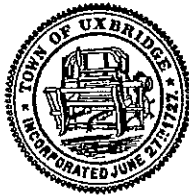


Joseph Leonardo, Chair
James Smith, Vice Chair
Barry Desruisseaux, Clerk
Daniel Antonellis, Member
Peter Petrillo, Member



Uxbridge Town Hall
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ORIGINAL

PLANNING BOARD MEETING MINUTES
WEDNESDAY, OCTOBER, 14 2015

ORIGINAL

Minutes of the Uxbridge Planning Board regularly scheduled meeting on **Wednesday, October 14, 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, and Member Daniel Antonellis; Administrative Assistant Lynn Marchand.

Absent: Clerk Barry Desruisseaux and Member Peter Petrillo

DEC 10 '15 AM 7:58

Received by
Uxbridge
Town Clerk

I. 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 agenda items were taken out of order

II. PUBLIC HEARING(S):

1. **Continued from September 23, 2015 - FY15-08 - 164 Woodland Park, East Street, Application for Definitive Subdivision Plan** —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.

- a. On behalf of the applicant, Stephen O'Connell of Andrews Engineering submitted a written request, dated October 14th, to continue discussion on Woodland Park to the next Planning Board meeting.

MOTION I: to continue the Woodland Park discussion to October 28th made by Mr. Antonellis. Motion was seconded by Mr. Smith. Motion carried 3-0-0.

2. **Continued from September 23, 2015 - FY15-14 Cobbler's Knoll, 255 Chocolog Rd, Application for Definitive Subdivision Plan.** The Owner/Applicant of record, FIKOW, LLC, is seeking a Definitive Subdivision located at 255 Chocolog Road, Uxbridge, MA. The proposed development will create fifty-one (51) single family residential building lots on approximately 116.25 acres and is shown on the Town of Uxbridge Assessor's Map 39, Parcel 4254. The title to said land is recorded in the Worcester District Registry of Deeds Book 52122, Page 321; Property is located in an Agricultural zone.

- a. On behalf of the applicant, Stephen O'Connell of Andrews Engineering submitted a written request, dated October 14th, to continue discussion on Cobbler's to the next Planning Board meeting.

The Board heard questions from one abutter, Mr. Healy who inquired as to whether a traffic study had been performed, if there was a recent review by the Town's Engineering firm, and if (revised) Plans generally go to the Board prior to going out for review. The Chair stated the traffic study results and any new reviews by Graves Engineering had not been received by the Board. He also stated that revised Plans come to the Board prior to being reviewed.

MOTION I: to continue the Cobbler's Knoll Public Hearing to the next Planning Board meeting on October 28th made by Mr. Antonellis. Motion was seconded by Mr. Smith. Motion carried 3-0-0



**PLANNING BOARD MEETING MINUTES
OCTOBER 14, 2015 continued**

3. **Continued from September 23, 2015 -FY16-01 Clean Energy Collective/Special Permit applicant, 189 Mendon Street** - The Owner/Applicant of record, Clean Energy Collective, is seeking to construct a solar facility located at 189 Mendon St., Uxbridge, MA. The proposed project is to construct a 1/0-MW rated solar electric facility. The facility shall be comprised of approximately 2,500 330-watt solar modules, string inverters, and one (1) 13.8-kV 1 MA transformers with switchgear. The property is shown on the Town of Uxbridge Assessor's Map 19, Parcel 3753. The title to said land is recorded in the Worcester District Registry of Deeds Book 50954, Page 329; Property is located in an Agricultural zone.

- a. Revised Plans: Mr. O'Connell, representing the applicant, reviewed the details of the project and the changes made to the plans to address screening as well as Conservation issues. Re: Compensatory flood storage, he stated that they looked at the volume that all the panels, posts & concrete equipment pads would take up upon completion of construction. With the proposed excavation and some grading to he stated that the flood storage impact was 1600 cubic feet but through the mitigation proposed would provide over 5000 cubic feet of the storage volume lost.

Screening was described as: a solid row of Eastern red cedars at 5' on-center spacing on both sides of the driveway, a row of cedars at the bottom of the driveway, and between the cedars of the driveway there is a solid fence-gate. There should be little to no visibility along the frontage. Staggered plantings are shown in one corner of the property to fill in possible voids in the autumn, dense vegetation is also shown with staggered plantings.

Circled on Plan: to be planted at staggered 5ft spacing if deemed necessary by the Planning Board

Mr. O'Connell discussed the soil analysis samples done for Conservation due to concerns of the flood zone containing contaminants. All were below detectable levels with the exception of Chromium. He stated they are having the soil sample re-analyzed to determine what type of chromium was found.

Mr. O'Connell said that the applicant would be amicable to a condition that plantings would be added as needed to supplement vegetation.

Chair stated they could do a site walk now and during construction. Board said they would need to note a condition in any Decision stating that the applicant add plantings as recommended by the Board; also a condition to be added requiring that solar arrays be removed and the area restored back to its original condition if the Special Permit is not renewed/construction not performed.

Applicant is still waiting for approval from the Conservation Commission.

No abutters were present.

Mr. O'Connell requested that the Board close the Public Hearing but vote on it at a separate time when the entire Board was present as a super majority was required for approval of a Special Permit.

MOTION I: to close the Public Hearing on the Special Permit applicant for 189 Mendon Street, Uxbridge made by Mr. Smith. Motion was seconded by Mr. Antonellis. Motion carried 3-0-0.

4. **FY16-05 Special Permit Application** - The Owner/Applicant of record, ARIS Group, LLC, is seeking to amend a Special Permit for a proposed change in use for a portion of the property located at **40 Douglas St., Uxbridge, MA**. Enclosed within the application is a copy of the current Special Permit in which Condition #9 restricts the use of the drive-thru to a bank. The applicant has secured a commitment from Dunkin' Donuts and is requesting an amendment to the Special Permit to allow the drive-thru to be used for this new use being a restaurant. A few minor cosmetic changes will also be needed so the site meets the operational standards for the franchise. The Plan includes a menu board along the drive-thru lane and signage to designate parking spaces for Dunkin' Donuts employees. A traffic analysis of the site with the build-out of the proposed restaurant has been performed. The property is shown on the Town of



**PLANNING BOARD MEETING MINUTES
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Uxbridge Assessor's Map 24A, Parcel 0713. The title to said land is recorded in the Worcester District Registry of Deeds Book 42255, Page 164; Property is located in a Business zone.

Mr. O'Connell, representing the applicant, reviewed the history of the property and referred to the Special Permit granted in 2009 for a drive-thru. Mr. O'Connell reviewed the details of the project and stated that the owner has tried repeatedly to bring in a bank tenant to utilize space and the drive-thru that the Special Permit was granted for but has been unsuccessful.

The owner was approached by a local Dunkin Donuts franchise owner, D & D corporate viewed the property and they have authorized him to open a store. Any change of use requires a modification to the Special Permit by the Planning Board. Mr. O'Connell reviewed the submitted site plan as-built as it's currently built. In anticipation of the Board's concern regarding traffic impact, a traffic study was performed on Thursday, September 3rd between am and pm peak hours. He stated that the distance between the window and the menu board exceeds D & D corporate standards and provides adequate queuing for customers for a good traffic flow. Tenant could be operational within 60-90 days.

Discussion was had with the Board regarding congestion within the site and street traffic. Mr. O'Connell stated the drive-thru will provide a uniform stream of traffic rather than congestion within the site. There is room for 14 cars around the building, within the site, for queuing of customers waiting at the drive-thru. Pass thru lane is also a loading zone. He stated that the Dunkin Donuts peak hours were 6am-8am on weekdays and Saturdays 6am to 10am.

There would be seven designated parking spaces for Dunkin Donuts employees. There are also parking for customers who choose to park. Twenty seven spaces, as required by the Uxbridge Zoning regulations, are provided. Snow removal areas were designated on a prior plan and was shown at the meeting. Condition in previous Special Permit states that excess snow must be removed off-site. No parking spaces will be used for snow storage.

Discussion was had with the Board regarding traffic issues. The Chair read into record the traffic study conclusion: *"The modification of the proposed drive in bank on Douglas St. to a coffee shop with drive-through will result in an increase in the weekday AM peak hour trip generation. The operations of the site driveways were determined with the proposed coffee shop in place. During the weekday AM peak hour, the driveways will operate at LOS C or better. Vehicles exiting the site driveways will experience approximately 15 seconds of delay. Vehicles on Douglas St. westbound will experience only 9 seconds of delay as a result of the left turning traffic onto the site driveway."*

Abutters comments:

Kevin Curtis asked there the light was going to be. He expressed concerned about pollution and trash being thrown into the waterway.

Mr. O'Connell stated there were no new lights proposed other than the menu board.

Re: trash, Mr. O'Connell stated that the drive-thru component did not increase the amount of trash being thrown by motorists.

He stated Conservation has full authority over the jurisdiction of the property. There is an order of conditions that the parties are still subject to. The last phase of the project is the riverfront restoration portion from the Conservation Commission.

Carol B., Marywood St, asked if in terms of the river restoration if it was just the section behind the building or more of the area going to be cleaned up.

Mr. O'Connell said just behind the building would be cleaned up, in a perpendicular fashion behind the building all the way across the river. There are invasive vegetation and species back there that are supposed to be cleaned up and is part of River Restoration Plan that was part of the original permitting through Conservation and Planning.



**PLANNING BOARD MEETING MINUTES
OCTOBER 14, 2015 continued**

He stated the riverfront restoration plan includes a two rail fence at the end of construction to provide a physical barrier. He commented that it won't stop papers but he expects that the site will be maintained won't be a dumping ground as it previously was.

MOTION I: to continue the Public Hearing to the October 28th meeting made my Mr. Smith. Motion was seconded by Mr. Antonellis. Motion carried 3-0-0.

5. Review of Warrant Articles

a. ARTICLE 12: AMENDMENT TO THE UXBRIDGE GENERAL BYLAWS: CHAPTER 181

To see if the Town will vote to amend Chapter 181 by deleting the existing chapter and inserting a new Chapter 181, Excavations, to read as specified in proposed Warrant Article on file and available for viewing with the Clerk's Office, Land Use Office, and the Town Website.

SPONSOR: Planning Board

MOTION I: to move the discussion on Article 12: Amendment to the Uxbridge General Bylaws, Chapter 181 to the next Planning Board meeting on October 28th made by Mr. Antonellis. Motion was seconded by Mr. Smith. Motion carried 3-0-0.

b. ARTICLE XX: CITIZEN'S PETITION: REZONE 124/126 N. MAIN ST.

To see if the Town will vote to amend the Zoning Map incorporated into its Zoning Bylaws by rezoning a parcel of land located at 124/126 North Main Street and shown on Uxbridge Assessor's Map18B as Lot 2966 (containing 7,062 sq. ft. and more particularly described in a deed recorded in Worcester District Registry of Deeds Book 34960, Page 391) from the existing Residential A zone to the Business zone thereby extending the existing Business zone on the westerly side of North Main Street.

Shayne Picard, Lane & Picard in Whitinsville. He stated the Article was endorsed by the Planning Board a year ago but failed at Town Meeting by two votes so they are re-introducing the article.

He commented on the irregularity of the zoning which was designated as residential while the surrounding parcels are designated as business zones.

[No abutters were present.]

MOTION 1: that the Planning Board recommend a favorable vote on the rezoning 124/126 N. Main St from the current use as Residential into Business made by Mr. Smith. Motion was seconded by Mr. Antonellis. Motion carried 3-0-0.

c. ARTICLE XX: CITIZEN'S PETITION: AMENDMENT TO UXBRIDGE ZONING BYLAWS: RETREAT LOTS

To see if the Town will vote to amend Chapter 400 ARTICLE VII Special Residential Regulations of the ZONING BYLAWS by inserting the following language in the currently reserved section 400-32 to be titled RETREAT LOTS:

§400-32 Retreat Lots

Purpose: For the purpose of providing reasonable use of backland for single family residential use there be established so called retreat lots, also called pork chop lots or hammer head lots, as specified in proposed Warrant Article on file and available for viewing with the Clerk's Office, Land Use Office, and the Town Website.

The Chair read the entire language of the Article into record.

Discussion was had. The vice-chair stated he thought that retreat lots should only be allowed on public ways but that overall he was in favor of retreat lots. The Chair said the vote could



**PLANNING BOARD MEETING MINUTES
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only be on the language as-written but that a floor amendment could be introduced at the Town Meeting.

[Abutter] Alexa Romasco: She stated her parents introduced the petition in order to receive a gift of land from them to build a house on a back lot. She said her family had discussed the petition and amended the language, addressing the concerns others had mentioned and made changes others had suggested. She stated to the vice-chair that they took out the "private way" part of it. They added language preventing multiple retreat lots on the same piece of property.

MOTION 1: to approve amendment to Chapter 400 Article VII of the Zoning Bylaws to include a reserve Section 400-32 Retreat Lots and recommend favorable action made by Mr. Antonellis. Motion was seconded by Mr. Smith. Motion carried 3-0-0.

III. BUSINESS

1. 234 Pond Street: informal discussion of preliminary plans for a 4-lot subdivision and 715 linear foot private roadway design.

Michael Yerka, of Civil Site Engineering representing Baca Pond Realty Trust, described the proposed project. Property is approximately 17 1/3 acres; would like to divide it into the following lots: two 5-acres, one 4-acre lot, and one 2 1/2 acre lot with a 715 linear foot private roadway to the cul-de-sac. Would like to keep it a private way, rural street, 18 ft of pavement, drainage by grass swales on edge of roadway into small detention basins, proposed houses would take care of roof run-offs with vegetative wet swales and pond areas for infiltration. He asked if the Board would entertain this type of subdivision compared to a conventional subdivision.

The Board gave the applicant feedback; would ask for an association agreement re: snow removal; would ask for a private road in perpetuity agreement; will have to go through Conservation and peer review with the Town's engineer.

2. 510 Hartford Ave West: informal discussion of preliminary site plan and project description for Special Permit

Stephen O'Connell, on behalf of the applicant 510 West Hartford LLC, spoke on the proposed project and described the property as "Bangma's Farm", existing large barn structure/Haywagon restaurant, a small office occupied by Quarry Hill Excavating, and the Mane Place which was described as a very busy business. He stated the land was recently subdivided and a ZBA Variance was granted in order to address the undersized lots to help with an old farm that had residential properties as part of the farm complex.

The owner would like to build two new buildings. The first is a vet clinic which would be 6000 sq. ft in size. It will be built just off the existing edge of pavement for the parking lot for the Haywagon and will service the proposed vet clinic which will have its own septic system. Roof runoff will be collected through down spouts and put in an underground chamber and recharged into the ground; no net increase in runoff as there will be no new pavement in that area.

The second building which will be approximately 5200 sq. feet or slightly large. The Mane Place will move out of their current building and move into the new building.

One pavilion-style roof structure, approximately 40' x 50', will be demolished. There will be a small amount of paved surface added to provide from the edge of the pavement to the new building.

Under Uxbridge's major non-residential development bylaw, this project comes close to the 20K gross floor area so a Special Permit is required.



**PLANNING BOARD MEETING MINUTES
OCTOBER 14, 2015 continued**

Mr. O'Connell asked the board for their input.
Board found no issues with the project as presented.

3. **Rowley Estates, 170 Hecla St: Discussion moved to the November meeting.**
4. **Rogerson Crossing: review & authorize refund of excess engineering review deposit**
The Chairman asked that confirmation be sought from DPW and the Town's Engineer to verify there are no outstanding peer review invoices.
5. **Kettle Hill Estates: review & authorize refund of excess engineering review deposit**
The Chairman asked that confirmation be sought from DPW and the Town's Engineer to verify there are no outstanding peer review invoices.
6. **Hecla Village Estates/15 Bailey Street: request for small construction change:** No quorum.
Matter will be heard at the next Planning Board meeting.
7. **ANR -11 Buxton Street**
Mr. O'Connell, representing the applicant, stated that according to the solar developer, they need that parcel of land so they can control the trees for shading impacts for the approved solar project.

Motion I: to endorse the 81P Plan titled division of land on 11 Buxton Street owned by PNL Realty Corp. Motion was seconded by Mr. Antonellis. Motion carried 3-0-0.

8. **Fall Annual Town Meeting update re: street acceptance**
 - a. **Storey Lane:** Private Way; Board was unfavorable.
 - b. **Walnut Grove:** Discussion was had. DPW letter did not approve of street acceptance due to outstanding issues. Mr. Connell stated that it was recently completed as-built plans, road builder installed some missing bounds and disturbed bounds. He stated he would be contacting DPW with the updated information.

IV. SUBDIVISION RULES AND REGULATIONS: Chair stated a workshop meeting would be held to finish revision language of the subdivision rules & regulations.

V. MINUTES/MAIL/INVOICES

1. **09/09/15 Meeting Minutes**

MOTION I: to approve 09/23/15 Meeting Minutes made by Mr. Antonellis. Motion was seconded by Mr. Smith. Motion carried 3-0-0.

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

VII. ADJOURNMENT: NEXT PLANNING BOARD MEETING, WEDNESDAY, OCTOBER 28, 2015

1. **At approximately 9:01 P.M., Mr. Smith made a motioned to adjourn. Motion was seconded by Mr. Antonellis. Motion carried 3-0-0.**

Respectfully submitted,

Lynn Marchand
Land Use Administrative Assistant



PLANNING BOARD MEETING MINUTES
OCTOBER 14, 2015 continued

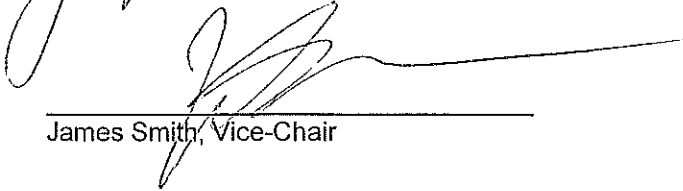
Planning Board Signatures



Joseph Leonardo, Chairman



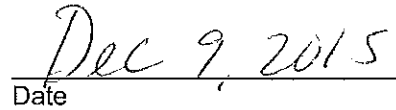
Daniel Antonellis, Member



James Smith, Vice-Chair

Peter Petrillo, Member

Barry Desruisseaux, Clerk



Date