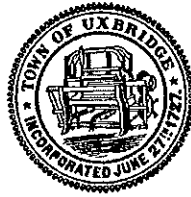


James Smith, Chair
Barry Desruisseaux, Vice Chair/Clerk
Joseph Leonardo, Member
Justin Piccirillo, Member
Eli Laverdiere, Member
Barry Hauck, Alternate Member



Uxbridge Town Hall
21 South Main Street, Room 205
Uxbridge, MA 01569
508-278-8600 x2013 p
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**PLANNING BOARD MEETING MINUTES
WEDNESDAY
May 23, 2018**

Received by
Uxbridge
Town Clerk

Minutes of the Uxbridge Planning Board regularly scheduled meeting on **Wednesday, May 23, 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; Alternate Member, Barry Hauck; 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 present, the meeting was called to order by the Chair, who led the Pledge of Allegiance.

II. PUBLIC HEARINGS

Continued April 25, 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.
 - a. 03/26/18 Town Counsel, Fire, & DPW comments –easement, access, safety
 - b. 03/26/18 Forefront Power reply
 - c. 04/30/18 Summary of changes based on comments
 - d. 05/03/18 Revised Plans & Stormwater
 - e. 05/03/18 Graves Review

Representatives from Forefront Power reviewed the changes made based on the reviews and reports received. Discussion has had regarding the fact that there are two separate parcels, under two separate owners, and that only one of the parcels has frontage. The Forefront representative stated that there was adequate frontage for public safety and it was a single project under common control. She stated the strict application of the frontage requirement would violate MGL 40A Section 3 paragraph 9.

Mr. Desruisseaux asked about access over Newell Rd on the Town's easement granted by the Railroad. The representative stated that the Town could have emergency access but not Forefront.

Mr. Smith read a portion of Town Counsel's remarks. The Board reviewed the screening plan in relation to abutters and suggested changes. No abutters wished to speak to the application. The proponents said they would make the required edits to the Plan.

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

Continued from April 25, 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



PLANNING BOARD MEETING MINUTES
May 23, 2018 continued

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 Public Hearings, Agenda Item #4**

Continued from April 25, 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 Public Hearings, Agenda Item #4**

Continued from April 25, 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.

a. Financial Issue resolution 4/10/18

b. Town Counsel's email 3/1/18 re: clean up plan due 4/10/18

*The applicant submitted a request for a continuance for FY 18-08, FY18-09, & FY18-10

MOTION I: to continue the public hearings to June 13th made by Mr. Desruisseaux. Motion was seconded by Mr. Laverdiere. Motion carried 5-0-0.

Continued from April 25, 2018, PH opened on 4/11/18

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** 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.

a. 04/19/18 Letter from Attorney Kiritsy

b. 04/24/18 Graves Review

c. 05/01/18 Town Counsel's remarks

Representing the applicant, Mr. Ernie Mello discussed the issue of the frontage and access being exclusively in Millville and discussed Town Counsel's remarks. He stated that they had submitted a Special Permit with Millville for the access road. Mr. Laverdiere expressed concern about the two properties not being combined that provides the access to the proposed solar project. Mr. Mello stated that the Special Permit could be conditioned upon maintaining the required frontage. Mr. Desruisseaux stated that his concern was getting into a legal problem with Millville if the Board approved the project and that he would like something from the Town of Millville stating they were okay with the access road to the solar array. The Board also discussed the screening, plantings, and the green mesh added to the Plan.

MOTION I: to close the public hearing for the ZPT Energy Solutions made by Mr. Piccirillo. Motion was seconded by Mr. Desruisseaux. Motion carried 5-0-0.



PLANNING BOARD MEETING MINUTES
May 23, 2018 continued

The Chair opened the public hearing for FY18-16, Definitive Subdivision for Campanelli Development. **MOTION I: to open all three public hearings (FY18-16, FY18-17, & FY18-18)at the same time made by Mr. Desruisseaux. Motion was seconded by Mr. Piccirillo. Motion carried 5-0-0.** The Chair stated it would allow the applicant to do one presentation instead of three.

6. **FY18-16 Definitive Subdivision Application** - The Owners of record, Uxbridge Woods Realty Trust/Mark Foss, Trustee and Harris Avenue Realty Trust/Mark Foss, Trustee and Applicant of record, Campanelli Development, LLC are seeking a **Definitive Subdivision Approval** to construct a five (5) lot industrial subdivision with 2 roads [Road A & Road B with proposed street names of Campanelli Drive & Campanelli Drive Extension]; Four (4) lots will have frontage on the subdivision roads, one (1) lot will have frontage on High Street. The four (4) lots on the subdivision roadway will total approximately 178 acres and the remaining lot will be approximately 11 acres. The property will be utilized for warehouse and distribution development with no sidewalks proposed. Property is located on **612 & 626 Douglas Road (Route 16) and 600 High Street, Uxbridge MA.** The property is shown on the Town of Uxbridge Assessor's Map 28, Parcels 3589 & 1746 and Map 33, Parcel 0342. The titles to said land are recorded in the Worcester Registry of Deeds Books 18685, 43078, & 52418 Pages 269, 258 & 337; Property is located in the Industrial Zone.

a. 05/01/18 Graves Review #1

Representing the applicant, Mr. David Kelly of Kelly Engineering spoke to the Board. He introduced Russ Dion, Rob Demarco, and Molly Kelly with Campanelli, Attorney Frank Marinelli and Bob Michaud and thanked the Board for opening all three hearings together. Mr. Kelly gave an overview of the property description and it's relation to the surrounding area. He reviewed the details of the proposed subdivision and roads. The acreage of the proposed lots were stated as follows: Lot 1 was described as 14 acres, Lot 2 was 16 acres, Lot 3 was 54 acres, and Lot 4 was 88 acres. Lot 4 was stated as the area in relation to the Special Permit application. The street is being proposed to be built to Town standards, 30' width paved way with appropriate curbing, lighting, landscaping, and utilities.

The end of the Phase I segment of road was stated to have an de facto turnaround that will be made up of a short extension of the road and two legs of the driveways into Lots 1 & 4. The second leg of the road, Campanelli Drive Ext, was proposed as a 22' wide, one-way road for exiting traffic heading back in an easterly direction to the highway. He stated all the utilities would be extending in from Douglas Street, a proposed 10" water main which will extend through the entire length of the roadway and gravity sewer main extending out Campanelli Drive Ext and extend easterly all the way to Taft Hill Road.

Mr. Kelly stated they were working with DPW on the details of the gravity sewer main proposal which he said would provide some benefit for the community in the future, for future connections.

As was stated during the preliminary subdivision, small waivers were requested. He reviewed those waiver requests again with the Board and the reasons for each.

Discussion was had regarding low water pressure in the area, additional developments going on, and concerns regarding fire suppression. With regards to fire suppression, Mr. Kelly stated they were proposing a water tank to be installed for that purpose.

Mr. Leonardo discussed adequateness of road width with exiting and entering. Discussion was had regarding the design including curbing, safety, and subsurface management systems.

The Chairman opened the discussion to the public. Abutters expressed concerns about traffic safety, truck noise, headlights onto their properties. Mr. Robert Michaud reviewed the traffic study with the Board and abutters present.

7. **FY18-17 Special Permit Application** - The Owners of record, Uxbridge Woods Realty Trust/Mark Foss, Trustee and Harris Avenue Realty Trust/Mark Foss, Trustee and Applicant of record, Campanelli Development, LLC are seeking a **Special Permit** for a major non-residential project creating a gross floor area greater than 20,000 square feet and providing more than 50 parking spaces. Property is located on lots 1 and 4 of **612 & 626 Douglas Road (Route 16) and 600 High Street, Uxbridge MA.** The property is shown on the Town of Uxbridge Assessor's Map 28, Parcels 3589 & 1746 and Map 33, Parcel 0342. The titles to said land are recorded in the Worcester Registry of Deeds Books 18685, 43078, & 52418 Pages 269, 258 & 337; Property is located in the Industrial Zone.



**PLANNING BOARD MEETING MINUTES
May 23, 2018 continued**

a. 05/01/18 Graves Review #1

Mr. Kelly said the Special Permit applications were for Lots 1 & 4. Two waivers were being sought; a waiver from the scoping session and a waiver from the parking requirements. He stated the company looking to utilize Lots 1 & 4 was a fourth generation family owned business from Illinois, Medline and that they were the largest privately owned held manufacturer and distributor of medical supplies. He stated the company started in 1910 and had an expansion in 1960, had 15,000 employees in over 90 countries with 40 distribution centers with Uxbridge being the 43rd. He stated that on day-1, there would be 170 jobs and as the project came into full swing, there would be 400-450 jobs. Mr. Kelly stated that the project will generate between \$600,000 and \$800,000 in real estate taxes for Uxbridge.

Lot 1 was proposed for 132 space trailer storage area as an accessory use to the main project on Lot 4 which would have an 800 square foot building, 445 parking spaces, 130 loading docks, and 80 trailer spaces. Mr. Kelly reviewed how the property traffic would flow, parking, safety, and loading. The Board also discussed screening/trees as well as noise from the trucks including back-up sounds. Mr. Kelly described the gated emergency access area and stated they would continue to work with the Fire Chief and with DPW and improving the unimproved portion of High Street.

Mr. Kelly stated there was a narrative submitted showing that the Special Permit criteria would be met and that they would be replying to Graves review comments.

- 8. FY18-18 Fill/Importation Permit Application - The Owners of record, Uxbridge Woods Realty Trust/Mark Foss, Trustee and Harris Avenue Realty Trust/Mark Foss, Trustee and Applicant of record, Campanelli Development, LLC are seeking a Fill/Importation Permit to import earth materials for construction of base gravel for driveways and parking lots and structural fill for the buildings. Property is located on 612 & 626 Douglas Road (Route 16) and 600 High Street, Uxbridge MA. The property is shown on the Town of Uxbridge Assessor's Map 28, Parcels 3589 & 1746 and Map 33, Parcel 0342. The titles to said land are recorded in the Worcester Registry of Deeds Books 18685, 43078, & 52418 Pages 269, 258 & 337; Property is located in the Industrial Zone.**

a. 05/01/18 BOH comments

b. 05/21/18 Graves Review #1

Mr. Kelly stated they would import materials for construction of the driveways and parking lots as well as structural fill for the buildings.

MOTION I: to continue the public hearings to the next meeting (FY18-16, FY18-17, & FY18-18) made by Mr. Piccirillo. Motion was seconded by Mr. Desruisseaux. Motion carried 5-0-0.

III. BUSINESS

1. ANR 260 & 262 Douglas St. (2 lots and 1 non-buildable lot)

a. 11/07/90 ZBA Decision

b. ZEO letter & reply from Attorney Cove

Mr. Robert Anderson of 260 Douglas Street spoke to the Board. Also present was his father, the owner of 262 Douglas Street and the engineer for the project, Mr. Richard Gosslin. He stated that his father had given him a piece of his property in 1990, which he was granted a variance for from the ZBA, and he stated he wanted to add some of his father's property to his to increase his property value. He reviewed the issues with the property and the septic. Mr. Smith summarized it saying it was essentially creating a land locked, non-buildable parcel to maintain a septic easement for a lot across the street. The Board reviewed the letter from the Building Inspector and discussed the revised Plan.

MOTION I: to endorse the ANR [for] 260 & 262 Douglas Street for Robert W. Anderson and note that Parcel C is to be a non-buildable Lot made by Mr. Desruisseaux. Motion was seconded by Mr. Piccirillo. Motion carried 5-0-0.

2. ANR 119 & 141 Albee Rd.

Mr. Byron Andrews of Andrews Survey & Engineering, representing the applicants, stated they wanted to separate parcel A and combine it with the abutting lot as demonstrated on the colorized Plan distributed to the Board during the meeting. He stated that both lots have adequate frontage currently and would still have adequate frontage after the ANR.



PLANNING BOARD MEETING MINUTES
May 23, 2018 continued

MOTION I: to endorse the ANR for 119 & 141 Albee Road for the Albee Berthelette Road Realty Trust made by Mr. Piccirillo. Motion was seconded by Mr. Laverdiere. Motion carried 5-0-0.

Mr. Smith recused himself.

3. Hecla Village

- a. Tri-Party Agreement release

The Vice Chair stated the applicant was seeking a release from the Tri-Party agreement, DPW has deemed it complete and the Town has accepted the layout of the roadway, and confirmed the agreement amount of 18,128.00.

Mr. Smith returned to the meeting.

MOTION I: to release [the Tri Party Agreement for] the Hecla Village \$18,128.00 made by Mr. Leonardo. Motion was seconded by Mr. Piccirillo. Motion carried 4-0-0.

The Board signed the Tri-Party release form.

4. Trowbridge

- a. Land Trust
- b. Open Space
- c. Town Counsel's recommendation
- d. Pre-construction meeting discussion

Mr. Tim Barlow, contractor for the project stated that they were ready to start road construction and would like to have a preconstruction meeting, however the Land Trust and Open Space agreement had not yet been approved by the Board. He stated that the attorney for the project and Town Counsel had agreed upon the language and that the Land Trust needed to be recorded. The Chair asked for a timeline on when it would be recorded along with the Open Space agreement. Mr. Barlow stated it would be months and that he was hoping to have the preconstruction meeting in conjunction with the recording process and setting everything up. He stated lot releases could be conditioned upon the recording. The Chair instructed the applicant to work with the Admin. to set up the preconstruction meeting and advised him to get the paperwork in order and filed. Discussion was had regarding the deadline.

5. Spruce Hill Estates, Peter Street

- a. Graves Engineering report
- b. Bond
- c. Process –Town Counsel's comments 4/30/18, 5/1/18, 5/2/18

The Chairman gave a summary to the Board stating the road was not completed and basically abandoned by the developer, that a bond was in place, and that Town Counsel had given advice on how to take the Bond in order to complete the road, and steps for notifications. He stated the entity that built the road but that the entity was no longer in existence. The Board directed the Admin. to send the notifications of the intent to take the Bond. The Admin. requested that the draft notifications be reviewed by the Board prior to sending them out.

The builder for Spruce Hill Estates was present and stated the developer had not been in existence since 2008. He stated that he had a 4-plex foundation that was hinging on the Planning Board taking the Bond and the Town completing the road. The Chair stated that all the lots were released on the road and there was nothing preventing them from getting building permits. The buyer stated he cannot get financing from the Bank until the Town signs something saying they will take over the road.

6. Third-party Engineering Review Company

- a. Discuss
- b. Vote to have TM's office get 3 quotes
- c. Make a recommendation



PLANNING BOARD MEETING MINUTES
May 23, 2018 continued

Discussion was had regarding the process. The Town Manager had sent an email saying engineering requests do not need a bid RFP but that she requests that we get 3 quotes and requested that the Board vote to get 3 quotes and to make a recommendation to the Town Manager. Mr. Piccirillo stated it was not a requirement of the procurement law. Mr. Desruisseaux stated there was no formal bid/quote process. The Chair stated they could see what other Towns do, who they use, and then reach out to the 3rd party engineers and ask them to put in a bid. The Board discussed other aspects of selecting a 3rd party engineer such as quality. They acknowledged that they had been very satisfied with Graves Engineering.

PH closed 4/25/18

- 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.
-passed over

IV. MINUTES/MAIL/INVOICES

1. 02/28/18 Meeting Minutes –passed over
2. 04/25/18 Meeting Minutes –passed over
3. Invoices (over \$600)

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

VI. ADJOURNMENT: NEXT PLANNING BOARD MEETING, WEDNESDAY, June 6, 2018 w/ZBA & a regular meeting on WEDNESDAY, June 13, 2018.

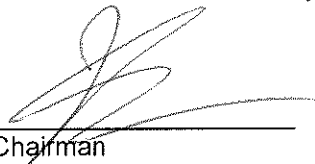
MOTION I: to adjourn the meeting made by Mr. Leonardo. Motion was seconded by Mr. Desruisseaux. Motion carried 5-0-0.

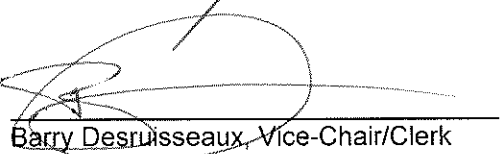
The Meeting was adjourned at approximately 9:55 p.m.



PLANNING BOARD MEETING MINUTES
May 23, 2018 continued

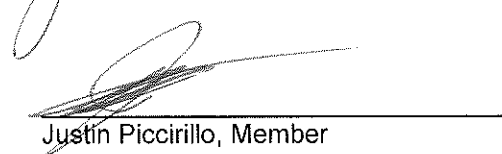
Planning Board Signatures

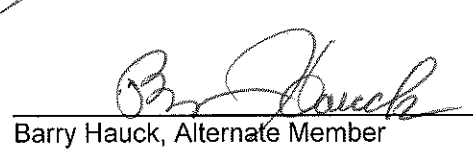

James Smith, Chairman


Barry Desruisseaux, Vice-Chair/Clerk


Eli Laverdiere


Joseph Leonardo, Member


Justin Piccirillo, Member


Barry Hauck, Alternate Member

6-27-18

Date