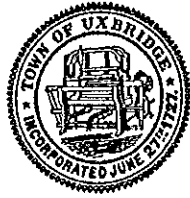


o, Chair
Chair
Clerk
s, Member
o, Member



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ORIGINAL

**PLANNING BOARD MEETING MINUTES
WEDNESDAY, APRIL 22 2015**

Minutes of the Uxbridge Planning Board regularly scheduled meeting on **Wednesday, April 22, 2015, at 7:00 P.M.** in the **Board of Selectmen Meeting Room, Uxbridge Town Hall, 21 South Main Street, Uxbridge, MA.**

Present: Chair Joseph Leonardo, Vice Chair, James Smith, Clerk Barry Desruisseaux, Member Daniel Antonellis, and Administrative Assistant Lynn Marchand.

Absent: Member Peter Petrillo

CALL TO ORDER

It being approximately 7:00 pm, the meeting being properly posted, duly called, and a quorum being present, the meeting was called to order by the Chair, who led the Pledge of Allegiance.

Some of the items were taken out of order.

PUBLIC HEARING(S):

1. **FY15-08 - 164 Woodland Park, East Street, Application for Definitive Subdivision Plan** – continued from **February 11, 2014** –The Owner/Applicant of record, Omega Financial Services LLC, is seeking a Definitive Subdivision located at 340 East Street, Uxbridge, MA. The property has seven (7) proposed lots on approximately 13.4 acres and is shown on the Town of Uxbridge Assessor's Map 36, Parcel 3895. The title to said land is recorded in the Worcester District Registry of Deeds Book 51609, Page 83; in Residential-C zone.

Entered into record was a 30-day letter of extension submitted on behalf of the applicant.

No representative was present and the Chair noted outstanding issues and continued the Woodland Park discussion to the next regular Planning Board meeting.

2. **Vote Favorable/Unfavorable Action on Warrant Article**

- a. **Article: Citizen's Petition** –Amend the Zoning Map Mendon Street

"To see if the Town of Uxbridge will vote to amend the Zoning Map of the Town of Uxbridge by adopting the following Zoning Map change by enlarging the Industrial (IND) Zoning District to include certain land located northwest of Mendon Street and southeast of West River Road, said land being more particularly described.

Rob Knapik, representing the citizen's that signed the Citizen's Petition, spoke on Warrant Article XXXII to extend the zoning district. Also speaking on the matter was the owner of Advanced Energy Services, LLC, Mr. Al Pellegrini. He is a contractor whose business is primarily the winterization of existing homes; installation of insulation. His business has approximately 12-14 employees/several crews that load trucks with green fiber insulation in the morning, travel to homes to perform the weatherization, and return to the property in the evening. During the day the site will be used for administrative work and parking. At night, there would be trucks parked on the property.

Currently it is in a residential zone. If the Warrant Article is approved at Town Meeting, Mr. Knapik stated that Mr. Pellegrini would seek a Special Permit from the Zoning Board of Appeals for a contractors yard. He also stated that there were no plans to renovate the exterior of the property other than plantings and screenings which had already begun.



PLANNING BOARD MEETING MINUTES
APRIL 22, 2015 continued

Mr. Knapik stated it would be a benefit to the Town to rezone the area by making good use of an existing building, that it would contribute to the tax revenue, and would be of very little detriment to adjoining properties in light of the current use which would allow 2-3 residential house lots. He asked that the Planning Board recommend that Town Meeting pass Article XXXII.

Mr. Desruisseaux asked why there was a 400 ft strip rezoned with slices through them rather than the adjoining parcels. Mr. Knapik said it was requested with that shape to adjoin existing industrial properties, to avoid rezoning existing residential properties currently in use, and to avoid any claim that this be considered spot zoning. He also stated the part of the property that will remain in the residential zone is not useable due to the proximity to the West River and the wetlands.

Mr. Pellegrini stated that currently there are four(4) 16ft box trucks and a van, that they are serviced off-grounds, their products are environmentally friendly, not used on the property but rather stored in the trucks, and that no equipment was used on site.

The Chair asked if there were any questions from the public; There were none.

MOTION I: made by Mr. Smith to recommend favorable action under the Article proposed under the Town Warrant to see if the Town of Uxbridge will vote to amend the Zoning Map of the Town of Uxbridge by adopting the following Zoning Map change by enlarging the Industrial (IND) Zoning District to include certain land located northwest of Mendon Street and southeast of West River Road, said land being more particularly described as shown on the Plan/the former Italian American Club. Motion was seconded by Mr. Antonellis. Motion carried 4-0-0

III. BUSINESS

1. Cornfield Estates discussion/review

- a. Letter from Attorney Hogarth was received, covenant was submitted, agreement was stated to provide \$1500 for peer review which will be done by Graves Engineering, schedule for completion of work has not yet been worked out including Conservation Commission issues; Notice of Intent has not been filed.

Discussion was had regarding the Covenant, easement of access, agreement of plan, agreement of judgment, and that it was not constructive approval; that the Covenant needs to be revised/rewritten.

The letter from the Building Inspector, Doug Scott, regarding this matter was discussed and a copy given to the abutter present, Ben Trian. Mr. Trian spoke on the matter, stating he was told by the Town that it was a civil issue. He provided pictures of the property. Discussion was had regarding the condition of the access and public safety. The Board stated that Mr. Hutnak will have to comply with the Plan and submit to inspections and that the attorneys and the Building Inspector are addressing the issues of compliance. The abutter reported on the work currently ongoing without proper permitting, without Conservation notification or approval and that Mr. Hutnak had previously been fined by the Department of Public Safety. The Board advised that Mr. Trian to contact the Town Manager, the Building Inspector, and the Conservation Commission.

***** Point of Order***** Public Hearing on Article XX to Amend the Zoning Bylaws-Amend Appendix X, Table of Use Regulations -To see if the Town will vote to amend the Zoning Bylaws Appendix A, Table of Use Regulations. Under Part B, "Municipal Facility", by changing the table to "Y" in the Business and Industrial zones, sponsored by the Town Manager, posted in the Telegram and Gazette on Wednesday, 4/8/15 and 4/15/15 was inadvertently omitted on the 4/22/15 agenda. The Town Clerk, Kelly Dumas, explained that the Public Hearing needed to be opened, continued right away since it was omitted from the agenda and immediately continued to the next Planning Board meeting; it would not have to be posted in the paper twice



**PLANNING BOARD MEETING MINUTES
APRIL 22, 2015 continued**

again 14 days prior to the next meeting but rather just included on the next Planning Board agenda. Discussion was had regarding the date to have the next meeting.

The Chair opened the Public Hearing on Article XX to Amend the Zoning Bylaws-Amend Appendix X, Table of Use Regulations -To see if the Town will vote to amend the Zoning Bylaws Appendix A, Table of Use Regulations. Under Part B, "Municipal Facility", by changing the table to "Y" in the Business and Industrial zones, sponsored by the Town Manager. The Chair stated because it was not properly posted on the agenda the meeting needs to be continued to the next Planning Board meeting.

Mr. Desruisseaux made a motion to continue the Public Hearing to May 12th. Motion was seconded by Mr. Smith. Motion carried 4-0-0.

Meeting to recommend favorable/unfavorable action on the Public Hearing regarding Article XX as written was later changed due to scheduling conflicts and will be on Wednesday, April 29, 2015, at 6:00 in the Board of Selectmen Meeting Room

2. Calvary Crossing/Walnut Grove discussion/review, Andrews Survey & Engineering
 - a. Chair said the Planning Board would be drafting a letter to the Owners of Calvary Crossing and Andrews Survey & Engineering stating the Board would like additional information, to begin activity towards road acceptance and to do so before July so it would not be rushed.
3. ANR 1025-1045 Quaker Highway
 - a. Byron Andrews of Andrews Survey & Engineering representing Quaker Highway Realty Trust, spoke on behalf of the applicant, outlining the plan to divide the lot into two (2) lots.

Mr. Desruisseaux made a motion to endorse the ANR for 1025-1045 Quaker Highway Realty Trust 586 Quaker Highway Uxbridge MA. Motion was seconded by Mr. Antonellis. Motion carried 4-0-0. Mylar was signed by the Planning Board.

4. ANR 740 East Hartford Avenue
 - a. Byron Andrews of Andrews Survey & Engineering representing owners, Robert and Mary St. John spoke on behalf of the applicants and described the proposed division of the lots. Discussion was had regarding common driveways, safety issues, legal rights/legal lots, and easements. The frontage and area met the requirements to split the lot.

Mr. Desruisseaux made a motion to endorse the ANR of Mary and Robert St. John of 740 East Hartford Ave, Map 6 Parcel 2212 & 2318 splitting off Lot 2, 1.72 acres. Motion was seconded by Mr. Antonellis. Motion carried 4-0-0

IV. SUBDIVISION RULES AND REGULATIONS: Passed over.

V. ANY OTHER BUSINESS that can lawfully come before the Board.

1. Byron Andrews of Andrews Survey and Engineering submitted a Release of Covenant for Rogerson Village. He stated that it was previously never signed off on/not properly prepared. It was previously approved, was now properly prepared and the Planning Board signed the Release of Covenant.

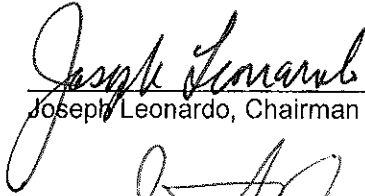
VI. MINUTES/MAIL/INVOICES

1. 04/01/2015 Meeting Minutes
 - a. passed over; minutes not yet drafted.
2. Paid: T&G Invoice dated 3/29/15 for \$230.00 for S.A.T.M. legal postings
3. Letters from AG's office in response to February's OML complaints.



PLANNING BOARD MEETING MINUTES
APRIL 22, 2015 continued

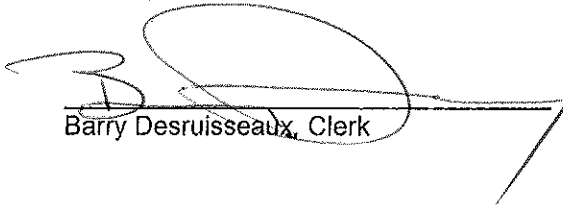
Planning Board Signatures



Joseph Leonardo, Chairman



James Smith, Vice-Chair



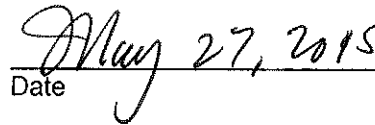
Barry Desruisseaux, Clerk



Daniel Antonellis, Member

Absent

Peter Petrillo, Member



Date