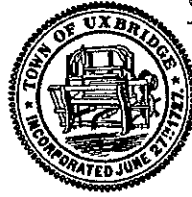


James Smith, Chair
Barry Desruisseaux, Vice Chair
Peter Pavao, Clerk
Joseph Leonardo, Member
Justin Piccirillo, Member



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PLANNING BOARD MEETING MINUTES WEDNESDAY, July 27, 2016

Minutes of the Uxbridge Planning Board regularly scheduled meeting on **Wednesday, July 27, 2016**, at **7:00 P.M.** at **21 South Main Street**, Uxbridge, MA.

Present: Chair, James Smith; Vice Chair, Barry Desruisseaux; Clerk, Peter Pavao; Member, Joseph Leonardo; Member Daniel Antonellis and Alternate Member Justin Piccirillo; Also present: 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):

Continued from July 13, 2016

1. **FY16-22 Definitive Subdivision Modification Application** - The Owners of record, **Alfred & Jacqueline Ricca**, are seeking approval of a proposed definitive subdivision modification entitled **King Street Estates** revising the subdivision from five (5) lots on a public roadway to four (4) lots on a private roadway, total acreage of tract being approximately 12.96 acres. Property is located on **128 King Street/15, 16, 25, & 26 Ricca Way** Uxbridge, MA. The property is shown on the Town of Uxbridge Assessor's Map 53, Parcels 679, 1494, 1548, 1455, & 1461. The title to said land is recorded in the Worcester District Registry of Deed Book 25464, Page 136. Property is located in an agricultural zone

- a. A request for a continuation to the next meeting was submitted.

MOTION I: to continue the public hearing to the next meeting on August 10th made by Mr. Desruisseaux.

Motion was seconded by Mr. Leonardo.

Motion carried 5-0-0.

Continued from July 13, 2016 and July 25, 2016 site visit

2. **FY16-31 Special Permit Applicant** - The Owner/Applicant of record, **SAJO Realty Nominee Trust**, is seeking to construct a 0.5-MW rated solar electric generation facility located at **424 Mendon St., Uxbridge, MA**. The facility shall be comprised of approximately 1000 solar modules, electrical inverters, and transformers with switchgear. The property is shown on the Town of Uxbridge Assessor's Map 14, Parcel 4215. The title to said land is recorded in the Worcester District Registry of Deeds Book 52534, Page 250; Property is located in a Residential C zone.

Representing the applicant, Mr. O'Connell of Andrews Engineering, submitted revised Plans to the Board based on comments from the July 25th site visit. He reviewed the changes made in response to abutters' concerns and reviewed the changes inclusive of berms, plantings, fencing, and mesh screening. He stated they would be meeting with the Conservation Commission at a later time.

Abutters present and Board members asked questions regarding the changes, visibility, and tree cutting. Board member, Mr. Piccirillo, read into record part of the MGL regarding solar energy which stated that they could not prevent nor unreasonably regulate solar generating facilities.

The Board also noted, after reviewing the revised Plans that even more screening and plantings had been done that originally requested.



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

The owner of the property also spoke. She stated that they had done a large clean-up on the property; removing a large amount of trash and debris. She stated she felt the solar project was less detrimental and unsightly than other uses might be and that she would cut down as few trees as possible.

MOTION I: to continue the public hearing to the next meeting on August 10th made by Mr. Desruisseaux.

Motion was seconded by Mr. Pavao.

Motion carried 5-0-0.

3. **FY17-01 Special Permit Applicant - The Owner of record, March Property Management, LLC/David Palumbo, and the Applicant, ZPT Energy Solutions, LLC/Brendan Gove, and their representative, Meridian Associates, Inc./Adam Christie** are seeking to construct a 3.0 Megawatt large-scale, ground-mounted solar photovoltaic installation solar farm. Property is located at **183 & 197 Providence St., Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 51, Parcel 2052 & 1244. The title to said land is recorded in the Worcester District Registry of Deeds Book 36640, Page 268 & 272; Property is located in an agricultural zone.

Brendon Gogh, of ZBT Energy Solutions gave a brief history of the company. Scott Lingerin, civil engineering for the project, spoke to the application. He stated the 35 acre property consisted of an excavated gravel pit, woodland area, existing dwelling and pathways/driveways. He stated there were two easements: a 20ft abandoned standard oil company and a 275' New England Power Association easement bisecting the property.

Mr. Lingerin stated it would be going before Conservation as there was 1 wetland resource and that they would be working with the National Heritage Priority Habitat for the endangered species.

He described the property as shown on the site plan including a 15' gravel access driveway and a turnaround for maintenance vehicles. A stormwater management plan was also submitted.

Board members discussed and asked questions regarding increased plantings to reduce visibility into the property, the gravel driveway and run-off onto Providence Street.

Abutters spoke regarding the culverts at the end of the driveways, runoff, road ditching, and the Blackstone Valley Bike Pat. The Board and the engineer briefly discussed runoff management.

MOTION I: to continue the public hearing to the next meeting on August 10th made by Mr. Desruisseaux.

Motion was seconded by Mr. Pavao.

Motion carried 5-0-0.

III. BUSINESS

Mr. Desruisseaux recused himself.

PH closed on July 13, 2016

1. **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.
- a. The Chair stated the final Engineering review had been received from Graves Engineering. The Board reviewed the decision draft. Mr. Leonardo stated he wanted to make the engineer & developer aware that there is a low spot with an underground conduit that goes to the Blackstone River. He wanted it to be addressed on the final plan to avoid possible flooding onto Blackstone Street. Mr. Smith pointed out the two catch basins and the detention ponds. Mr. Leonardo stated so long as they did



PLANNING BOARD MEETING MINUTES
July 27, 2016 continued

MOTION I: to approve the definitive subdivision for Autumn Vista, 478 Blackstone Street, which will be a public road.

Motion was seconded by Mr. Pavao.

Motion carried 5-0-0.

Mr. Desruisseaux returned to the meeting.

Mr. Smith recused himself.

PH closed on July 13, 2016

2. **FY16-24 Definitive Subdivision Application, Tucker Hill Estates** - The Owner of record, **TTK Real Estate/James Smith**, is seeking approval to create fifteen (15) single family residential building lots. Property is located on **70 Richardson Street Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 29, Parcels 1355. The title to said land is recorded in the Worcester District Registry of Deed Book 54245, Page 268. Property is located in a Residential-C zone.

The Board voted on the following waiver requests:

§ 4.A.1 – Location and Alignment: § 4.A.1.g *Street shall be laid out as to intersect at right angles.*

MOTION I: to approve waiver request Section 4.A.1 made by Mr. Leonardo.

Motion was seconded by Mr. Pavao.

Motion carried 5-0-0.

§ 4.A.3.h *Property lines at street intersections shall be rounded or cut back to provide for a curb radius or a right of way of not less than twenty-five (25) feet.*

MOTION I: to approve waiver request Section 4.A.3.h made by Mr. Leonardo.

Motion was seconded by Mr. Pavao.

Motion carried 5-0-0.

§ 4.A.3 – Grades of Streets: § 4.A.3.c. *At points of intersection of any streets, a leveling distance of not less than 80 (eighty) feet shall be provided at 90 (ninety) degrees to the street of intersection. This leveling distance shall have a grade of not less than 0.75% or more than 2.0%.*

MOTION I: to approve the waiver request § 4.A.3.c made by Mr. Leonardo.

Motion was seconded by Mr. Piccirillo.

Motion carried 5-0-0.

§ 5.C – Street and Roadway Requirements and Specifications

Section 5.C.6 Curbing shall be sloped granite edging or bituminous concrete, subject to Planning Board approval except at catch basin and intersection rounding where vertical granite curbing shall be required. Granite transition sections shall be provided at transitions from sloped to vertical curb.

MOTION I: to approve the waiver request 5.C.6 made by Mr. Leonardo.

Motion was seconded by Mr. Piccirillo.

Motion carried 5-0-0.

§ 5.D – Utilities



PLANNING BOARD MEETING MINUTES
July 27, 2016 continued

Section 5.D.1. *Adequate disposal of surface water shall be provided. Catch basins shall be built in conformity with specifications of the Selectmen on both sides of the roadway and continuous grades at intervals of not more than four hundred (400) feet, at low points and sags in the roadway and near corners of the roadway at intersecting streets.*

**MOTION I: to approve the waiver request Section 5.D.1 made by Mr. Leonardo.
Motion was seconded by Mr. Piccirillo.
Motion carried 5-0-0.**

§ 5.E – Sidewalks

Section 5.E *Not less than one (1) sidewalk which is not less than five (5) feet in width shall be constructed on one side of each street.*

**MOTION I: to approve the waiver request 5.E made by Mr. Leonardo.
Motion was seconded by Mr. Piccirillo.
Motion carried 5-0-0.**

**MOTION I: to approve the definitive subdivision for Tucker Hill Estates, 70 Richardson, made by Mr. Leonardo.
Motion was seconded by Mr. Desruisseaux.
Motion carried 5-0-0.
(*note....number will be changed from 70 Richardson Street to 90 Richardson Street)**

Mr. Smith returned to the meeting.

PH closed on July 13, 2016. Special Permit approved on July 13, 2016.

3. **FY16-29 Special Permit** – The applicant of record, **Robert and Kristina Stefanick**, 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 **83 and 89 Aldrich Street, Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 45, Parcels 1015 and 1017. The title to said land is recorded in the Worcester District Registry of Deeds Book 46626, Page 392 and Deeds Book 46626, Page 392. Property is located in the Agricultural Zoning District.

**MOTION I: to approve the Special Permit for a Retreat Lot for Robert & Kristina Stefanick, 83 & 89 Aldrich Street made by Mr. Leonardo.
Motion was seconded by Mr. Antonellis.
Motion carried 5-0-0.**

IV. MINUTES/MAIL/INVOICES

1. Throwbridge Acres –Engineering Review Deposit refund
 - a. A brief discussion was had regarding the history of Throwbridge Acres and Trowbridge Acres. The Chair signed/gave authorization to refund the excess engineering review fee.
2. Invoice(s): The Board signed/authorized payment for invoices received that were over \$600.00
3. 07/13/16 Meeting Minutes

**MOTION I: to accept the Minutes of the Meeting of July 13, 2016 made by Mr. Desruisseaux.
Motion was seconded by Mr. Leonardo.
Motion carried 5-0-0.**



PLANNING BOARD MEETING MINUTES
July 27, 2016 continued

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

1. 164 Providence Street –screening : Mr. Leonardo stated that he had heard there were additional plantings done and that he would do a drive-by to check.
2. Mountainview Estates: The Chairman stated the top coat had been done. The Chairman of the Conservation Commission spoke to the Board, stating that they had an enforcement action against them and that DEP is involved, due to the stormwater and erosion issues.
3. Gravel Permits –application & submittal requirements –incomplete renewal application request received for 175 South Street.

The Planning Board reviewed a gravel permit submittal consisting of a \$400.00 check and an expired permit. Mr. O'Connell of Andrews Engineering spoke on behalf of the applicant/property owner. Mr. O'Connell stated that the owner said there was a small area of gravel still to be removed; approximately 10,000 yards.

Mr. Smith stated the applicant would need to reapply and provide all the required information. Board members listed some of the missing information such as current conditions, the annual report, a Site Plan that shows what was taken out, what was reclaimed, the topography, a bond, engineering review fees, and site inspections.

Discussion was had regarding submittal requirements and the application process, previous submittals and what was lacking in the past,

Mr. Desruisseaux stated that since it was the first one, they wanted to make sure they had everything in order, have everything they are supposed to have and that they follow the bylaw. He stated that he felt there should be a cease and desist on the property because none of the information has been provided to the Board for a permit and the applicant should not be able to operate a gravel removal operation without a permit.

The Chair stated that at this time the applicant's permit has expired and he needs to reapply and provide the standard required information. It was stated that there is currently a no trespassing order from the property owner to all town officials. Mr. Leonardo stated that the Board worked on the earth removal bylaw over the period of at least 10-15 meetings, to make sure that if complaints were received that they could do an inspection, and would not necessarily call. He further stated it was not the intent of the bylaw to harass anyone but only to allow inspections when needed and that inspections must be allowed. Mr. Pavao commented that the permit was over a month expired.

Mr. Patrick Hannon (10 River Rd), Conservation Chairman, had discussion with the Planning Board regarding activities at the site. Mr. Desruisseaux stated without a valid permit, site plan, and report showing what was being excavated and what was being put back, the business should not be allowed to continue operating without a permit.

Citizens asked if they could comment on the issue. Mr. Desruisseaux stated that comments were to be kept specific to the "gravel removal permit".

Citizen's commented on the bylaw, expansion vs renewal, the soil importation/dumping bylaw approved at Town Meeting and reclamation, the ongoing gravel removal despite not having a permit and asked that the Board enforce the bylaw.

Discussion was had regarding enforcement options: sending a letter, issuing a cease and desist, and what activities would be ceased, Town Counsel's remarks, and bylaw interpretation.



PLANNING BOARD MEETING MINUTES
July 27, 2016 continued

MOTION I: to have the Zoning Enforcement Officer/Building Inspector issue a cease and desist of all gravel removal reclamation activity for 175 South Street Permit Number 71 until the permit is filed, all information required in our bylaw is given, and a permit has been issued made by Mr. Desruisseaux.

Motion was seconded by Mr. Piccirillo.

Motion carried 5-0-0.

4. Draft the warrant article for the 2016 FATM: striking footnote #4, "*Said 300 feet of frontage is required on both streets of a corner lot in the Agricultural zoning district,*" from the Uxbridge Zoning Bylaws, Table of Dimensional Requirements. –passed over.

VI. ADJOURNMENT: NEXT PLANNING BOARD MEETING, WEDNESDAY, August 10, 2016

MOTION 1: to adjourn the meeting made by Mr. Desruisseaux. Motion was seconded by Mr. Leonardo. Motion carried 5-0-0.

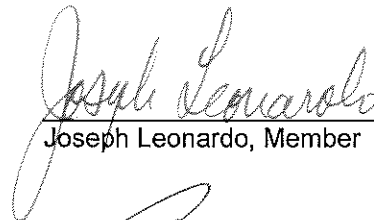
Respectfully submitted,

Lynn Marchand
Land Use Administrative Assistant

Planning Board Signatures




James Smith, Chairman



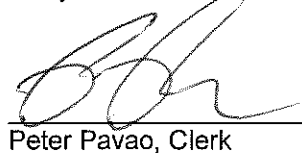
Joseph Leonardo, Member



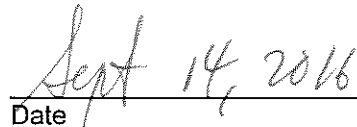
Barry Desruisseaux, Vice-Chair



Justin Piccirillo, Alternate Member



Peter Pavao, Clerk



Date