

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, October 27, 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, Barry Desruisseaux, Peter Petrillo and Joseph Leonardo

Planning Board Members Absent: 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.

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. Peter Lavoie with Guerriere & Halnon was present and spoke on behalf of the applicant. Mr. Lavoie commented additional field work needed to be done for the project. Mr. Lavoie expects to be able to provide comments from the Graves Engineering report to the Planning Board within two (2) weeks. The Planning Board shall continue discussions to the next scheduled meeting.

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. Peter Lavoie with Guerriere & Halnon was present and spoke on behalf of the applicant. Mr. Lavoie commented additional field work needed to be done for the project. Mr. Lavoie expects to be able to provide comments from the Graves Engineering report to the Planning Board within two (2) weeks. The Planning Board shall continue discussions to the next scheduled meeting.

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 and spoke on behalf of the applicant. Ms. Carol Hansen, the applicant was also present. Mr. O'Connell received the report from Graves Engineering. The Planning Board commented about the plans, inquiring why five (5) lots are requested instead of having two (2) lots; suggested to redesign the road to the back property to the far left of property line on Williams Street and do a cul-de-sac in the front of lot #7. Mr. Petrillo disagrees with the plan design and believes that the conservation bylaw reads that the homes should be in the back (in the fields) and not up front on Williams St and Rawson St. Mr. O'Connell read the Uxbridge conservation bylaw. The Uxbridge conservation bylaw can be found at www.uxbridge-ma.gov on the main page under the Zoning Bylaws, Article VII, S. 400-30 Conservation Design Development. Mr. Petrillo suggested that three (3) lots be placed in front, two (2) lots in the back fields with no conservation bylaw in place. Mr. O'Connell will discuss this information with his client. 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. The Planning Board requested an extension for this project. Mr. O'Connell will grant the 60-day extension.

Old/New Business:

Pastures at Elmwood (Buttermilk Way) - On October 27, 2010, the Planning Board received a Request for Construction Waivers – Buttermilk Way from Mr. Benn Sherman, DPW Director. On October 27, 2010, the Planning Board granted the following waivers pertaining to this report:

1. Detention Basin Construction (Station 7+50+RT)

The DPW raised concerns regarding the constructed state of this basin as noted in the October 19, 2009 memorandum. There were several detention basin components, as well as, the overall storage capacity of the basin brought into question based on the as-built information provided. Testimony from Andrews Survey (ASE letter dated September 28, 2010) was presented and a waiver request was made to the Planning Board to address the deficiencies noted in the above DPW memorandum.

2. Sediment Basin with Recharge (Station 3+00+RT)

The DPW concerns regarding the sediment basin that was constructed as noted in the October 19, 2009 memorandum. The approved plans showed a sediment basin, rip rap pad at the outlet, rip rap spillway and 72-feet of subsurface Cultec recharge units. These BMP's were not constructed. ASE provided testimony (ASE letter dated September 28, 2010) that provided additional background information regarding the current construction of the sediment basin and the reasons associated with not originally constructing the BMP's. In addition, ASE also provided an assessment of the functionality of the system without the construction of the approved recharge units.

3. Utility Easement (Station 2+60+RT)

The DPW raised the issue relative to the disposition of the utility easement located at the above referenced location. There is a sanitary sewer lateral (house connection) servicing the residence on 40 Easy Street. Since this sewer lateral is the responsibility of the homeowner, the DPW recommended the easement should be between the resident at 11 Buttermilk Way and 40 Easy Street not the Town.

The proponent has agreed to withdraw this easement.

Following discussion, **MOTION** by Mr. Petrillo to grant the waivers. Seconded by Mr. Leonardo, the motion carried unanimously.

Davis Heights (Glen Street & Lee Street) – Mr. Mark Anderson with Heritage Design Group was present and spoke on behalf of the applicant. Mr. David Hogue, a resident at 55 Glen Street and the point of contact on behalf of all the residents for this subdivision was also present. Mr. Hogue received the revised plans from Heritage Design Group for the as-built/acceptance and road acceptance plans. Mr.

Hogue inquired about the winter maintenance policy and if the Planning Board could waive the policy for Davis Heights. Chairman Lutton advised that the Planning Board does not have the authority, but can make a recommendation to the Board of Selectmen. Following discussions, **MOTION** by Mr. Petrillo to recommend the Board of Selectmen to waive the winter maintenance policy for Davis Heights subdivision, which will provide winter maintenance/snow plowing for this subdivision. Seconded by Mr. Desruisseaux, the motion carried unanimously. Mr. Hogue also inquired if the subdivision is now complete. Following discussion, **MOTION** by Mr. Petrillo to recommend the Uxbridge Planning Board deem the project complete and to recommend favorable action to the 2011 Spring Annual Town Meeting. Seconded by Mr. Desruisseaux, the motion carried unanimously.

High Ridge Estates (off South Main Street) – Mr. Paul Grasewicz with GRAZ Engineering, LLC was present and spoke on behalf of his client. Mr. Grasewicz inquired how to continue or reactivate the subdivision. The Planning Board advised that the applicant will need to submit a new application for a definitive plan approval.

Holbrook Farms Estates (Murphy's Way) – The applicant was not present at the meeting. Recently, the Planning Board office received street acceptance plans from R.A. Hammond Construction Corporation. However, no official letter has been received by the Planning Board office concerning this subdivision.

Hunting Whip Lane (off of Chestnut Street) – Mr. Mark Anderson with Heritage Design Group was present and spoke on behalf of the applicant. Ms. Marcia Ferro, the applicant was also present. The Planning Board received the report from Graves Engineering dated October 21, 2010. The cost for this review was received by the applicant on May 4, 2010. Discussions also included four (4) conditions to be added to the Certificate of a Definitive Subdivision Plan, including: 1) No further subdivisions on road will be allowed; 2) Sixteen foot (16') paved road; 3) A twenty foot (20') no cut buffer zone (easement) for abutters; 4) A "tee" maneuvering area will be provided with sufficient width and layout to allow the anticipated emergency vehicles to turn around at the end of the proposed private way. Following discussions, **MOTION** by Mr. Petrillo to approve the FY11-02 Hunting Whip Lane – Application for a Definitive Plan Approval dated September 7, 2010. Seconded by Mr. Desruisseaux, the motion carried 4-0.

Mountainview Estates (Mountainview Road) – Mr. Mark Anderson with Heritage Design Group was present and spoke on behalf of the applicant. Mr. Anderson informed the board that work has been done at the site, including a final section of road to be paved. Mid October 2010, an asbestos testing was done by the MA-DEP Asbestos Program. Two of the three samples tested positive for asbestos containing 30% and 80% chrysotile asbestos. The owners of the property must now retain a Massachusetts Division of Occupational Safety (DOS) licensed asbestos contractor to properly remediate the asbestos containing contaminated pile of soil or debris on the property. The asbestos contractor that is selected will need to submit a scope of work to MA-DEP for approval to conduct the required removal, handling, packaging, perimeter air monitoring, and disposal of the asbestos containing contaminated pile of soil or debris on the property. No work or disturbance of these materials can occur until a scope of work has been approved by the Department.

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

MINUTES. MOTION by Mr. Desruisseaux to approve the Planning Board Meeting Minutes dated October 20, 2010. Seconded by Mr. Petrillo, the motion carried unanimously.

MOTION by Mr. Desruisseaux to adjourn the meeting at 8:25 P.M. Seconded by Mr. Petrillo, the motion carried unanimously.

The Board noted that Executive Session will not convene.

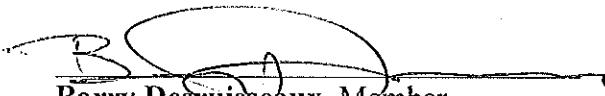
Respectfully Submitted by Donna C. Hardy, Planning Board Administrative Assistant

Charles, Lutton, Chairman

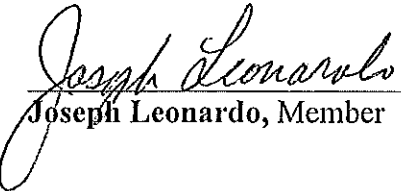


Peter Petrillo, Vice-Chair

Ernest Esposito, Clerk/Secretary



Barry Desruisseaux, Member



Joseph Leonardo, Member



Date