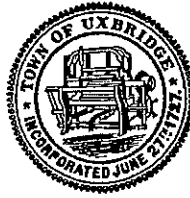


Joseph Leonardo, Chair
James Smith, Vice Chair
Barry Desruisseaux, Clerk
Daniel Antonellis, Member
Peter Petrillo, Member



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**PLANNING BOARD MEETING MINUTES
WEDNESDAY, APRIL 20, 2016**

JUN 9 '16 PM 12:28

Minutes of the Uxbridge Planning Board regularly scheduled meeting on **Wednesday, April 20, 2016, 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 Peter Petrillo, Member Daniel Antonellis, Alternate Member Peter Pavao and Administrative Assistant Lynn Marchand;

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.

II. PUBLIC HEARING(S):

1. CITIZEN'S PETITION to see if the Town will vote to:

AMEND THE ZONING BYLAWS OF THE TOWN OF UXBRIDGE BY ADDING UNDER ARTICLE III, SECTION 400-10 PARAGRAPH D "PROHIBITED USES", THE FOLLOWING (AFTER PARAGRAPH 7): "COMMERCIAL LAND FILLING OPERATION AND/OR DUMPING GROUND"

Robert Richardson, Petitioner, spoke to the Article, discussing water protection, illnesses that can result from polluted water, pollutants that can contaminate ground water, the aquifer and how it can become contaminated, the cost to the Town if the soil being dumped within Uxbridge contaminates the groundwater, and the limited information on the reports regarding soil being brought into Uxbridge and lack of Town oversight.

Michael Healey, resident and owner of a foundry in RI, shared his experience with industrial dumping, commenting that the loose system of checking soil allows for abuse and the cost to the Town for future clean-up years down the road.

General discussion was had by the Board regarding the definition of commercial landfill, town oversight, and possible amendment proposal at the Town Meeting to tighten up the language of the Citizen's Petition. Comments were made that clean soil can be sold while contaminated soil costs money to dispose of.

Ed Martinson discussed how good gravel is found close to the water table. He stated that aquifers are not being protected except Town water which will eventually be contaminated as well. He emphasized that the soil being imported into Uxbridge is not being purchased; the exporters are paying the persons leasing the land to dump it on the property which should trigger a question as to what is in the soil and what is wrong with it that they are paying to get rid of it.

The Board supported the Citizen's Petition, did not know if it would receive the Attorney General's approval as it was currently written but was willing to let it be decided at Town Meeting by the citizens of Uxbridge as it was a Citizen's Petition and to propose an amendment on the floor if it would help the measure to be approved by the AG.

**MOTION I: to close the Public Hearing on the Citizen's petition made by Mr. Desruisseaux
Motion was seconded by Mr. Petrillo. Motion carried 5-0-0.**

MOTION II: to recommend the Board vote favorable action on the citizen's petition made by Mr. Desruisseaux.



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Motion was seconded by Mr. Smith. Motion carried 4-1-0.

Continued from March 23, 2016

2. **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.

Mr. O'Connell of Andrews Engineering reviewed the alternate roadway layout, commenting on the Fire Chief's support on the redesign. He submitted a petition in support of the new project layout, signed by the abutters on Chocolog Road.

The revisions include adding one access point into the subdivision, reconfiguring the trail configuration, adding 3 cisterns, and adding an emergency access road and gate. These were done with input from abutters and the fire dept. Walkers and horses will be allowed to use the trail. The entrance to the intersection would be 28 feet wide.

There would be sidewalks only within the subdivision but not out to the main road.

Mr. Antonellis asked about the maintenance, long term, for the emergency access road. Mr. O'Connell stated there was no plan currently in place. Mr. Smith stated he would like to see a permanent surface as opposed to a gravel road since there will be only entrance into the subdivision.

Mr. O'Connell discussed other options. He mentioned a surety for cisterns and a maintenance account for the emergency access road.

Mr. Antonellis pointed out that this subdivision goes against the rules and regs. Mr. Desruisseaux pointed out that this is a very unique situation; full support of all abutters and Fire Chief, the existence of an access road and cisterns.

MOTION I: to continue the Public Hearings made by Mr. Mr. Desruisseaux. Motion was seconded by Mr. Petrillo. Motion carried 5-0-0.

Continued from March 23, 2016

3. **FY16-09 Site Plan Review/Special Permit Application** - The Owner/Applicant of record, **Countryside Associations, LLC** is seeking a Site Plan Review/Special Permit to build twelve (12) one to two bedroom townhouses with associated paving, grading, landscape, and utilities pursuant to Article VIII Overlay District Regulations, Section 400-40 Waucantuck Mill Adaptive Reuse Overlay District. Property is located on **68 Henry Street, Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 20, Parcel 2517. The title to said land is recorded in the Worcester District Registry of Deeds Book 50688, Page 298; Property is located in an industrial zone.

The applicant's representative, Mr. O'Connell of Andrews Survey, submitted a written request for a continuance to the next PB meeting.

MOTION I: to continue the Public Hearing to the next meeting made my Mr. Mr. Desruisseaux. Motion was seconded by Mr. Petrillo. Motion carried 5-0-0.

Continued from March 23, 2016

4. **FY16-10 (A&B) Definitive Subdivision (A) & Special Permit Application (B).** Owner/Applicant of record, **Northwood Homes, LLC**, is seeking approval of a proposed subdivision entitled **North Woods Definitive Subdivision** with (9) nine proposed lots, total acreage of tract being approximately 23.5 acres. Property is located on **734 & 748 West St, Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 37, Parcels 4092 & 4832. The title to said land is recorded in the



PLANNING BOARD MEETING MINUTES
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Worcester District Registry of Deeds Book 19702, Page 81; Property is located in an agricultural zone.

A 30-day extension letter was submitted to the Board.

MOTION I: to continue the Public Hearing to the next meeting made my Mr. Desruisseaux. Motion was seconded by Mr. Petrillo. Motion carried 5-0-0.

- 5. FY16-14 Special Permit Application** - The Owner/Applicant of record, **Mark Oliveira**, is seeking approval of a Special Permit to construct a 12,600 SF building addition and associated earthwork, utility, and stormwater construction. Property is located on **47 Industrial Drive, Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 45, Parcels 624 & 626. The title to said land is recorded in the Worcester District Registry of Deeds Books 20023 & 21949, Pages 1 & 39; Property is located in an industrial zone.

A 60-day extension letter was submitted to the Board.

MOTION I: to continue the Public Hearing to the next meeting made my Mr. Desruisseaux. Motion was seconded by Mr. Petrillo. Motion carried 5-0-0.

- 6. FY08-05 Special Permit Modification Application – Rogerson Commons.** The Owner/Applicant of record, Rogerson Crossing Realty Trust, is seeking approval to construct 66 townhouse style units and roadway with associated grading, drainage, and utilities pursuant to Section 400-29 of the Uxbridge Zoning Bylaws. **Property is located off Rogerson Crossing.** The property is shown on the Town of Uxbridge Assessor's Map 12B & 12C, Parcels 3768 & 4455. The title to said land is recorded in the Worcester District Registry of Deeds Book 53646 & 53741, Page 389 & 227; Property is located in Residential A Zone.

Mr. O'Connell of Andrews Engineering stated they are reviewing project with the Conservation Commission and revising the Plans based on their site walk and commentary. General discussion was had with the Board.

MOTION I: to continue the Public Hearing to the next meeting made my Mr. Petrillo. Motion was seconded by Mr. Desruisseaux. Motion carried 5-0-0.

- 7. FY16-15 Special Permit & Preliminary Subdivision Application** - The Owners of record, Arnold S. & Sylvia A. Baker, and applicant of record, JLT Development, LLC/James Tetreau, are seeking approval of a Preliminary Plan and Special Permit to construct a residential conservation development, **Trowbridge Acres**, including 640 foot long road with twelve (12) lots. Property is located on **434 Sutton Street, Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 4, Parcel 2976. The title to said land is recorded in the Worcester District Registry of Deeds Book 5656 Page 319; Property is located in an agricultural zone.

Representing the owners/applicants, Karina Quinn of Guerriere & Halnon, to the application. She described the history and the property as approximately 34 acres, current use being agricultural, and currently under a 64A. Ms. Quinn described the proposed conversation design of 12 lots on approximately 12.8 acres with the approximate 21.3 remaining acres being for open space. Three of the proposed lots are showing frontage on Sutton Street. The remaining 9 lots will be on a new roadway approximately 636 ft. long. 60' radius right-a-way, a 26' wide paved way, and the name "Rose Way" will be changed per comments from the Fire Chief. The owners suggested another name, Bayliss. The Chairman stated that it must go before the Board of Selectmen. Ms. Quinn said it had been submitted and the Public Safety Committee would be reviewing it in May and the BOS would be reviewing it after that. She stated the lots were 10K square feet larger than what is required. There will be private wells and septic. Also shown was a conventional layout to show that they could meet the number of lots required showing a dead end cul de sac 1,250 ft in length with 12 lots. She stated they would build single



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family, 4 bedroom homes. Discussion was had with the Board regarding the extra lot, 61A, and the use of the open space and the Conservation bylaw intent. Mr. Smith stated that in a Conservation design, the open space has to be deeded off to one of three parties: conservation, non-profit organization, or a corporate trust. Additional discussion was had regarding a restriction of the trust and keeping it agricultural. The applicant, James Tetreau also spoke to the open space.

There were no abutters present that wished to speak to the application.

The Board discussed procedure regarding public hearings, special permits, and preliminary subdivisions and the correct order and meaning of closing each.

MOTION I: to continue the Public Hearings for the Special Permit and Preliminary Subdivision application.

Motion was seconded by Mr. Smith. Motion carried 5-0-1.

8. **FY16-17 Special Permit** - The Owners of record, **Barry Desruijsseaux**, applicant of record, is seeking approval for a **Special Permit** to construct a single-family dwelling pursuant to Uxbridge Zoning Bylaws Section 400-32 – Retreat Lots. Property is located on **574 Blackstone Street, Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 35, Parcel 2493. The title to said land is recorded in the Worcester District Registry of Deeds Book 54043 Page 119; Property is located in the Residential C zone.

Mr. Desruijsseaux recused himself.

Mr. O'Connell of Andrews Engineering spoke to the application, for the first retreat lot in Uxbridge under the new bylaw. He described the property as 13.44 acres with no lot line changes to be made. The lot will serve as a single family dwelling that cannot be subdivided.

Kevin Landry, an abutter, asked where the house was going to sit. The applicant, Barry Desruijsseaux, stated it would be on the front side of the lot.

No other abutters wished to speak. The Board stated it met the requirements and the Chair asked for a motion.

MOTION I: to close the Public Hearing made by Mr. Petrillo.

Motion was seconded by Mr. Antonellis. Motion carried 4-0-0.

MOTION II: to approve the Plan of land owned by Barry Desruijsseaux for a retreat lot made by Mr. Petrillo. Motion was seconded by Mr. Smith. Motion carried 4-0-0.

Mr. Desruijsseaux returned to the meeting.

III. BUSINESS

1. **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.

Decision is being drafted. Will be kept on the agenda under "BUSINESS".

2. **Aldrich Brook Estates/Clark Rd: Graves Report & Memo**

Awaiting comments from D.P.W. Will be kept on the agenda under "BUSINESS".

3. **East Light Solar**: requested approval of an extension from the Planning Board.



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APRIL 20, 2016 continued**

The Board granted a 16 month extension which will be filed with the Clerk's office.

IV. SUBDIVISION RULES AND REGULATIONS

V. MINUTES/MAIL/INVOICES

1. 3/16/16 Meeting Minutes :

MOTION I: to accept the 3/16/16 Meeting Minutes with made my Mr. Desruisseaux. Motion was seconded by Mr. Antonellis. Motion carried 5-0-0.

2. 3/23/16 Meeting Minutes :

MOTION I: to accept the 3/16/16 Meeting Minutes with made my Mr. Desruisseaux. Motion was seconded by Mr. Petrillo. Motion carried 5-0-0.

VI. ANY OTHER BUSINESS, which may lawfully come before the Board.

VII. ADJOURNMENT: NEXT PLANNING BOARD MEETING, WEDNESDAY, *April 27, 2016*

MOTION 1: to adjourn the meeting made by Mr. Petrillo. Motion was seconded by Mr. Desruisseaux. Motion carried 5-0-0. Adjournment from the regular Planning Board meeting at approximately 9:31 P.M.

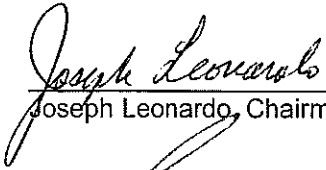
Respectfully submitted,

Lynn Marchand
Land Use Administrative Assistant



PLANNING BOARD MEETING MINUTES
APRIL 20, 2016 continued

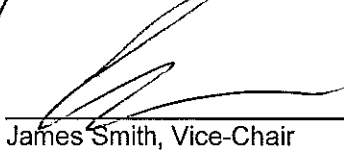
Planning Board Signatures



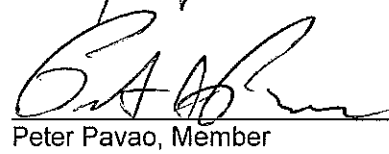
Joseph Leonardo, Chairman




Daniel Antonellis, Member



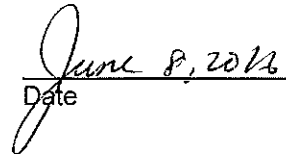
James Smith, Vice-Chair



Peter Pavao, Member



Barry Desruisseaux, Clerk



Date