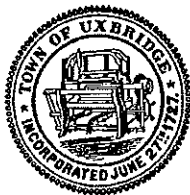


T/C

AUG 29 '17 PM 4:48

James Smith, Chair  
Barry Desruisseaux, Vice Chair  
Joseph Leonardo, Member  
Justin Piccirillo, Member  
Susan Arena, Alternate Member



Uxbridge Town Hall  
21 South Main Street, Room 205  
Uxbridge, MA 01569  
508-278-8600 x2013 p  
508-278-0709 f

Received by  
Uxbridge  
Town Clerk

## PLANNING BOARD MEETING MINUTES WEDNESDAY July 26, 2017

Minutes of the Uxbridge Planning Board regularly scheduled meeting on **Wednesday, July 26, 2017, at 7:00 P.M.** in the **Board of Selectmen Meeting Room, 21 South Main Street, Uxbridge, MA.**

**Present:** Chair, James Smith; Vice Chair, Barry Desruisseaux; Member, Joseph Leonardo and Member, Justin Piccirillo; Alternate Member, Susan Arena

**Also present:** Administrative Assistant, Lynn Marchand

### I. CALL TO ORDER

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

### II. PUBLIC HEARINGS

*Continued from July 12, 2017*

1. **FY17-25, 785 Quaker Hwy., Special Permit Application** - The Owner/Applicant of record, **Ei-Massih Enterprises, LLC/Fadi Ei-Massih**, is seeking a **Special Permit** to construct a gas service station and retail convenience store, with a future drive through, and associated earthwork, paving utilities, and landscaping. Property is located on **785 Quaker Highway, Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 51, Parcel 188. The title to said land is recorded in the Worcester District Registry of Deeds Book 40841 Page 89; Property is located in a Business zone.

The applicant's engineer submitted a written request to continue the Public Hearing to the first meeting in September.

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

*Continued from July 12, 2017*

2. **FY17-27 Earth Removal Application** - The Owner/Applicant, **Immanuel Corp.**, is seeking an **Earth Removal Permit** to remove 12,000 cubic yards of sand and gravel at **0 Millville Rd.** The property is shown on the Town of Uxbridge Assessor's Map 46 Parcel 2079. The title to said land is recorded in the Worcester District Registry of Deeds Book 4457 Page 201; Property is located in Residence C Zone.

The applicant's engineer submitted a written request to continue the Public Hearing to the next September meeting.

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

### III. BUSINESS

1. **FY17-22 Special Permit Modification Application** - The Applicant **Eli Laverdiere & Owners Paul & Kathleen Laverdiere**, are seeking approval for a proposed subdivision on a plan entitled Road Acceptance Plan dated August 11, 2015. Property is located on **15, 16 & 19 Storey Lane**. The property is shown on the Town of Uxbridge Assessor's Map 11, Parcels 1083, 1825, 1818. The title to said land is recorded in the Worcester District Registry of Deeds Book 38887 Pages 369, 367, & 371; Property is located in an Agriculture Zone.
  - a. Passed over to the next meeting. No one present to speak to the application.



## PLANNING BOARD MEETING MINUTES July 26, 2017 continued

### 2. Rogerson Commons/Crossing

- a. Mr. Chad Boardman, representing the applicant, gave the Board an update of the project. He stated there were 12 foundations in, 24 units under construction, and that 10 were sold. A closing date had been set for one of them and during the title work it was realized that a Covenant was still in place.  
He stated all the utilities were in and the road was done except for the top coat. They are continuing to work with ConCom. He commented that a catch basin that was on Town property was damaged and that he would repair it. They requested a "unit" release for one of the condominiums that they were closing on.  
The Board stated that Town Counsel was reviewing the feasibility of releasing a unit/individual dwelling (as opposed to a Lot) and whether a Bond would be appropriate. It was stated that a request was made to have Graves Engineering prepare a report for the PB as to what work remains and to set a recommended Bond amount. Mr. Boardman stated Graves was scheduled to inspect another project close by and he would reach out to the engineer to also stop at Rogerson Crossing.

### 3. Trowbridge Acres/Bayliss Way

- a. The Board signed the Mylars and Covenant.

Discussion was had with the engineer and developer regarding the Open Space Agreement, Trust/Non-Profit, and the Conservation Design Development Bylaw. The developer stated he was willing to waive the right to put any permanent structures.

The Chair stated the Board could sign the Covenant and the Mylars.

The engineer stated the intention of the Land Trust was to have a single trust owner, Tim Barlow, and not to be conveyed to all the Lot owners. Mr. Barlow stated he intended to form a non-profit Land Trust which is not required under the bylaw to be jointly owned in common with the Lot owners.

The Chair stated that they were waiting for the Town Attorney in helping to come to a resolution regarding the language and the Board discussed the requirements of the Open Space Agreement per the Zoning Bylaws.

**MOTION I: to endorse the Covenant made by Mr. Desruisseaux. Motion was seconded by Mr. Leonardo. Motion carried 4-0-0.**

### 4. Cumberland Farms

- a. Recommendation to BOS for Cumberland Farms Application for Storage of Flammable and Combustible Liquids, Flammable Solids and/or Flammable Gasses.

Representing the applicant, Attorney Tom Reidy stated this was unique for a municipality to do this and it is usually between the Fire Dept. and the licensing authority. Mr. Desruisseaux expressed that it was unnecessary as the Planning Board had already approved the project and this is the first time he's ever seen this as a requirement. Mr. Smith also stated the Board had given their approval on the project and everything in it.

**MOTION I: to recommend to the licensing authority to approve the application for the underground tanks made by Mr. Desruisseaux. Motion was seconded by Mr. Leonardo. Motion carried 3-0-1. Mr. Piccirillo abstained as he sits on the licensing authority Board.**



**PLANNING BOARD MEETING MINUTES**  
**July 26, 2017 continued**

**5. Meadow Brook Knoll/Freedom's Way**

**a. Informal discussion of revised Plan**

Mr. Fred Lapham of Shea Engineering spoke to the Board regarding revised Plans, which he stated would clean up the Plan, remove/replace the existing cul-de-sac but would require a waiver for the 200' radius. (radius would be 175') Discussion was had and the Board stated they liked the revisions but indicated it would need to go before Graves and through the normal review process when it was formally submitted.

**6. Master Planning**

**a. Passed over**

**7. Subdivision Rules & Regulation revision discussion**

- a. Unimproved roads**
- b. Private roads**

The Chairman will work with the Planning Admin. to consolidate and combine the comments and recommendations received.

**IV. MINUTES/MAIL/INVOICES**

**1. 07/12/17 Meeting Minutes**

**2. MOTION I: to accept the Minutes [of July 12, 2017] with the modifications stated made by Mr. Desruisseaux. Motion was seconded by Mr. Leonardo. Motion carried 4-0-0.**

**3. Invoices :** The Chairman reviewed and authorized payment of two invoices from Graves Engineering.

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

**1. Importation application and permit templates:** The Board approved/adopted the revised Importation and Permit templates.

Mr. Desruisseaux reported to the Board that he attended a recent Board of Selectmen meeting and the topic of marijuana was discussed. He asked the (Planning) Board if they felt it should be an agenda item to discuss drafting a zoning bylaw. He stated it should be discussed like any other business since the State had made a ruling. He stated the Town had an opportunity to earn 3% and he didn't want to see potential income go to another Town. Mr. Piccirillo stated that the State had a moratorium on non-medical marijuana that expires in April 1, 2018. The Board had general discussion regarding: the legality of a moratorium, the BOS' role, the process and similarity to liquor licensing, problems that could arise if a new type of business comes into existence without a bylaw in place.

**2. Board reorganization**

**MOTION I: to nominate Jim Smith as Chairman made by Mr. Desruisseaux. Motion was seconded by Mr. Leonardo. Motion carried 3-1-0. Mr. Smith abstained.**

**MOTION II: to nominate Barry Desruisseaux as Vice Chairman by Mr. Leonardo. Motion was seconded by Mr. Piccirillo. Motion carried 3-1-0. Mr. Desruisseaux abstained.**

**MOTION III: to nominate Joe Leonardo as Clerk make by Mr. Piccirillo. The Motion was not seconded.**



PLANNING BOARD MEETING MINUTES  
July 26, 2017 continued

Discussion was had regarding the Board Clerk position.

**MOTION IV:** to nominate Barry Desruisseaux as Clerk made by Mr. Leonardo. Motion was seconded by Mr. Piccirillo. Motion carried 3-1-0 with Mr. Desruisseaux abstaining and protesting. 301

**VI. ADJOURNMENT: NEXT PLANNING BOARD MEETING, WEDNESDAY, August 9, 2017.**


**MOTION I:** to adjourn the meeting made by Mr. Piccirillo. Motion was seconded by Mr. Desruisseaux. Motion carried 4-0-0.

The Meeting was adjourned at approximately 8:19 p.m.

Respectfully submitted,

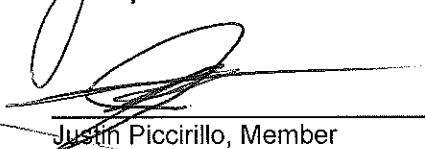
Lynn Marchand  
Land Use Administrative Assistant

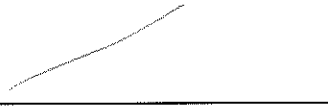
Planning Board Signatures

  
James Smith, Chairman

  
Joseph Leonardo, Member

  
Barry Desruisseaux, Vice-Chair

  
Justin Piccirillo, Member

  
Susan Arena, Alternate Member

August 23, 2017  
Date