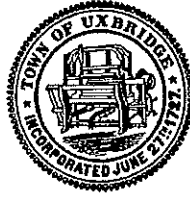


Joseph Leonardo, Chair  
James Smith, Vice Chair  
Barry Desruisseaux, Clerk  
Daniel Antonellis, Member  
Peter Pavao, Member



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**PLANNING BOARD MEETING MINUTES  
WEDNESDAY, APRIL 27, 2016**

JUN 9 '16 PM 12:31

Minutes of the Uxbridge Planning Board regularly scheduled meeting on **Wednesday, April 27, 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 Pavao, Member Daniel Antonellis 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.

**Motion I: take item 7 out of order made by Mr. Desruisseaux.  
Motion was seconded by Mr. Antonellis. Motion carried 4-0-0.**

**\*The Board continued taking the Retreat Lots out of order, items 7, 8, & 9, and then returned to the scheduled agenda order.**

**II. PUBLIC HEARING(S):**

*Continued from April 20, 2016*

- 1. 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 request for a continuance was submitted.

**MOTION I: to continue the Public Hearings made by Mr. Barry Desruisseaux. Motion was seconded by Mr. Antonellis. Motion carried 4-0-0. Mr. Smith was not present during the vote.**

*Continued from April 20, 2016*

- 2. 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.

A request for a continuance was submitted.

**MOTION I: to continue the Public Hearings made by Mr. Barry Desruisseaux. Motion was seconded by Mr. Antonellis. Motion carried 4-0-0. Mr. Smith was not present during the vote.**

*Continued from April 20, 2016*

- 3. 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**



**PLANNING BOARD MEETING MINUTES  
APRIL 27, 2016 continued**

**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 Worcester District Registry of Deeds Book 19702, Page 81; Property is located in an agricultural zone.

**\* withdrawn without prejudice.**

- 4. 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 request for a continuance was submitted.

**MOTION I: to continue the Public Hearings made by Mr. Barry Desruisseaux. Motion was seconded by Mr. Antonellis. Motion carried 4-0-0. Mr. Smith was not present during the vote.**

- 5. 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.

A request for a continuance was submitted.

**MOTION I: to continue the Public Hearings made by Mr. Barry Desruisseaux. Motion was seconded by Mr. Antonellis. Motion carried 4-0-0. Mr. Smith was not present during the vote.**

- 6. 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.

Karina Quinn, representing the applicant, stated the issues not decided on at the last meeting were the open space use/applicants continuing the agricultural use and a 13th lot. Ms. Quinn submitted a request in writing.

The Chair discussed the issue of the Open Space and it being granted to an Association with all the home owners or a non-profit. Ms. Quinn stated that for the Conservation design, the open space must stay open space in perpetuity. The Chair stated the intent of the bylaw was that the open space does not stay under the ownership of the property owner; it is granted to another entity as described in the bylaw.

Mr. Smith suggested that the applicant have draw up an agreement regarding use of the land in common and that the Board would have Town counsel review it.

The Fire Chief stated he was satisfied with the hydrant at the end of the street providing it has sufficient flow for fire protection.



**PLANNING BOARD MEETING MINUTES  
APRIL 27, 2016 continued**

**MOTION I: to grant the Special Permit for Trowbridge with up to 12 lots with Conservation design within the conditions set forth in the bylaw by Mr. Barry Desruisseaux. Motion was seconded by Mr. Smith. Motion carried 5-0-0.**

**MOTION I: to approve the Preliminary Subdivision design by Mr. Barry Desruisseaux. Motion was seconded by Mr. Smith. Motion carried 5-0-0.**

7. **FY16-18 Special Permit** – The applicant of record, TTK Real Estate, LLC, 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 **50, 60, & 70 Richardson Street, Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 29, Parcels 465, 498, & 1355. The title to said land is recorded in the Worcester District Registry of Deeds Book 54245, Page 269; Property is located in the Residential-C Zoning District.

Mr. O'Connell of Andrews Engineering spoke to the application. He discussed the history of the land, including the ANR's and reviewed how the application met the Uxbridge Zoning Bylaw (UZBL)

Michael Conners, an abutter, asked the Engineer to review the plan. Mr. O'Connell reviewed the plan in relation to the abutter's property, how the UXBL applied and answered questions asked.

Barbara Napper, an abutter, expressed her concerns regarding the driveway being in close proximity to the other driveways, visual issues with exiting, snow storage issues, and headlights into the bedroom windows from the proposed driveway, and conservation issues/animals in the wooded area of the proposed property. She asked if the Town was being proactive with regards to green space.

The Chair stated there were conservation designs within the agricultural zone.

Tim Sullivan, an abutter, expressed the same concerns as Ms. Napper.

**MOTION I: to close the Public Hearing made my Mr. Desruisseaux. Motion was seconded by Mr. Antonellis. Motion carried 4-0-0.**

**MOTION II: to grant the Special Permit for TTK Real Estate for a retreat lot for application FY16-18. made my Mr. Desruisseaux. Motion was seconded by Mr. Antonellis. Motion carried 4-0-0.**

8. **FY16-19 Special Permit** – The applicant of record, **Jared Greenwald**, 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 **0 & 19 Fisher Street, Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 36, Parcels 567 & 1442. The title to said land is recorded in the Worcester District Registry of Deeds Book 7583, Page 161 and Deed Book 44825, Page 27. Property is located in the Residential-C Zoning District.

The Chairman recused himself, left the meeting room, and stated that Mr. Jim Smith would be the acting Chair.

Mr. Smith read the Public Hearing notice into record. Mr. O'Connell of Andrews Engineering, speaking on behalf of the applicant, explained the two addresses listed as 0 & 19 Fisher was due to the property needing to be reconfigured to accommodate the requirements of the bylaw. He described the boundary lines, topography of the land, and access to the parcel which will have a single family dwelling on a 4.8 acre lot of land serviced by an onsite septic system and a private well. He described the driveway that will service the lot, and that they would preserve mature specimen trees and some existing boulders. He said there would be no storm water issues, the septic design plan would be submitted to the Board of Health for their review which will show proposed grading and the topography of the land which will be in harmony with the neighborhood. Mr. O'Connell stated that soil testing had been done and the soil conditions were fantastic.

Mr. O'Connell said they will comply with well setbacks and will exceed property line setbacks.



**PLANNING BOARD MEETING MINUTES  
APRIL 27, 2016 continued**

Mr. Antonellis asked if it would be a new driveway. Mr. O'Connell answered yes and used the laser pointer to show the location, on the monitor displaying the site plan, where they intended to put the approximately 400' driveway and will comply with fire access requirements.

Mr. O'Connell stated the owner, Harry & Sheryl Romasco had owned the property since approximately 2009. He said the owner were creating a retreat lot rather than a subdivision to accommodate their daughter and son-in-law.

The floor was opened for public comment..

Melissa Mills, an abutter asked questions regarding the driveway, property, retreat bylaw, and the entire process of the project.

Mr. Bragdon and Ms. Palazzi, abutters, asked the Engineer surveying questions which Mr. O'Connell replied to and discussion was had. The acting Chair indicated enough debate had gone on. Mr. Desruisseaux told Mr. Bragdon that he could hire an engineer to dispute the property lines. The Board stated it was not under their purview regarding the engineering questions being raised and that they could pursue questions regarding a survey dispute with an engineering firm they hired or the land court.

Ms. Palazzi asked about the construction equipment and where it would be brought in. Mr. Bragdon stated he felt they could not use any other access to the property besides the driveway. The Board explained that a "right of way" or "easement" is not the same as the applicant having "permission from a property owner" for a temporarily use of the owner's land to access their land. Mr. Bragdon became agitated and arguing with the engineer and Board members.

Ms. Palazzi stated she had concerns that the construction would interrupt their "backyard living". The Board stated they could challenge it in court but that the Board was only ruling on whether or not the application met the criteria of the bylaw that was approved at the Town Meeting.

The Chair reminded the applicant that there were other people that wished to speak and that he was monopolizing the meeting.

Ms. Palazzi stated she did not know the scope of what they could bring forth for this meeting. The Board stated they were in receipt of the submitted statement from Mr. Bragdon and everything they receive is entered into the record. Mr. Desruisseaux explained again what was and was not under the purview of the Board in regards to applying the retreat lot bylaw to this application.

Steven Wooding, abutter, asked where the proposed house would be. The Board reiterated that were only ruling on if the proposed lot met the criteria for a retreat lot. Mr. O'Connell, of Andrews Engineering, addressed the question, and used the laser pointer to show the area on the site plan shown on the monitor, that the applicant wanted to construct their home.

Larry Cant, an abutter, stated he had the same concerns of the previous abutters; house locations, fisher cats, coyotes. He also asked if Lady Slippers, a protected species, were there. Mr. Desruisseaux stated if that were the case, it would be a Conservation matter.

**MOTION I: to close the Public Hearing made my Mr. Desruisseaux.  
Motion was seconded by Mr. Antonellis. Motion carried 4-0-0.**

**MOTION II: to grant the Special Permit for division of land for the retreat lot on 19 Fisher Street made my Mr. Desruisseaux.  
Motion was seconded by Mr. Antonellis. Motion carried 4-0-0.**

The Chairman, Mr. Leonardo, returned to the meeting.



PLANNING BOARD MEETING MINUTES  
APRIL 27, 2016 continued

9. **FY16-20 Special Permit** – The applicant of record, **Northwoods Homes, LLC**, 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 **734 & 748 West Street, 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 Worcester District Registry of Deeds Book 19702, Page 081; Property is located in the Agricultural Zoning District.

Stephen O'Connell of Andrews Engineering, representing the applicant, gave a history of the property. This was originally going to be a subdivision, however, due to issues, the parties have privately reached terms that are acceptable to them. He described the current proposal in lieu of the 9-lot residential subdivision. Mr. O'Connell also requested 30ft access to the remaining land to the abutting land owners only for accessing the remaining land, not for anything else and an easement to the cemetery as they made a commitment to the Cemetery Commission.

**MOTION I: to close the Public Hearing made my Mr. Desruisseaux.  
Motion was seconded by Mr. Smith. Motion carried 5-0-0.**

**MOTION II: to grant the Special Permit for Northwoods Homes LLC for the retreat lot for 734 & 748 West Street made by Mr. Desruisseaux.  
Motion was seconded by Mr. Smith. Motion carried 5-0-0.**

Mr. O'Connell submitted a formal request to withdraw without prejudice, the Definitive Subdivision application for 734 & 748 West Street.

**MOTION I: to accept the withdrawal of the application for Northwoods Homes Special Permit and Definitive Subdivision for 734 & 748 West Street made my Mr. Desruisseaux.  
Motion was seconded by Mr. Smith. Motion carried 5-0-0.**

Mr. Desruisseaux recused himself and left the meeting room.

10. **FY16-21 Definitive Subdivision Application** - The Owner/Applicant of record, Rifleman Properties, LLC, is seeking approval of a proposed subdivision entitled **Autumn Vista Definitive Subdivision** with twenty-four (24) proposed lots, total acreage of tract being approximately 34.5 acres. Property is located on **0 & 478 Blackstone Street, Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 36, Parcels 124, 191, & 997. The title to said land is recorded in the Worcester District Registry of Deed Book 54559, Page 391 and Deed Book 17499, Page 131. Property is located in the Residential-C Zoning District.

Mr. O'Connell of Andrews Engineering, representing the owner/applicant, described the property, off of Blackstone Street close to Millville Road and consisting of 24 new residential lots and the reconfiguration of the lot on 478 Blackstone Street. He discussed the storm water configuration and design and said this project will actually help with abutting properties' storm water issues. There will be onsite sewer in water. While there is Town water available there is inadequate water pressure. He stated there are no wetland or Board of Health issues and no endangered species. Plans were submitted to Graves Engineering and Mr. O'Connell stated they are responding to their comments.

The floor was open to the public.

Abutters expressed concerns regarding the entrance to the subdivision, traffic, the dangerous speeds on the road, the busy deer run, and the unrepaired potholes.

Abutter from 508 Blackstone Street also expressed concern regarding the speed on the road. She asked about the stream channel in between the properties. Mr. O'Connell answered her questions and explained the storm water design and how it would be beneficial. He also said they took into consideration the speeds of the road when they designed the subdivision.



**PLANNING BOARD MEETING MINUTES  
APRIL 27, 2016 continued**

Michael Broth, an abutter, asked questions regarding storm water and the septic system. Mr. O'Connell addressed his questions and described the setback requirements and infiltration basins.

James Morten, an abutter, expressed complaints regarding the development of Uxbridge, the draw on municipal services and tax increases.

Scott Fitzgerald, an abutter, asked what the sight lines were, blasting, the aquifer, clearing of trees, and temporary erosion control. Mr. O'Connell responded to his questions.

Fire Chief Kessler asked why it was going to be private wells rather than Town water. Mr. O'Connell stated that the supply and pressure is insufficient. Chief Kessler asked the Board to confirm with the water department that water and pressure could not be adequately supplied and if so, that cisterns be put in.

The Board asked at what roadway width the FD would consider in lieu of cisterns. Fire Chief stated he would be comfortable with Town Water or cisterns rather than running water trucks down the road and wanted a 26' width of road.

George, an abutter, asked if abutters could express their concerns directly to the developer, at a future meeting, or submit them in writing and get feedback from him.

The Chair stated that the Public Hearing would remain open likely through multiple meetings which would provide additional opportunities for the public to ask questions.

Unknown abutter asked the requirements of the project. Mr. O'Connell stated it to be 1 acre with 200 feet of frontage with many of the lots exceeding that amount.

Gwen, an abutter, stated she was in a recent accident, and reiterated concerns about the road speeds and adding additional traffic to the area.

**MOTION I: to continue the Public Hearing made my Mr. Smith.  
Motion was seconded by Mr. Antonellis. Motion carried 4-0-0.**

The Chair stated they would return to the regular meeting order after a short break.

### **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.

The Chair stated the Decision was drafted and would be reviewed by himself, Mr. Desruisseaux, and Mr. Antonellis.

2. **Cisterns** -passed over
3. **Down East –guardrails**

A representative for Down East asked for a waiver of construction of guardrails as they were not needed. Graves Engineering stated their agreement and DPW said they would defer to Graves. The Board said they would also take a look at it. Discussion was had regarding the location and the reasons for the guardrails not actually being needed.

The Chair asked for a written request to be submitted into record.



**PLANNING BOARD MEETING MINUTES  
APRIL 27, 2016 continued**

**IV. SUBDIVISION RULES AND REGULATIONS**

**V. MINUTES/MAIL/INVOICES**

1. 4/20/16 Meeting Minutes : passed over
2. The Board signed invoices to be paid, over \$600.

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

**VII. ADJOURNMENT: NEXT PLANNING BOARD MEETING, WEDNESDAY, *May 11, 2016***

**MOTION 1: to adjourn the meeting made by Mr. Desruisseaux. Motion was seconded by Mr. Smith. Motion carried 5-0-0. Adjournment from the regular Planning Board meeting at approximately 9:53 P.M.**

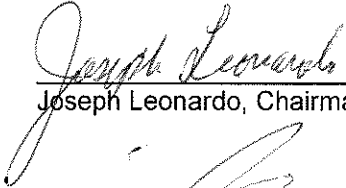
Respectfully submitted,

Lynn Marchand  
Land Use Administrative Assistant

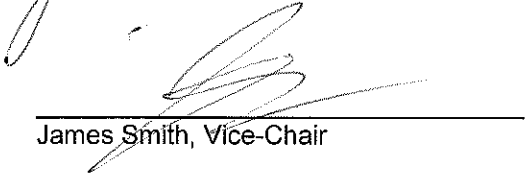


PLANNING BOARD MEETING MINUTES  
APRIL 27, 2016 continued

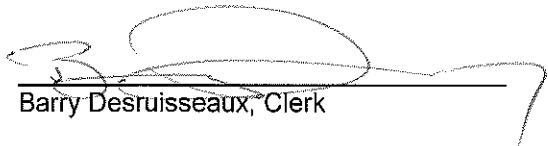
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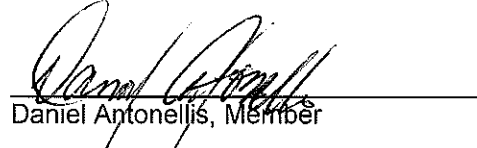
Joseph Leonardo, Chairman

  
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James Smith, Vice-Chair

  
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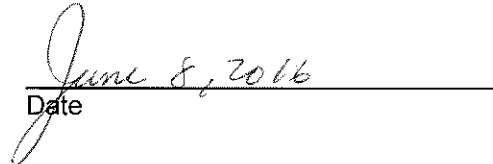
Barry Desruisseaux, Clerk

  
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Daniel Antonellis, Member

  
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Peter Pavao, Member

  
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Date