



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, **September 10, 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:** Charles Lutton, Debbie Bernier, Peter Petrillo, Stanley Stefanick and Barry Desruisseaux.

**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 Charles Lutton called the meeting to order and led the gathering in the Pledge of Allegiance.

**Dunkin Donuts – Special Permit, Public Hearing (cont.)** The applicant/owner of record, Sutton Donuts, Inc. is seeking a Special Permit for a Major Non-Residential Development for a proposed drive-thru window on property located at 158 N. Main Street. **MOTION** by Mr. Stefanick to accept applicant's written request to continue the public hearing to September 24, 2008. Seconded by Mr. Petrillo, the motion carried unanimously.

**Pro-Storage – Special Permit, Public Hearing (cont.)** – Proposal for Major Non-Residential Development Special Permit to expand existing self-storage facility on Assessor's Map 33, Parcel 198 located on West Street.

Ms. DiPrete informed the Board all BETA items have been addressed and no new material has been received. Mr. Stephen O'Connell with Andrews Survey & Engineering was present and reiterated that all of the Board's peer engineer's comments as relate to traffic and stormwater management have been addressed.

Following public input and discussion, **MOTION** by Mr. Stefanick to close the public hearing. Seconded by Mr. Petrillo, the motion carried unanimously. **MOTION** by Mr. Stefanick to grant the Special Permit with the Findings and Determinations as drafted for File No. FY 08-10 Pro Storage. Seconded by Mr. Petrillo, the motion carried unanimously.

**Stanley Woolen Mill - MNRD Special Permit, Public Hearing (cont.)** – The applicant / owner of record, LTI Uxbridge Stanley LP is seeking a Special Permit for a Major Non-Residential Development

for the redevelopment of the Stanley Woolen Mill, within the Waucantuck Mill Adaptive Reuse Overlay District located at 146 Mendon Street.

The Board received peer review comments from BETA Group dated July 30, 2008 addressing stormwater management and traffic. Traffic management and circulation patterns are of concern. The site is adjacent to the Blackstone River. Special legislation has been approved to allow the shared parking component with the state; the easement has reportedly not been finalized. The Blackstone Valley Bikeway is intended to go along the east side of property.

The Chairman opened the public hearing. Mr. Mark Anderson and Mr. Christopher King with Heritage Design Group were present along with Mr. Bob Moitozo with Pare Corporation. Also present were Mr. Nicholas Deane, the owner of the Stanley Woolen Mill and Nicholas Deane Jr.

Mr. Anderson discussed the project with the Board. Discussion included traffic, the addition of a secondary access/egress, parking, the use of porous pavement, drainage, landscaping and the location of the proposed Blackstone Bikeway. Mr. Anderson also informed the Board the Fire Department and Police Department are satisfied with access for emergencies.

Mr. Moitozo discussed the traffic impact analysis and addressed areas of concern noted by BETA. All traffic projections are based on build condition at peak hour. The Level of Service (LOS) was discussed, particularly as it diminishes in the build condition at some locations. The Board was informed Henry Street does not meet the LOS change allowed by regulation. There was no study prepared for Hecla Street located nearby. Mr. Moitozo also informed the Board the use/comparison for the traffic analysis was a Land Use Specialty Retail Center; which is not typical for this situation, but the best comparison available for this project. The applicant represented that the realignment of the intersection of Main/Mendon/Douglas to a 4-way intersection would improve traffic flow.

Ms. DiPrete reminded the Board no material has been submitted to the town. The Historical Commission has written letters to various state and local entities opposing such a realignment. Mr. Anderson will research the town long range plans as relates to the realignment and advise the Board accordingly.

Following public input and discussion, **MOTION** by Ms. Bernier to grant the applicant's request to continue the public hearing to October 8, 2008. Seconded by Mr. Petrillo, the motion carried unanimously.

**Stone Crest I and II - Modified Definitive Plan, Public Hearing.** John Duridas Enterprises, Inc. applicant/owner for Definitive Plan entitled Stone Crest drawn by Dunn Engineering Co., Inc. dated August 24, 1988 located on Gary Lane and Kasey Court. The applicant seeks to modify the Definitive Plan approval regarding two items: 1) The applicant is seeking a waiver of the Subdivision Regulations requiring sidewalks, so that installation of sidewalks in the Subdivision(s) would NOT be required. 2) The applicant seeks to extend the date of final completion of ways and installation of municipal services in this subdivision to March 31, 2010. (The subdivision approvals were previously extended to November 30, 2007.)

The Chairman opened the public hearing. Mr. Stephen O'Connell with Andrews Survey & Engineering, Inc. and Atty. James Roberti were present and spoke on behalf of the applicant. Also present was Mr. Sean Connors. Mr. O'Connell reviewed the proposal and advised the Board that many residents have signed a petition requesting that the sidewalk requirement be waived.

Ms. DiPrete noted that the developer has indicated his intent to seek Town Meeting authorization for acceptance of the roadways at this coming FATM. To date, no Winter Maintenance Plan has been submitted.

During the public hearing, areas of concern included the disturbance of existing landscaped properties, sprinkler systems and the poor quality and appearance of the sidewalk. There were no safety concerns with the residents as relates to vehicle and foot traffic without the presence of a sidewalk.

Following public input and discussion, **MOTION** by Mr. Petrillo to close the public hearing. Seconded by Ms. Bernier, the motion carried unanimously. Board members discussed the details of this project, which was originally approved with the requirement of a sidewalk on each side of the street. Several years later the Planning Board waived the requirement for two sidewalks, but required one sidewalk (a sidewalk on one side of the streets).

**MOTION** by Mr. Petrillo to waive the sidewalk requirement for Stone Crest I and II located at Gary Lane and Kasey court. Seconded by Mr. Desruisseaux, the motion carried 4-1 (Mr. Stefanick opposed).

**MOTION** by Mr. Petrillo to extend the date of final completion of ways and installation of municipal services in the subdivision Stone Crest II to March 31, 2010. In addition, the applicant is required to provide a progress report every six months to the Board. Seconded by Ms. Bernier, the motion carried unanimously.

**Foxwoods Estates – Modified Definitive Plan, Public Hearing.** J.A. Taylor Construction Co. Inc. applicant/owner for Definitive Plan entitled Foxwoods Estates shown on a plan dated March 1, 1995, most recent revision August 14, 1995. The applicant seeks to extend the date of final completion of ways and installation of municipal services in this subdivision to March 31, 2009. In addition, the applicant seeks a waiver from the requirements of the cross section, which require a gently graded grass strip along the road. There are sections of the subdivision roadways (on Longmeadow and Foxwoods) where ledge outcropping is evident adjacent to the roadway. The applicant seeks permission to allow the edge of right of way to remain as it presently is, in order to avoid removal of the ledge.

Ms. DiPrete indicated that the developer has completed a great deal of work this summer – repairing and completing the bulk of outstanding items at this 2-phased project. The developer has indicated his intent to seek Town Meeting authorization for acceptance of the roadways for this FATM. To date, no Winter Maintenance Plan has been submitted.

The Chairman opened the public hearing. Mr. Stephen O’Connell with Andrews Survey and Engineering, Inc. was present and spoke on behalf of the applicant. Also present was Mr. Taylor. Mr. O’Connell informed the Board of the applicant’s request to extend the date of final completion of ways and installation of municipal services in the subdivision and waive the requirement of cross section, which require a gently graded grass strip along the road, to allow the existing ROW sideslopes. Mr. O’Connell expressed concern that attempting to remove the ledge at this point could compromise the pavement and/or infrastructure. The outcroppings do not inhibit sight lines or drainage patterns.

An area of concern discussed during the public input included overgrown vegetation creating a blind spot on property nearby.

**MOTION** by Mr. Petrillo to close the public hearing. Seconded by Ms. Bernier, the motion carried unanimously.

**MOTION** by Ms. Bernier to waive the requirement of the cross section on the two sections of the subdivision roadways (Longmeadow and Foxwoods) where ledge outcropping is evident adjacent to the roadway and to remain as it is presently. The applicant is required to clean up the overgrown vegetation. Seconded by Mr. Petrillo, the motion carried unanimously.

**MOTION** by Mr. Petrillo to extend the timeline for completion of the project to March 31, 2009. Seconded by Ms. Bernier, the motion carried unanimously.

**Arbor Estates – Consider extending time of completion** – Mr. Lutton recused himself due to conflict of interest. Ms. Bernier acted as Chair. Ms. DiPrete indicated that, unlike many other Subdivision decisions, this approval does not stipulate the timeframe for completion. When the timeline is stated within the approval, it can be modified only through a public hearing process. Case law indicates that same process (public hearing) should apply even when the timeline is NOT stated in the decision, but that has not been the Board’s practice to date. Therefore, Ms. DiPrete deferred to the Board for consideration. She also informed the Board the project is progressing and that she conducts both routine and scheduled inspections on a regular basis.

**MOTION** by Mr. Petrillo to extend the timeline for completion of the project to December 31, 2009. Seconded by Mr. Desruisseaux, the motion carried unanimously.

Mr. Lutton returned to the Board.

Mr. Desruisseaux excused himself briefly from the meeting.

**Central Mass Regional Planning Commission – MOTION** by Mr. Stefanick to appoint Mr. Desruisseaux as CMRPC delegate for FY 09. Seconded by Ms. Bernier, the motion carried unanimously.

**Zoning Bylaw** – Material was submitted to the Board and they will continue discussions at their next meeting.

Mr. Desruisseaux returned to the Board.

**Peer Review – MOTION** by Mr. Petrillo to utilize peer review during construction monitoring, in addition to application reviews, for projects under the Planning Board jurisdiction. Seconded by Ms. Bernier, the motion carried unanimously.

**FATM Warrant Articles – MOTION** by Mr. Stefanick for Town Counsel to prepare FATM articles relative to authorization to use surety to complete projects (where surety is greater than \$100,000): Davis Heights, Hammond Estates, Calvary Crossing, Meadowside and Holbrook Estates. Seconded by Ms. Bernier, the motion carried unanimously.

**Requests to Release Surety – Maple Grove, Foxwoods and Meadowside Estates – MOTION** by Ms. Bernier to table the requests and take no action to release surety for Maple Grove, Foxwoods Estates and Meadowside Estates pending peer review and site inspections. Seconded Mr. Stefanick, the motion carried unanimously.

**Quaker Industrial Drive/Commerce Drive** – Ms. DiPrete will conduct a site inspection for street acceptance for the FATM and advise the Board accordingly.

**Misc. Correspondence** – The Board reviewed and signed miscellaneous correspondence.

**MINUTES. MOTION** by Ms. Bernier to approve the Planning Board Meeting Minutes dated July 23, 2008. Seconded by Mr. Desruisseaux, the motion carried unanimously.

**EXECUTIVE SESSION. MOTION** by Mr. Petrillo to enter into Executive Session pursuant to MGL C.39, Subsection 23B #3 – To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the governmental body. Seconded by Ms. Bernier, the motion carried unanimously on a roll call vote.

Following Executive Session, Mr. Stefanick was not present. **MOTION** by Ms. Bernier to adjourn the meeting. Seconded by Mr. Desruisseaux, the motion carried unanimously.

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**Charles, Lutton**, Chairman

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**Peter Petrillo**, Member

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**Deborah Bernier**, Vice-Chairman

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**Stanley Stefanick**, Member

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**Barry Desruisseaux**, Clerk

Date \_\_\_\_\_