



Town of Uxbridge
Planning Board
21 So. Main St.
Uxbridge, MA 01569
(508) 278-6487

Minutes of the Uxbridge Planning Board regular meeting held on Wednesday, **June 11, 2008**, at 7:00 P.M. in the **Board of Selectmen's Meeting Room, Uxbridge Town Hall, 21 So. Main St.**, Uxbridge, MA:

Planning Board Members Present: Chairman John Morawski, Debbie Bernier, Peter Petrillo, Stanley Stefanick and Chuck Lutton. Associate Member Barry Desruisseaux was also present.

Planning Board Member(s) Absent: None

Others Present: Megan T. DiPrete, Director of Planning and Economic Development and Tracey Ante, Administrative Assistant

It being after 7:00 pm, the meeting being properly posted, duly called and a quorum being present, Chairman John Morawski called the meeting to order and led the gathering in the Pledge of Allegiance.

Rogerson Commons/Rogerson Crossing. Townhouse Special Permit and Definitive Plan, public hearings, continued. Mark Anderson with Heritage Design Group was present and spoke on behalf of the applicant. Mr. Anderson informed the Board he has received project approval from the Conservation Commission. The Board received revised plans and all comments have been addressed by BETA Engineering and the Planning Board. As requested, the Board was provided with a copy of a letter from BETA Engineering dated March 19, 2004 noting the approval of the bridge design and construction. In addition, Mr. Anderson noted that the bridge was designed in compliance with DPW and Mass Highway standards. Mr. Anderson provided fiscal/tax base information. There was discussion relative to the overall drainage system/design.

Following public input, **MOTION** by Mr. Lutton to close the public hearings. Seconded by Mr. Petrillo, the motion carried unanimously.

The Board deliberated. The Board discussed the density of the project as relates to the number of units and parking spaces per unit. The Board discussed the need to provide additional, off-street parking, which could be accomplished through a slight reduction in the number of units to 64. The Board further recommended clearly designating the recreational areas. The Board directed staff to prepare draft decisions reflecting these provisions, for discussion at their next Planning Board Meeting.

Pro-Storage – Special Permit (cont.) - Proposal to expand current self-storage facility on Assessor's Map 33, Parcel 198 located on West Street. Steve O'Connell with Andrews Survey & Engineering was present and spoke on behalf of the applicant. He advised the Board he has been working with BETA Engineering and has received recommendations relating to stormwater management and a better design

plan. The particular concern was with the existing basin handling the water flow with the new construction. Mr. O'Connell informed the Board of the revised proposal to construct two additional storage facility buildings and a small office on the property. Traffic counts were previously submitted to the Board. He anticipates submitting new material to the Board for their next meeting.

Public hearing input included the concern regarding Stormwater Management. **MOTION** by Mr. Lutton to continue the public hearing to the next scheduled meeting, on June 25, 2008. Seconded by Mr. Stefanick, the motion carried unanimously.

Down East, modified Definitive Plan (public hearing cont.) Proposed modification to drainage in approved subdivision – Mr. Anderson with Heritage Design Group was present and spoke on behalf of the applicant. The Board received correspondence clarifying that the drainage design deemed acceptable by the Town's DPW.

Following public input, **MOTION** by Mr. Stefanick to close the public hearing. Seconded by Mr. Lutton, the motion carried unanimously.

MOTION by Mr. Stefanick to approve the Definitive Subdivision Modification Plan of Down East dated March 19, 2007 revised through April 30, 2008. Seconded by Mr. Petrillo, the motion carried unanimously.

Ledgemere Estates (3 applications) to Modify the Definitive Plan Approvals

Mr. Stefanick recused himself due to conflict of interest. Since these 3 applications all deal with the same overall development project, the abutter notifications were combined and the Chair opened the hearings so that the reviews could occur concurrently.

1. Modified Definitive Plan - Uxbridge Multi-Family Realty, LLC applicant/owner for Definitive Plan entitled Ledgemere Country Subdivision shown on a plan dated October 16, 1985, most recent revision February 11, 1986, located on Spinning Wheel Drive, Crownshield Avenue and Cotton Mill Way shown on the Town of Uxbridge Assessor's Map 29 Parcel 4865 and 4858 and recorded in the Worcester County District Registry of Deeds Plan Book 563 Page 4.

The applicant seeks to modify the definitive plan approval relative to the requirement to install 6 streetlights on Crownshield Avenue and Spinning Wheel Drive. The applicant is seeking authorization NOT to install streetlights in the Subdivision. No other changes are the subject of this application

2. Mod Definitive - Uxbridge Multi-Family Realty, LLC applicant/owner for Definitive Plan entitled Ledgemere Country IV Subdivision shown on a plan dated March 24, 2003 revised through September 2, 2004, located on Crownshield Avenue shown on the Town of Uxbridge Assessor's Map 29, Parcel 3053, 3153 and 3866 and Map 34, Parcel 728 and recorded in the Worcester County District Registry of Deeds Plan Book 817, Page 96.

The applicant seeks to extend the date of final completion of ways and installation of municipal services in this Phase (IV) of the subdivision for 3 years to October 31, 2010. No other changes are the subject of this application.

3. Mod. Definitive - Scotland Yards, LLP applicant/owner for Definitive Plan entitled Ledgemere Country V Subdivision shown on a plan dated March 24, 2003 revised through September 2, 2004 located on Crownshield Avenue shown on the Town of Uxbridge Assessor's Map 29, Parcel 2999 and 4654 and recorded in the Worcester County Registry of Deeds Plan Book 817, Plan 97.

The applicant seeks to extend the date of final completion of ways and installation of municipal services in this Phase (V) of the subdivision for 3 years to October 31, 2010. No other changes are the subject of this application.

Mr. Endre Hollosi with Benchmark Engineering Corp. was present and spoke on behalf of the applicant. He reviewed the three applications. A letter was submitted to the Board dated April 10, 2008 noting a variety of reasons not to install the street lights. Mr. Hollosi indicated that the light pole bases would interfere with seasonal mowing and would create a potential hazard for anyone utilizing the sidewalks. He indicated that the project is very large and therefore additional time is required to complete the construction.

Areas of concern include the continuous and currently outstanding violations from the Conservation Commission relative to the Wetland Protection Act, failed detention basins, debris in basins, incorrect location for some drainage infrastructure, failure of the developer to control site erosion and runoff, uncontained dirt piles and the poor site conditions. In addition, the developer has not provided any specific construction/site management plans and timelines for addressing current violations nor for completing the project.

Following public input, **MOTION** by Mr. Petrillo to close the public hearings. Seconded by Ms. Bernier, the motion carried 3-0-1 (Mr. Lutton abstained).

The Board deliberated. The Board discussed the possibility of the residents having the option to pay for the street lighting and suggested not installing the street lights would be a potential hazard.

MOTION by Ms. Bernier to **deny** applicant's request to NOT install 6 streetlights in the Subdivision. Seconded by Mr. Petrillo, the motion carried 3-0-1. (Mr. Lutton abstained).

MOTION by Ms. Bernier to **deny** applicant's request to extend the date of final completion of ways and installations of municipal services in Phase (IV) of the subdivision for 3 years to October 31, 2010. Seconded by Mr. Petrillo, the motion carried 3-0-1. (Mr. Lutton abstained).

MOTION by Ms. Bernier to **deny** applicant's request to extend the date of final completion of ways and installations of municipal services in Phase (V) of the subdivision for 3 years to October 31, 2010. Seconded by Mr. Petrillo, the motion carried 3-0-1. (Mr. Lutton abstained).

Mr. Stefanick returned to the board.

Throwbridge Acres – Conservation Design Special Permit, consider issuing Decision – Application for a Conservation Design Development located at 434 Sutton Street, Map 4, Parcel 2976. The Board deliberated and will continue discussions at their next scheduled meeting.

Cedar Woods I - Giacomo Way/Anthony's Way – Consider issuing a Finding of Default and exercise surety pursuant Chapter 41 S. 81.

Ms. DiPrete informed the Board the project was approved in May 1998. Surety was posted and lots were released. Approvals expired in 2000 and were not renewed. A punch list was prepared in 2002 and indicated numerous deficiencies, some work had not been completed and other work was deteriorating. The project has continued to deteriorate and the project is not complete. Surety is available and may be exercised to complete some work. The Developer has been notified via certified mail of the possibility that the Board would consider exercising surety. **MOTION** by Mr. Stefanick to issue a Finding of Default and exercise surety. Seconded by Ms. Bernier, the motion carried unanimously.

Lachapelle Lane - Endorse Mylar and Covenant – The Definitive Subdivision plan was approved October 2006 but the paperwork was not completed. **MOTION** by Mr. Petrillo to endorse the covenant. Seconded by Mr. Stefanick, the motion carried unanimously. **MOTION** by Mr. Stefanick to endorse the mylar. Seconded by Mr. Petrillo, the motion carried unanimously.

Mountain View Estates - Endorse Mylar and Covenant – The Definitive Subdivision plan was approved October 2006, but the paperwork was not completed. **MOTION** by Mr. Stefanick to endorse the covenant. Seconded by Mr. Petrillo, the motion carried unanimously. **MOTION** by Mr. Stefanick to endorse the mylar. Seconded by Mr. Petrillo, the motion carried unanimously.

Big Rock Road – The Board reviewed the invoices and report from DPW, and authorized reimbursement.

MINUTES. **MOTION** by Mr. Stefanick to approve the Planning Board Meeting Minutes dated May 28, 2008. Seconded by Mr. Lutton the motion unanimously.

MINUTES. **MOTION** by Mr. Lutton to approve the Planning Board Executive Session Meeting Minutes dated May 28, 2008. Seconded by Mr. Stefanick, the motion unanimously.

Ms. DiPrete urged the Board to use caution on site visits. She is working to arrange coordinated site visits in an effort to ensure privacy and security of residents, as well as the safety of the Planning Board members visiting a construction site.

MOTION by Mr. Petrillo to adjourn the meeting at 9:40pm. Seconded by Mr. Stefanick, the motion carried unanimously.

John Morawski, Chairman

Peter Petrillo, Member

Deborah Bernier, Vice-Chairman

Stanley Stefanick, Member

Charles Lutton, Clerk

Date _____