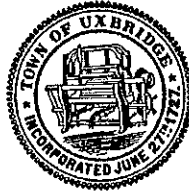


James Smith, Chair
Barry Desruisseaux, Vice Chair/Clerk
Joseph Leonardo, Member
Justin Piccirillo, Member
Eli Laverdiere, Member
Barry Hauck, Alternate Member



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**PLANNING BOARD MEETING MINUTES
WEDNESDAY
April 11, 2018**

Minutes of the Uxbridge Planning Board regularly scheduled meeting on **Wednesday, April 11, 2018, at 7:00 P.M.** in the **Board of Selectmen Meeting Room, 21 South Main Street, Uxbridge, MA.**

Present: Chair, James Smith; Vice Chair/Clerk, Barry Desruisseaux; Member Joseph Leonardo; Member, Justin Piccirillo; Member Eli Laverdiere; Also present: Administrative Assistant, Lynn Marchand

Absent: Alternate Member, Barry Hauck

I. CALL TO ORDER

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

II. PUBLIC HEARINGS

Continued March 28, 2018; PH opened 12-6-17

1. **FY18-04 Special Permit-** The Owners of record, **Newell Road Associates/James D. Schwartz, Uxbridge Realty Dev Tr/George Kurzon, and Blackstone Trust/Joel Kurzon**, and the Applicant, **ForeFront Power, LLC**, are seeking a **Special Permit** to install a four (4) MW AC PV solar electricity generating project. Property is located at **0 Depot St., 0 South Main St., & 25 Newell Rd., Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Maps 25, Parcels 2065, 4434. The title to said land is recorded in the Worcester District Registry of Deeds Books 16649 & 14490, Pages 142 & 163; Property is located in an Industrial Zone, Groundwater Protection Overlay District, and Agricultural Zone.
The applicant submitted a written request for a continuation to the next Planning Board meeting.
MOTION I: to continue the public hearing made by Mr. Desruisseaux. Motion was seconded by Mr. Piccirillo. Motion carried 5-0-0.

Continued from March 28, 2018, PH opened on 2/28/18

2. **FY18-08, Special Permit/Retreat Lot –** The applicant/owner of record, **Uxbridge Woods Realty Trust/Mark Foss, Trustee**, 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 **Eber Taft Rd. & Pond St.** The property is shown on the Town of Uxbridge Assessor's Map 33, A.P.O. Parcel 3073. The title to said land is recorded in the Worcester District Registry of Deeds Books 35868 & 34773, Pages 250 & 252 and Pages 7 & 9 (proposed Lot 11). Property is located in an Agricultural zoning district.
***see vote under public hearings, agenda item #4**

Continued from March 28, 2018, PH opened on 2/28/18

3. **FY18-09, Special Permit/Retreat Lot –** The applicant/owner of record, **Uxbridge Woods Realty Trust/Mark Foss, Trustee**, 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 **Eber Taft Rd. & Pond St.** The property is shown on the Town of Uxbridge Assessor's Map 33, A.P.O. Parcel 1485. The title to said land is recorded in the Worcester District Registry of Deeds Books 35868 & 34773, Pages 250 & 252 and Pages 7 & 9 (proposed Lot 9). Property is located in an Agricultural zoning district.
***see vote under public hearings, agenda item #4**



PLANNING BOARD MEETING MINUTES
April 11, 2018 continued

Continued from March 28, 2018, PH opened on 2/28/18

4. **FY18-10, Special Permit/Retreat Lot** – The applicant/owner of record, **Uxbridge Woods Realty Trust/Mark Foss, Trustee**, 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 **Eber Taft Rd. & Pond St.** The property is shown on the Town of Uxbridge Assessor's Map 33, A.P.O. Parcel 1541. The title to said land is recorded in the Worcester District Registry of Deeds Books 35868 & 34773, Pages 250 & 252 and Pages 7 & 9 (proposed Lot 1). Property is located in an Agricultural zoning district.

***MOTION I: to continue to May 9th for 2, 3, & 4 (agenda items) Uxbridge Woods Realty made by Mr. Desruisseaux. Motion was seconded by Mr. Piccirillo. Motion carried 5-0-0.**

5. **FY18-12 Special Permit Application/Solar** - The Owner of record, **Mr. Richard Hurteau** and the Applicant, **ZPT Energy Solutions, LLC/Ernest Mello**, are seeking a **Special Permit Modification** to construct a ground mounted 3.0MW (AC) photovoltaic solar array, associated equipment, an access driveway, fencing, and stormwater management system. Property is located at **Quaker Street, Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 051, Parcel 2341. The title to said land is recorded in the Worcester District Registry of Deeds Book 17112, Page 323; Property is located in an agricultural zone.

Representing the applicant, Mr. Peter Forte of Zero Point Development requested that the meeting be opened but discussion tabled until the applicant's civil engineer arrived. The Board granted the request. ***discussion was had after Agenda item # 1 under Business, FY17-22 Subdivision Modification Application for Storey Lane.*

Representing the applicant, Mr. Shawn Martin of Foss & O'Neill, handed out revised Plans to the Board. He described the property, location of the proposed solar field, and access through Albert Drive in Millville, MA; an easement on a cul-de-sac with a property and paved driveway with gravel access owned by the applicant. He stated he met with the Fire Chief and would make the changes based on their conversation. Mr. Martin discussed the tree clearing at the south-end of the array [leaving stumps for re-growth for retaining of habitat], fence line around the property, access for mowing, low-grow/low maintenance type of ground cover, drainage features, mowing program, and low maintenance operation.

The Board asked questions regarding the frontage being solely through Millville.

Mr. Richard Hurteau, owner of the property spoke to the Board. He stated that the access was not on Albert Drive but rather was on Ronden Road. He stated he was the Chairman of the Millville Planning Board and that the certified letter of the Public Hearing was read at the last Planning Board meeting. He said there was a temporary easement at the intersection, on a property owned by Mr. Kevin Powers [who was in attendance at the meeting]. The temporary easement was said to have approximately 1 year left. Mr. Hurteau stated that after that time, access to the solar field would be through Lot 8 on Ronden Road where he would be building his personal home. He stated he would be deeding the easement to ZPT.

The Board discussed screening, both trees and a green mesh as well as tree mortality and screening maintenance. The engineering stated he would present suggestions regarding buffering. The engineer stated he would suggest only mesh on the easterly side. Discussion was had regarding the Uxbridge Planning Board's legal ability to approve the project with access in Millville. The Board requested documentation from Millville regarding the project. Also discussed was the definition of a structure, access through an easement, and frontage requirements; frontage being in another Town. Mr. Hurteau stated he would provide Minutes of the Millville Planning Board meeting.

No one from the public wished to speak to the application.

MOTION I: to continue the public hearing made by Mr. Desruisseaux. Motion was seconded by Mr. Laverdiere. Motion carried 5-0-0.



PLANNING BOARD MEETING MINUTES
April 11, 2018 continued

6. **FY18-13 Special Permit Application/Retreat Lot** - The **Owner/Applicant of record, Great River Investment Group, Inc./Ron Medeiros** is seeking a **Special Permit** to construct a single-family dwelling pursuant to UZBL §400-32, **Retreat Lots**. Property is located at **680 Hartford Ave E., Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 008, A.P.O. 2258 & 2184. The title to said land is recorded in the Worcester District Registry of Deeds Book 58391, Page 203; Property is located in Resident C zone.

Representing the applicant, Mr. Stephen O'Connell of Andrews Survey and Engineering addressed the Board. He stated the lot already exists due to an ANR previously approved by the Planning Board. He stated the property consisted of 2.62 acres, above the 2 acres required for a retreat lot in Resident C-zone, and that the access was by the 30' width by the cemetery [Mowry's Tomb]. Mr. O'Connell commented that an approval by the Planning Board for the Special Permit for the Retreat Lot in conjunction with the previously approved Plan would allow a property owner to pursue a building permit on the lot following an approved septic system design. He stated soil testing on the site would pass and was suitable for a Title V.

Mr. Desruisseaux asked how much frontage there was. Mr. O'Connell stated there was 40.33'. Mr. Piccirillo asked about the dual zoning on the property. Mr. O'Connell stated it was so many feet off the road. No members of the public were present that wished to speak to the public hearing.

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

MOTION II: to grant the Special Permit for a Retreat Lot for Great River Investment Group Inc. at 680 Hartford Ave East in Uxbridge based on a Plan dated September 8, 2016 by Mr. Desruisseaux.

The Board discussed language for the Decision draft and waiting until the next meeting to vote on the Special Permit after the Decision draft was reviewed.

Mr. Desruisseaux withdrew his Motion.

Continued from March 28, 2018

7. **Subdivision Rules & Regulations** –In accordance with Massachusetts General Law (MGL) Chapter 41 Section 81Q, the Planning Board is seeking to improve subdivision guidelines by amending the Subdivision Rules and Regulations in order to assure conformance with the requirements of public health, safety, and welfare and to advance the sound development of the Town in accordance with MGL Chapter 41 Section 81M.

Updates from previous meeting had not yet been added.

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

III. BUSINESS

Mr. Laverdiere recused himself.

PH opened 3/22/17; PH closed 6/14/17

1. **FY17-22 Subdivision 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. Graves Engineering's letter
 - b. Surety
 - c. Revised Decision draft



PLANNING BOARD MEETING MINUTES
April 11, 2018 continued

Representing the applicant, Mr. Stephen O'Connell of Andrews Survey and Engineering gave the Board a recap of events including Graves Engineering's bond estimate which included additional line items and the follow-up letter stating the Board had the authority to modify the bond amount if they felt a mill and overlay was not necessary. Mr. O'Connell presented a modified bond estimate of \$45,705.60 (vs Graves estimate of \$100,232) for the Board's consideration.

Discussion was had regarding 1' wide x 200' long section that will be milled not included in the estimate, the suggested overlay of the entire road, varying from DPW and Graves' recommendations, Town Meeting/road acceptance, the previously approved decision stating the road would remain private unless brought up to Town standards, and current state of most Town roads, current condition of Storey Lane's road, 4' of roadway being added to a 3-Lot existing subdivision vs the reasonability of a full overlay of the road, and both DPW's and Graves' recommendations.

Mr. O'Connell stated the Board will still have to review the road after the modifications have been made before issuing a Determination of Completeness prior to going to Town Meeting.

Discussion has had regarding the items the Planning Board had already voted on for the Decision language and Conditions.

MOTION 1: to accept the bond amount of \$45,705.60 including the \$400 for pavement milling that's not included in the bond by Mr. O'Connell made by Mr. Desruisseaux. Motion was seconded by Mr. Piccirillo. Motion carried 4-0-1. Mr. Smith abstained.

Discussion was had regarding changes to be made to the draft Decision; Removing condition number 24, "there shall be crack sealing as well as mill and overlay of the entire roadway for a monolithic top course pavement", revision of the date of the Decision, and revision to the bond amount.

Mr. Laverdiere returned to the meeting.

**Planning Board returned to Agenda Item #5, Public Hearing for FY18-12 Special Permit Application/Solar, Quaker Street.*

*Items #2, Spruce Hill was heard after the Quaker Street Public Hearing
Mr. Desruisseaux left the meeting.*

2. Spruce Hill Estates, Peter Street -passed over

IV. MINUTES/MAIL/INVOICES

1. 02/28/18 Meeting Minutes -passed over
2. 03/28/18 Meeting Minutes -passed over
3. Invoices (over \$600) -passed over

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

VI. ADJOURNMENT: NEXT PLANNING BOARD MEETING, WEDNESDAY, April 25, 2018.

MOTION 1: to adjourn the meeting made by Mr. Leonardo. Motion was seconded by Mr. Piccirillo. Motion carried 4-0-0.

The Meeting was adjourned at approximately 9:40 p.m.

Respectfully submitted,

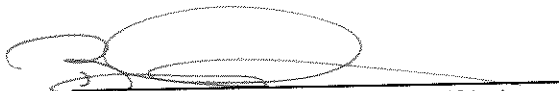
Lynn Marchand
Land Use Administrative Assistant




PLANNING BOARD MEETING MINUTES
April 11, 2018 continued


Planning Board Signatures


James Smith, Chairman


Barry Desruisseaux, Vice-Chair/Clerk

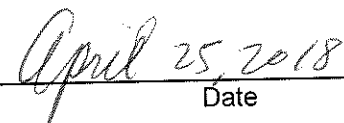

Eli Laverdiere


Joseph Leonardo, Member


Justin Piccirillo, Member

Absent

Barry Hauck, Alternate Member


Date