return the final counter-signed letter to our office, indicating if you need to be granted a 30 day, 60 day or 90 day extension for this subdivision project. The letter was sent by certified mail and email on September 27, 2010. Following discussion, MOTION by Mr. Desruisseaux to continue discussions for FY10-03 Ledgemere Country IV – Application for a Definitive Plan Approval to the next Planning Board meeting on October 13, 2010. Seconded by Mr. Leonardo, the motion carried unanimously.

**FY-11-01 Conservation Design - Vanderzicht, Application for a Definitive Plan Approval & a Special Permit Application cont'd** – The owner of record Vanderzicht Realty Trust and Keith & Sherri Vanderzicht and applicant of record Carol Hansen are seeking a Definitive Plan Approval & Special Permit for Conservation Design - Vanderzicht, located on the east by Rawson Street and on the south by Williams Street. The property has seven (7) proposed lots and is shown on the Town of Uxbridge Assessor's Map 10, Parcels 2959, 3393, 3625 & 3645. The plan is recorded in the Worcester Registry of Deeds Plan Book 15031, Page 61. Mr. Stephen O'Connell with Andrews Survey & Engineering was present. Mr. O'Connell verbally requested a continuance to the next meeting. Following discussion, MOTION by Mr. Desruisseaux to grant a continuance FY-11-01 Conservation Design - Vanderzicht, Application for a Definitive Plan Approval & a Special Permit Application to the next scheduled Planning Board meeting on September 22, 2010. Seconded by Mr. Petrillo, the motion carried unanimously.

**Old/New Business:**

**Meadow Valley Estates (Sandwedge Drive) – Reduction bond request**

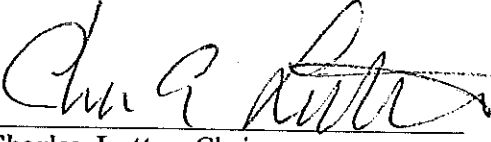
Mr. Benn Sherman, DPW Director evaluated the project for a reduction in the performance bond. The DPW recommends release of any previously held monies which exceed \$52,057.53. This information is based on the site visits performed by the DPW following the approval of the modification plan by the Planning Board. Following discussion, MOTION by Mr. Petrillo to retain \$52,057.53 for bond reduction on Meadow Valley Estates – Sandwedge Drive. Seconded by Mr. Desruisseaux, the motion carried unanimously.

**MINUTES.** MOTION by Mr. Desruisseaux to approve the Planning Board Meeting Minutes dated September 8, 2010. Seconded by Mr. Leonardo, the motion carried unanimously.

MOTION by Mr. Desruisseaux to adjourn the meeting at 7:56 P.M. Seconded by Mr. Leonardo, the motion carried unanimously.

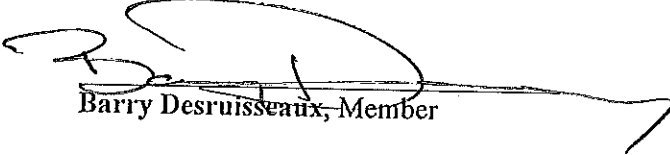
The Board noted that Executive Session will not convene.

Respectfully Submitted by Donna C. Hardy, Planning Board Administrator

  
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Charles, Lutton, Chairman

  
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Peter Petrillo, Vice-Chair

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Ernest Esposito, Clerk/Secretary

  
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Barry Desruisseaux, Member

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Joseph Leonardo, Member

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Date 10/13/2010

