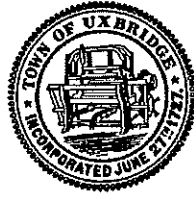


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JAN 12 '17 AM 10:18

James Smith, Chair  
Barry Desruisseaux, Vice Chair  
Peter Pavao, Clerk  
Joseph Leonardo, Member  
Justin Piccirillo, Member



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## PLANNING BOARD MEETING MINUTES WEDNESDAY, November 9, 2016

Minutes of the Uxbridge Planning Board regularly scheduled meeting on **Wednesday, November 9, 2016, at 7:00 P.M.** in the **Board of Selectmen Meeting Room, Uxbridge Town Hall, 21 South Main Street, Uxbridge, MA.**

**Present:** Chair James Smith, Vice Chair Barry Desruisseaux, Clerk Barry Peter Pavao, Member Joe Leonardo, Member Justin Piccirillo; Also present Administrative Assistant Lynn Marchand.

### I. CALL TO ORDER

It being approximately 7:00 pm, the meeting being properly posted, duly called, and a quorum being present, the meeting was called to order by the Chair, who led the Pledge of Allegiance.

### II. PUBLIC HEARING(S):

*Continued from October 19, 2016*

- FY16-22 Definitive Subdivision Modification Application** - The Owners of record, **Alfred & Jacqueline Ricca**, are seeking approval of a proposed definitive subdivision modification entitled **King Street Estates** revising the subdivision from five (5) lots on a public roadway to four (4) lots on a private roadway, total acreage of tract being approximately 12.96 acres. Property is located on **128 King Street/15, 16, 25, & 26 Ricca Way Uxbridge, MA.** The property is shown on the Town of Uxbridge Assessor's Map 53, Parcels 679, 1494, 1548, 1455, & 1461. The title to said land is recorded in the Worcester District Registry of Deed Book 25464, Page 136. Property is located in an agricultural zone

Representing the applicant, Stephen O'Connell of Andrews Engineering, addressed the Board and reviewed the recent submittals including Graves Engineering's report and the letter from Spectra Energy as well as previously submitted comments from the Fire Dept. Mr. Andrews stated that Spectra Energy approved the project barring some conditions during construction and that the applicant would also comply with the FD's request for 20' of road surface/pavement. Discussion was had regarding the garage setback.

Mr. O'Connell stated they would be providing a Roadway Maintenance Agreement for the private roadway and a Covenant. He also stated that the check for the engineering review fees would be submitted.

No one from the public wished to speak to the project.

**MOTION I: to close the Public Hearing made by Mr. Leonardo. Motion was seconded by Mr. Desruisseaux. Motion carried 5-0-0.**

*Continued from October 19, 2016*

- FY17-03, Cote Lane, Definitive Subdivision Application** - The Owner/Applicant of record, **Stage One Investors, LLC** is seeking approval of a seven (7) lot subdivision on a 490' cul-de-sac on a total acreage tract of 4.69 acres. Property is located on **Cote Lane, Uxbridge MA on the southerly side of Carney Street to the west of Marywood Street.** The property is shown on the Town of Uxbridge Assessor's Map 24A, Parcel 1434. The title to said land is recorded in the Worcester District Registry of Deeds Book 54575, Page 91; Property is located in Residential Zone A.

***\*Initially the applicant and representative were not present. The Board moved on to the next public hearing to allow time for the parties to arrive. Another motion was made after that to take***



PLANNING BOARD MEETING MINUTES  
November 9, 2016 continued

**National Grid out of order. Cote Lane was heard after FY17-15/85 Chestnut St & FY17-01TH National Grid.**

John Grenier, engineer for the proposed project and Steve Venincasa, owner, spoke to the Board. 450' roadway with cul de sac which would serve for access for 7 SF residences, 1/2 to 1 acre lot sizes. Stormwater design and runoff were discussed. Municipal sewer & water.

The Board discussed site distance and traffic safety issues.

Abutters expressed concerns regarding turnoff, blasting (old house foundation), traffic safety, runoff, safety (bus stop), wildlife in the area, lack of curbing, and privacy barriers. Abutters asked the Board and engineer questions regarding the proposed project.

Board asked that crash data from the PD be provided, PSC review, solicit BOH comments, traffic study mitigate to 85 percentile, site walk by the Board.

**MOTION I: to continue the Public Hearing to November 30th made by Mr. Desruisseaux. Motion was seconded by Mr. Piccirillo. Motion carried 5-0-0.**

*Chair announced a 5 minute break.*

3. **FY17-15, 85 Chestnut St, Preliminary Subdivision Application** - The Owners/Applicants of record, **Richard & Valerie Aguiar**, are seeking approval of a Preliminary Plan to construct a six (6) lot residential subdivision. Property is located on **85 Chestnut Street, Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 44, Parcel 494. The title to said land is recorded in the Worcester District Registry of Deeds Book 22965, Page 3; Property is located in an agricultural zone.

Representing the applicant, the engineer Norman Hill, spoke to the project. He stated the applicant would like to create 5 new lots, private well and septic and the applicant will remain in the existing dwelling. He stated the road would need to be widened, it would be a private road, low impact design (swales instead of curbing and drainage basins) with detention ponds, surrounded by woodland. He asked the Board for their feedback regarding the design and details.

Mr. Smith stated he was against a private way due to the size and amount of houses. Would like to see a conventional development. Was okay with the conservation design. Wanted asphalt not gravel roadway. Full stormwater management.

Mr. Desruisseaux stated he was okay with grass swales, wanted stormwater management, and a paved road. Was against it being a private road due to the number of houses. Was okay with 3 but not 6.

Several abutters expressed concerns regarding the proposed project: well safety, drainage & surface run-off, existing drainage issues, priority habitat area (eastern box turtles)

The engineer said they would redesign based on the Board's feedback.

**\* MOTION I: to take the National Grid public hearing out of order made by Mr. Desruisseaux. Motion was seconded by Mr. Piccirillo. Motion carried 5-0-0.**

*FY17-16 was heard after the 5 min. break.*

4. **FY17-16, 124 & 126 N. Main St., 128-130 N. Main St., 4 Hazel St., & 8-10 Hazel St., Special Permit Application** - The Applicant of record are **Cumberland Farms, Inc.** and the owners of record, **Richard & Edward Riley, Lori & Scott Brady, Blackstone Realty, LLC, & Blackstone Realty, LLC** are seeking a **Special Permit** to raze the existing site and construct/operate a 4,786 square foot retail convenience store with automobile fillings stations; six (6) fueling stations/12 fueling positions including diesel. Properties are located on **124 & 126 N. Main St., 128-130 N. Main St., 4 Hazel St., & 8-10 Hazel St., Uxbridge, MA**. The properties are shown on the Town of Uxbridge Assessor's Map 304, Parcels 2966, 2967, 2964, & 2958. The titles to said land are recorded in the Worcester District Registry of Deeds Books 34960, 41846, 18685, & 20548 Pages 391, 394, 305, & 195; Properties are located in a Business zone.



**PLANNING BOARD MEETING MINUTES  
November 9, 2016 continued**

Representing the applicant, Attorney Tom Reidy as well as the developer, site engineer, and traffic engineer spoke to the Board regarding the proposed Cumberland Farms project. They reviewed the existing 5 structures and uses of the 4 lots and the proposed razing and remove everything above and below ground on all 4 properties to build the Cumberland Farms consisting of 23 parking spaces, 6 fueling stations/12 fueling positions, 40' x 95' canopy, consolidating 6 curb cuts down to 2, enhancing landscaping, all utilities would be underground, new sidewalks on both frontages (Hazel & North Main), lighting would be full cutoff fixtures, stormwater management---all stormwater on both pervious and impervious surfaces would be collected to a stormwater quality unit to underground chambers where it would be infiltrated back into the groundwater. It would be a 24-hr store. The existing Cumberland Farms would be closed with conditions that when sold it not be a gas station or convenience store. The site would be cleaned up. Discussion was had regarding the safety of the fuel storage tanks.

The Board asked questions regarding the design and the project details including fuel delivery, utility pole location, road width, traffic/safety, plantings, food service, site distance, and ZBA permit requirement. It was compared to the current Cumberland Farms in Grafton and the one in Bellingham. The Board reviewed the memo from DPW including sewer easement concerns. The traffic engineer spoke to the application.

Numerous abutters spoke to the proposed project. Abutters voiced the following concerns regarding the proposed project: traffic, safety, noise, air, visual, & light pollution, lowered property values, effects on small, local businesses, number of gas stations in Uxbridge, the size of the building, surrounding area is prone to flooding, crime that the business might attract, traffic on weekends not being included in the traffic study, litter,

Discussion was had regarding what the applicant could do to work with the public to make the project better for the surrounding residents.

**MOTION I: to continue the Public Hearing to November 30th made by Mr. Desruisseaux. Motion was seconded by Mr. Piccirillo. Motion carried 5-0-0.**

5. **FY17-01TH, Scenic Road Authorization Application** - The Applicant of record, **National Grid, 245 South Main Street, Hopedale, MA 01747**, is seeking approval for routine tree trimming, new construction pruning and tree removal on designated Scenic Roads. These roads include, **Chocolog Road, Elmwood Avenue, Chestnut Street (from Aldrich Street to Elmwood Avenue), South Street and Chapin Street**. Trimming and removal would be in association with National Grid's Distribution Line Clearance Specifications. Any objections to this work must be submitted in writing to the Planning Board/Tree Warden, prior to or during the hearing. All comments shall be sent to: Tree Warden c/o Uxbridge Planning Board, 21 South Main Street, Uxbridge, MA 01569.

A representative of National Grid spoke to the Board regarding the cutting specifications for their annual trimming cycles; normal maintenance to ensure safety to its customers. A document was previously submitted and entered into record with details regarding every tree that was to be cut or removed. Stumps left will be less than 10" from the ground. Firewood is generally left for residents. Also present and participating in the review of the proposed project was the DPW director, Benn Sherman.

No one from the public wished to speak to the application.

**MOTION I: to close the Public Hearing made by Mr. Desruisseaux. Motion was seconded by Mr. Leonardo. Motion carried 5-0-0.**

**MOTION II modified: to approve the routine tree trimming on the scenic road, new construction and tree removals made by Mr. Desruisseaux. Motion was seconded by Mr. Piccirillo. Motion carried 5-0-0.**



PLANNING BOARD MEETING MINUTES  
November 9, 2016 continued

III. BUSINESS

1. Planning Board Annual Report: The Board reviewed and signed the annual report.

2. Gravel Operations Review:

500 Chocolog Rd\*\*  
27 Henry St  
23 Lackey Dam Rd\*\*  
155 Laurel St\*\* -ACTIVE  
189 Mendon St\*\*  
290 Millville Rd  
775 Millville Rd, -Letter sent to let them know permit had expired. Rc'vd letter from their attorney; entered into record.  
0 Old Elmdale Rd  
183 Providence St\*\*  
762 Quaker Hwy  
605 Quaker Hwy  
354 Quaker Hwy\*\*  
354 Quaker Hwy\*\*  
308 Quaker Hwy\*\*  
869 Quaker Hwy\*\*  
869 Quaker Hwy\*\*  
442-454 Quaker Hwy\*\*  
220 Quaker Hwy\*\*  
0 River Rd  
175 South St - -permit expired.  
175 South St\*\*-- permit expired.  
346 Sutton Street\*\*  
795 W Hartford Ave\*\*  
790 W Hartford Ave\*\*  
790 W Hartford Ave\*\*  
275 West River Rd\*\*

The Board reviewed the known gravel operations within Uxbridge, stating there were 3 active ones, and reviewed known information to determine which ones were no longer active to remove them from the list.

The Board asked that Graves send a letter to all previously known gravel operation owners.

Mr. Patrick Hannon spoke from his seat in the audience regarding 775 Millville Rd. and did not come to the podium when invited.

Attorney Henry Lane, representing the owner of 175 South Street. He discussed the status of the application submittals with the Planning Board. The Board reviewed the documents submitted thus far and remaining items still to be submitted. Discussion was had regarding reclamation/importation and whether it was tied to the agricultural use of the property or the gravel permit.

Mr. Piccirillo asked how far it was from the water table to the bottom of the pit. He later stated he wanted to make sure the Board did their due diligence as their had been concerns expressed by abutters that the excavations occurred too close to the water table. Attorney Lane replied that the last information he had was that it was about 20 feet. Mr. Hannon, from his seat in the audience, stated it was 18 feet 7 inches.

Discussion was had regarding sending the application and accompanying documentation to Graves and the engineering review fee. Attorney Lane stated he had submitted a check for the engineering review fee. The Board stated the Planning Office would look into if a review check had been submitted. Discussion was had regarding checks that had been submitted to date for the application fee, review fee, and cash bond.



**PLANNING BOARD MEETING MINUTES  
November 9, 2016 continued**

**IV. MINUTES/MAIL/INVOICES**

1. 08/10/16 Meeting Minutes

**MOTION I: to approve the Minutes of 08/10/16 made by Mr. Desruisseaux. Motion was seconded by Mr. Pavao. Motion carried 5-0-0.**

2. 08/24/16 Meeting Minutes

**MOTION I: to approve the Minutes of 08/10/16 made by Mr. Leonardo. Motion was seconded by Mr. Desruisseaux. Motion carried 5-0-0.**

3. 09/14/16 Meeting Minutes -passed over

4. 09/28/16 Meeting Minutes -passed over

5. 10/12/16 Meeting Minutes -passed over

6. 10/19/16 Meeting Minutes -passed over

7. Invoices: invoices over \$600 reviewed and signed by the Chairman.

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

**Storey Lane:** informal discussion with applicant's representative, Mr. O'Connell of Andrews Engineering. He stated that Storey Lane was on the last Town Meeting warrant for road acceptance but it was not passed. He asked DPW to review the street/project but they did not want to meet at this time. Mr. O'Connell stated he would be filing a modification as the current approval was for a private road in perpetuity. He said a previous planner told the owner the only way the applicant would be given approval would be if he kept the road private. He said the road was built to Town specs at the time with two waivers; sidewalks and width of the road. He stated the project had cape cod berm waiver), full blown cul de sac and stormwater system with detention basin, gravel thickness and compaction, the pavement course and thickness compaction, and all of the work was reviewed, observed, and inspected by DPW just as if it were going to be a town road.

The owner spoke to the project. He stated he and his wife bought the property in 2004 with the initial intention to have a common drive so three of their children could build on the 12 acres. He stated the Town Planner at the time did not accept the Plan and said the Town was not accepting new roads at the time and that it would have to be a private road built to Town specs. He stated he was getting too old to take care of the road and wanted the Town to take over.

The Board suggested that the applicant file a modification and then Graves Engineering could verify that the road was built to specs, it would have to be accepted by the Board of Selectmen, and go to Town Meeting; The Planning Board's approval would only be one step in the process.

Discussion was had regarding the application fee. Mr. O'Connell stated he would submit what they felt was a reasonable fee and go from there. The Board did not want to make a decision regarding the fee, as it was unprecedented, at the late hour in the meeting.

**VI. ADJOURNMENT: NEXT PLANNING BOARD MEETING, WEDNESDAY, November 30, 2016.**

**During the meeting, the Chair announced that due to the holiday and Town Hall being closed early on November 22nd, the Planning Board meeting would be moved to November 30th.**

**MOTION I: to adjourn by Mr. Leonardo. Motion was seconded by Mr. Piccirillo. Motion carried 5-0-0.**

Respectfully submitted,

Lynn Marchand  
Land Use Administrative Assistant



PLANNING BOARD MEETING MINUTES  
November 9, 2016 continued

Planning Board Signatures

James Smith, Chairman

Joseph Leonardo, Member

Barry Desruisseaux, Vice-Chair

Justin Piccirillo, Member

absent

Peter Pavao, Clerk

Date