

Town of Uxbridge
Planning Board
21 So. Main St.
Uxbridge, MA 01569
(508) 278-8600, ext 2013

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TOWN CLERK

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Minutes of the Uxbridge Planning Board regular meeting held on **Wednesday, October 14, 2009**, at 7:00 P.M. in the **Lower Town Hall Room, Uxbridge Town Hall, 21 So. Main St., Uxbridge, MA:**

Planning Board Members Present: Charles Lutton, Stanley Stefanick and Peter Petrillo

Planning Board Members Absent: Debbie Bernier and Barry Desruisseaux.

Others Present: Donna C. Hardy, Planning Board Administrator

It being 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.

Citizen Petition to Amend Section 400-39, Bernat Mill Historic Overlay District The proposal would amend Section 400-39, Bernat Mill Historic Overlay District, Subsection C of the Town of Uxbridge Zoning By-Laws by adding the following additional uses; 7. Hospitals, medical institutions and medical office buildings. (Warrant Article 21)

The Board will continue discussions at their next scheduled meeting.

Citizen Petition to Amend Board of Health Regulations and Zoning Bylaws The proposal would amend the Town of Uxbridge Board of Health Regulations and Bylaws by adding Life Science Technology guidelines as described below. Also, to see if the Town will vote to amend the Table of Use Regulations of the Zoning Bylaw, Appendix A by adding Life Science Technology to be an allowed use in the Industrial and Business Zones. See below.

Life Science Technology

- a) **NIH Guidelines.** Life Science Technology in the Town of Uxbridge shall be undertaken only in strict conformity with all applicable provisions of the Town of Uxbridge Bylaws, and the guidelines of the National Institute of Health (NIH), as set forth in the Federal Register of May 7, 1986, or any amendment thereof, or as may be established from time to time by the NIH, by any other federal agency or by an Act of Congress, and in conformity also with such other health regulations as the Board of Health of the Town of Uxbridge may from time to time promulgate provided however, that no changed in the Town health regulations shall apply to work in progress or previously contracted for by an institution unless the Board of health shall first hold a Public Hearing on such change giving written notice to institutions in Uxbridge carrying out Life Science Technology work, and by advertisement in a newspaper of general circulation within the city at least once 10 days in advance.
- b) **Manual.** Individuals, associations, organization, corporations, educational institutions or medical facilities (all hereinafter referred to as "institutions") proposing Life Science Technology, as defined and regulated by the NIH guidelines, shall prepare a manual, which

contains all procedures included in the NIH guidelines, to regulate said uses at all levels of containment in use at the institution. Training in appropriate safeguards and procedures for minimizing potential accidents shall be mandatory for all laboratory personnel. Said manual, and all amendments thereto, shall be submitted in a timely manner to the Town of Uxbridge Board of Health.

- c) Permits. Life Science Technology in the Town of Uxbridge shall be undertaken only in the following zoning districts; Industrial and Business zones. No institution may employ Life Science Technology in the Town of Uxbridge without a permit from the Town of Uxbridge Board of Health. (Warrant Article 22)

The Board will continue discussions at their next scheduled meeting.

Citizen Petition to Amend the Zoning Bylaws The proposal would amend the Zoning Bylaws to add the following: (1) in zones R-A, R-B, R-C the "retreat lots" shall at a minimum have twice.

Article VIII

Subsection 400. xxx Retreat lots.

For the purpose of creating reasonable use of backland for residential uses, there may be established so-called retreat lots, pork chop lots of hammer head lots, the building upon which may be authorized by the issuance of a special permit by the Zoning Board of Appeals as special permit granting authority, subject to the following requirements:

- A. Said lot shall be entirely within a residential zoning district (R-A, R-B, R-C and the Agricultural Zone).
- B. Said lot has a minimum street frontage of not less than 40 feet and a width of not less than 40 feet at all points between the street and the nearest part of the principal building.
- C. The area of said lot to be at least twice the minimum lot size as would be required.
- D. Said lot shall otherwise be in compliance with all requirements of the Zoning Bylaws applicable to the zoning district in which said lot is located.
- E. Said lot shall not have contiguous frontage with any other lot which has been granted a special permit pursuant to this section.
- F. At the time of the application for a special permit is submitted, all other lots contiguous to said lot shall conform to the requirements of the zoning district in which it is located. Contiguous lots that were created prior to the establishment in Zoning in the Town of Uxbridge do not apply.
- G. No permit shall be issued, pursuant to this chapter, unless said lot is situated on a public way accepted by the Town of Uxbridge.
- H. Said lot shall be in harmony with the general purpose and intent of the Zoning Bylaws of the Town of Uxbridge. (Warrant Article 24)

The Board will continue discussions at their next scheduled meeting.

Amend the Zoning Bylaws, Sections IX, Section 400-B, Section 400-50E, Article X Definitions and Revise Appendix A Table of Use Regulations The proposal would amend the Zoning By-Laws of November 2008 as follows:

- 1) Change Article IX, Section 400-B Powers to read: "The Board of Appeals Powers are as follows:
 - a. to hear and decide appeals to zoning decisions;
 - b. to hear and decide petitions for variances
 - c. to hear and decide appeals from decisions of the Planning Board or Building Inspector.
- 2) Change Article IX, Section 400-50A Special Permit Granting Authority to read: "Unless specifically designated otherwise, the Planning Board shall act as the Special Permit Granting Authority".

- 3) Change Article IX, Section 400-50E Plans by deleting the first paragraph and substituting "Projects on sites that are 45,000 square feet or less may be submitted as simple schematics unless there are clear complicating factors that require formal engineering design work. In cases where the site exceeds 45,000 square feet the Special Permit Granting Authority may require plans to 24-inch by 36-inch sheets prepared by a Registered Professional Engineer, Registered Land Surveyor, Architect, or Landscape Architect as appropriate. Dimensions and scales shall be adequate to make a complete analysis and evaluation of the proposal. All plans shall have a minimum scale of 1" by 20'.
- 4) Change Article X Definitions, by adding the following definitions in their appropriate alphabetical order as the section is now organized:
Business Use: Any wholesale or retail store, personal service establishments
Industrial Use: Any lawful retail trade or shop for custom work or manufacture including any manufacturing, processing operation, assembly, or warehousing which is not detrimental to the community or neighborhood by reason of the emission of dust, odors, gas, smoke, vibrations, noise, light, or other environmental contaminants.
- 5) Revise Appendix A Table of Use Regulations.
- 6) scales shall be adequate to make a complete analysis and evaluation of the proposal. All plans shall have a minimum scale of 1" by 20'.
- 7) Change Article X Definitions, by adding the following definitions in their appropriate alphabetical order as the section is now organized:
Business Use: Any wholesale or retail store, personal service establishments
Industrial Use: Any lawful retail trade or shop for custom work or manufacture including any manufacturing, processing operation, assembly, or warehousing which is not detrimental to the community or neighborhood by reason of the emission of dust, odors, gas, smoke, vibrations, noise, light, or other environmental contaminants.
- 8) Revise Appendix A Table of Use Regulations. (Warrant Article 26)

The Board will continue discussions at their next scheduled meeting.

Old/New Business:

Stanley Woolen Mill –MNRD and Historic Mill Adaptive Reuse Overlay Special Permit – 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. Updates will be needed to change the traffic study and make amendments. The Board will continue discussions at their next scheduled meeting for further discussion, no motion needed.

Meadow Valley Estates – Low Impact Development – The Board will continue discussions at an appropriate time.

Davis Heights – The Planning Board is waiting for a final inspection from Graves Engineering and will continue discussions at an appropriate time. The developer is pursuing SATM 2010 street acceptance.

Requests to Release Surety – Warsaw Heights – The Planning Board is waiting for a final inspection from Graves Engineering and will continue discussions at an appropriate time.

Requests to Release Surety - Holbrook Estates – The Town Manager is pursuing the Bond company.

Requests to Release Surety - Hammond Estates – The Town Manager is pursuing the Bond company.

Arbor Estates (Arbor Rd) – The developer is pursuing FATM street acceptance. The Board will continue discussions at their next scheduled meeting.

Edgewater Estates (Dunny Cove & Connor Pass) – The developer is pursuing FATM street acceptance. The Board will continue discussions at their next scheduled meeting.

Pasture at Elmwood (Easy St & Buttermilk Way) – The developer is pursuing FATM street acceptance. The Board will continue discussions at their next scheduled meeting.

Crown & Eagle Way – A partial section of Crown Eagle Way from Hartford Ave East to end of parking lot needs to be accepted (200 linear ft to be repaired including sidewalks, canal wall and roadway). The Housing Representative and the Town is pursuing FATM street acceptance. The Board will continue discussions at their next scheduled meeting.

Holbrook Estates – It was noted no new material has been received. The staff will continue to follow-up with the bond company seeking money for project completion.

Hammond Estates – It was noted no new material has been received. The staff will continue to follow-up with the bond company seeking money for project completion.

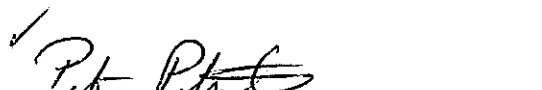
MINUTES. Meeting minutes for August 26th, September 8th, Executive Session minutes for September 8th and September 23, 2009 will be reviewed and discussed at their next scheduled meeting.

INVOICES. The Board will continue discussions at their next scheduled meeting.

MOTION by Mr. Stefanick to adjourn at 8:11 PM into executive session to discuss strategy with respect to collective bargaining or litigation, an open meeting may have a detrimental effect on the government's bargaining or litigation position, with no other business to follow. Seconded by Mr. Petrillo, the motion carried unanimously by role call vote.

Respectfully Submitted by Donna C. Hardy, Planning Board Administrator


Charles, Lutton, Chairman


Peter Petrillo, Member

Deborah Bernier, Vice-Chairman

Stanley Stefanick, Member

Barry Desruisseaux, Clerk

12/9/09

Date