



Town of Uxbridge  
**Planning Board**  
21 So. Main St.  
Uxbridge, MA 01569  
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Minutes of the Uxbridge Planning Board regular meeting held on Wednesday, **July 26, 2006**, at 7:00 P.M. in the **Board of Selectmen's Meeting Room**, 21 So. Main St., Uxbridge, MA 01569.

**Planning Board Members Present:** Chairman John Morawski, Vice-Chairman Susan Bloomberg, Clerk Debbie Bernier, Peter Petrillo, and Stanley Stefanick

**Planning Board Member(s) Absent:** None

**Others Present:** Cheryl Brodeur, Administrative Assistant, Planning and Zoning Boards

The meeting being duly called, properly posted, and a quorum being present, Chairman Morawski called the meeting to order at **7:00 P.M.**

**Old / New Business:**

**Bernat Mill Zoning Article Discussion:** Mark Anderson of Heritage Design Group represented the owners of the Bernat Mill, Leonard Fournier and Jack Tweed, who accompanied Mr. Anderson. Mark Anderson provided a re-capitulation of the project to the Board in hopes of soliciting Board sponsorship of an Historic Mill Overlay District article, which would allow mixed-use zoning at the Bernat Mill. Mr. Anderson went on to say that the proposed zoning article was similar to the earlier zoning article approved by Town Meeting regarding development of the Waucantuck Mill. Mark explained that the article includes a limitation on the number of units based on square footage and that the mill owners were seeking as part of the article to be allowed to build twenty-five (25) units per year as opposed to being kept to the growth management by-law numbers. Mr. Anderson also told the Board that he did look at Chapter 40R (Smart Growth Policy) based on Floyd Forman's request and he gave the Board the "Summary of M.G.L. Chapter 40R – Smart Growth Zoning Districts" (Exhibit "A" attached).that he described as development of downtown areas in the interest of promoting industrial, business and residential uses in combination with one another. He went on to say that by allowing people to live in this mixed use environment that there would be a reduction in auto traffic and an increase in pedestrian traffic. Mr. Anderson advised the Board that the mill owners are aware that a traffic study will have to be conducted as part of the Special Permit process. He asked the Board for sponsorship of this article at the Annual Fall Town Meeting. Susan Bloomberg asked if this project was eligible under 40R and Mr. Anderson answered that the project met much of the 40R criteria and went on to say that there might, at some later time, be a passenger rail component because Providence & Worcester RR are already investigating a passenger link from Providence to Worcester and vice versa. Mr. Anderson spoke further to a reduction of truck traffic to and from the mill with mixed use and stressed that the project would be composed of strictly one and two bedroom units. He spoke to similar projects in the valley and the historic lack of large numbers of children generated by such projects. He indicated that since the mill is served by public sewer and water that each unit would have to pay a sewer tie-in fee. Peter Petrillo indicated that he likes the idea but that he would like to take a closer look at particulars. Stanley Stefanick indicated that he like the idea, as well. Debbie Bernier intoned that she would like to look closer at the project. Mr. Anderson indicated that he and the mill owners had not met with the BOS recently but that they were very supportive the last time they met with them. Chairman Morawski indicated that he was in favor of the idea. Susan Bloomberg indicated that she had traffic and public safety access issues and that she was reluctant to support the Board's sponsorship of this article. Peter Petrillo made a motion, seconded by Stanley Stefanick, to grant Planning Board sponsorship to the proposed Bernat Mill Historic Mill Overlay District Zoning Article. The vote was 3-2-0, with Susan Bloomberg and Debbie Bernier casting the two dissenting votes.

**Public Hearing(s) New:**

**Cnossen Long Term Investment Corp. Special Permit:** Chairman Morawski opened the Public Hearing on the Cnossen Long Term Investment Special Permit for the sole purpose of continuing same to 08/23/06. Peter Petrillo made a motion, seconded by Stanley Stefanick, to continue the Public Hearing on the Cnossen Long Term Investment Corp. Special Permit to 08/23/06. The vote was 5-0-0 in favor of the motion.

**Maple Shire Drive Definitive Subdivision Plan:** Chairman Morawski opened the Public Hearing on the Maple Shire Drive Definitive Subdivision Plan. Mike Labbe and Adam Gaudette of Heritage Design Group represented the applicants, Ken and Claire Lachapelle. Mr. Gaudette explained to the Board that this plan called for a two (2) lot subdivision off of Mendon Street involving a pre-existing, non-conforming lot at 244 Mendon St. owned by the Lachapelle's that does not have requisite frontage in the Residence B Zone. He further explained by creating a right of way with a cul de sac the applicants would be able to create two conforming lots with requisite frontage coming from the right of way / cul de sac. Mr. Gaudette went on to say that his client's were seeking waivers from the typical subdivision road construction standards and were asking that the substandard access road remain private in perpetuity (Exhibit "B" attached). Adam indicated that he will provide a written response to Cullinan Engineering's and the DPW's review comments. Cheryl Brodeur indicated that she would obtain DPW's review comments and place them in the Board member's folders. Mr. Gaudette went on to say that the contour of the paper cul de sac was flat for fire truck turn-around. When Board members expressed further concerns on fire safety, Adam offered to meet with the Fire Chief to get his opinion on fire truck safety on the site. Two abutters were present: Richard Mason (who read a statement which serves as attached Exhibit "C") and Cheryl Brodeur. Both abutters spoke to concerns about the applicant's desire to waive paving the right of way and dust generation from gravel. The applicant indicated that currently his home is served by underground utilities that are located beneath the existing gravel driveway and that paving over these underground utilities could prove most costly should they run into a problem with the utilities in the future. Peter Petrillo suggested the applicant use re-grind instead of pavement and suggested that the applicant cover the current gravel driveway to the end of the Mason property. Mr. Gaudette vowed to gather input from the Fire Chief and expressed hope that the waivers could be voted upon at the next meeting. Stanley Stefanick made a motion, seconded by Peter Petrillo, to continue the Public Hearing on the Maple Shire Drive Definitive Subdivision Plan to 08/09/06. The vote was 5-0-0 in favor of the motion.

**Public Hearing(s) Continued:**

**Evergreen Acres Conservation Design Definitive Plan:** Steve Gioiosa of SITEC Engineering and Henry Lane, Esq. of Lane and Hamer represented the applicant. Mr. Gioiosa told the Board that the last letter from BETA Engineering dated 07/26/06 (Exhibit "D" attached) indicated that SITEC had addressed most of BETA's concerns regarding the drainage and roadway design. Mr. Gioiosa told the Board that he would be meeting with the Conservation Commission next week. There were no Board questions and no audience comment. Henry Lane told the Board that TransCanada was hoping for a close to the Public Hearing tonight. Peter Petrillo made a motion, seconded by Susan Bloomberg, to close the Public Hearing on the Evergreen Acres Conservation Design Definitive Plan. The vote was 5-0-0 in favor of the motion. Henry Lane produced a document asking that the Board extend the time within which they must render a decision on this subdivision plan to 09/01/06 and to continue deliberation on the plan to 08/23/06. Susan Bloomberg made a motion, seconded by Peter Petrillo, to grant the applicant's request to extend the time within which the Board must render a decision on the Evergreen Acres Conservation Design Definitive Plan to 09/01/06. The vote was 5-0-0 in favor of the motion. Peter Petrillo made a motion, seconded by Debbie Bernier, to continue deliberations on the Evergreen Acres Conservation Design Definitive Plan to 08/23/06. The vote was 5-0-0 in favor of the motion.

**Discussion with Floyd Forman, Director of Planning and Economic Development:**

**Concord / Douglas Zoning By-laws re: Parking:** Ms. Bloomberg drew the attention of the Board members to two sets of Zoning By-laws pertaining to parking in the Towns of Concord and Douglas. She explained that Mr. Forman had provided these two sets to have Board members review them and get back to him with their feelings about how the Board might want to proceed regarding a Parking Zoning By-law for the Town of Uxbridge.

**CMRPC Letter re: A New Law for Board Member Participation in Public Hearings:** Susan Bloomberg and John Morawski briefly explained what they understood of the new law. Cheryl Brodeur is to supply a copy of the letter to all Board members before the next meeting.

**Holbrook Farm Estates Subdivision – Murphy Way – Chris Bettencourt:** Susan Bloomberg explained that the residents of this subdivision are still complaining about the road and its lack of completion to subdivision standards. Chris Bettencourt has been advised that there are still problems there and he will be formally asked to attend a Planning Board Meeting in the very near future to seek resolution of the problems on Murphy Way.

**Accept & Endorse Meeting Minutes, Sign Invoices, Review Mail, Miscellaneous:**

**07/12/06 Meeting Minutes:** Stanley Stefanick made a motion, seconded by Susan Bloomberg, to accept as written and endorse the 07/12/06 Planning Board Meeting Minutes. The vote was 4-0-1 in favor of the motion, with Peter Petrillo casting the one abstaining vote.

**06/28/06 Meeting Minutes:** Peter Petrillo made a motion, seconded by Susan Bloomberg, to accept as written and endorse the 06/28/06 Planning Board Meeting Minutes. The vote was 3-0-2 in favor of the motion, with John Morawski and Debbie Bernier casting the two abstaining votes.

**Note: John Morawski made mention that an 81P must be signed by the quorum of the Board.**

**Adjournment:** Peter Petrillo made a motion, seconded by Susan Bloomberg, to adjourn. The vote was 5-0-0 in favor of the motion. The meeting adjourned at 9:00 P.M.

_____ John Morawski, Chairman	_____ Date
_____ Susan Bloomberg, Vice Chairman	_____ Date
_____ Debbie Bernier, Clerk	_____ Date
_____ Peter Petrillo	_____ Date
_____ Stanley Stefanick	_____ Date