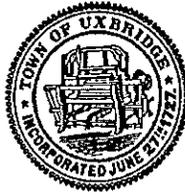


Joseph Leonardo, Chair
James Smith, Vice Chair
Barry Desruisseaux, Clerk
Daniel Antonellis, Member
Peter Petrillo, Member



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ORIGINAL

**PLANNING BOARD MEETING MINUTES
WEDNESDAY, OCTOBER 8, 2014**

Minutes of the Uxbridge Planning Board regularly scheduled meeting on **Wednesday, October 8, 2014, at 7:00 P.M.** in the **Board of Selectmen's Meeting Room, Uxbridge Town Hall, 21 South Main Street, Uxbridge, MA.**

Present: Chair Joseph Leonardo, Vice Chair James Smith, Clerk Barry Desruisseaux, Members Daniel Antonellis and Peter Petrillo, and Assistant Beth Pitman.

Absent: None.

I. CALL TO ORDER

It being 7:02 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.

The Chair asked for a spokesperson to speak to the Citizens Petition to make Chocolog Road a scenic road. None being present yet, **MOTION: I, Mr. Desruisseaux, move that the Board discuss 1025-1045 Quaker Highway Realty Trust, Special Permit Decision. Seconded by Mr. Petrillo, the motion carried 5-0-0.**

Mr. Desruisseaux recused himself from the 1025-1045 Quaker Highway Realty Trust Special Permit Decision Public Hearing.

II. PUBLIC HEARING(S):

2. **1025-1045 Quaker Highway Realty Trust, Special Permit Decision** - The owner/applicant of record, Quaker Highway Realty Trust, is seeking a Special Permit for an application to construct a 25,000 s.f. building and associated site work and utilities. The property is located on 1025 Quaker Highway and 1045 Quaker Highway. The property situated in the Industrial zone and is shown on the Town of Uxbridge Assessor's Map 56, Parcels 2117 and 2184, respectively.

Steve O'Connell of Andrews Survey & Engineering, Inc., representing the Applicant, presented the Special Permit for the property immediately south of BJ's property, close to the Rhode Island border to construct a warehouse style industrial building for storage of work equipment; storm water will be captured, filtered, and go into a catch basin. Discussion included reference to a retaining wall at the back of the parcel; proposed office area at the front of the building with a ten (10) foot elevation difference to compensate for slope; dumpster pad on southern side of building; septic leech field. Chair asked about parcel proximity to RI border, Ironstone Reservoir, and frontage to reservoir. Mr. O'Connell referred to Locus Map on Index of submitted plan; stated frontage of approximately 900' along Quaker Highway and three/fifths (3/5) of a mile to the reservoir. Discussion continued about more than adequate parking; presented to Conservation Commission on Monday, October 6, 2014, who expressed no major concern, but is waiting for Planning Board determination before making their decision; proposed project is barely into the 100' buffer; everything is contained, treated, and discharged after treatment; building to be used by Applicant only; no manufacturing, processing, distribution, leasing; no truck traffic; essentially a large garage. Mr. Antonellis asked if gas pumps would be onsite. Mr. O'Connell confirmed that no gas pumps or fueling would occur on the property; hours of operation are 7a – 5p; explained oil/water separator that deals with pretreatment of solids (must meet standard of 44% before released); once Special Permit is granted, use cannot be changed without approval from Zoning Board of Appeals.

The Chair opened the Public Hearing to comment from abutters/residents.



PLANNING BOARD MEETING MINUTES
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Ms. Patrice LeClair of 58 Buxton Street asked about the process for monitoring pretreated solids, landscaping of the front office building, and work done thus far. Mr. O'Connell referred to the Operation Maintenance Plan, submitted as part of the Special Permit that is enforceable by the Planning Board, Board of Health, and Conservation Commission; showed proposed landscaping of trees on the plan; stated that some site work has been done on both parcels, but nothing within the 100' buffer as Conservation approval is pending.

Mr. Robert Ethier of 1061 Quaker Highway asked about total width of combined lots, setback requirements, placement of building, contents to be stored in warehouse, and potential repair onsite. Mr. O'Connell stated that the two (2) parcels are approximately 900 feet combined; building is 250 feet long; side setback requirement is 30 feet, but building is setback approximately 60 feet on southern side, approximately 220 feet on the Northern side; dumpsters will be approximately 50 feet from abutting property; leech field is approximately 30 feet from property line (requirement is 10 feet); the Applicant requested the building placement; only equipment will be stored in warehouse; potential of accessory repair, such as changing a flat tire.

Mr. Smith stated that plans don't show pre-existing lines of the two (2) parcels, requesting that Mr. O'Connell come back with plans showing one (1) parcel to ensure setback requirements are met. Mr. O'Connell commented that both parcels are held in common ownership, and therefore treated as one (1) lot according to MGL. Mr. Petrillo commented that the line basically disappears, and would only change if an ANR (81P) were proposed for 1045 Quaker Highway. Mr. O'Connell offered to submit an 81X, combining the lots; Applicant intent is to treat it as one (1) parcel.

Ms. LeClair asked about changing oil, doing maintenance, etc. on trucks on site. Mr. O'Connell stated that the Applicant has every right to change oil, hydraulic fuel, perform maintenance, etc., the same as residents would do in their garage at home over a weekend; no mass storage of fuels or oils.

MOTION: I, Mr. Petrillo, move that the Planning Board close the Public Hearing for 1025-1045 Quaker Highway Realty Trust Special Permit. Seconded by Mr. Smith, the motion carried 4-0-0.

Mr. O'Connell stated that the Special Permit is required due to the building size.

MOTION: I, Mr. Petrillo, move that the Planning Board grant the Special Permit for the Industrial Development 1025 & 1045 Quaker Highway, Uxbridge, MA application, dated September 24, 2014, pending the submission of an 81X and updated plans. Seconded by Mr. Smith, the motion carried 4-0-0.

Mr. Desruisseaux rejoined the meeting.

1. **ARTICLE: CITIZEN'S PETITION: SCENIC ROAD**

Make Chocolog Road, starting at the intersection of 146A to the Douglas, MA line, a scenic road.

Or take any other action related

Ms. Denise Rogan on behalf of the petitioners stated that Chocolog Road, approximately 4 miles in length, is more scenic than the existing 7.23 miles of scenic roads in Uxbridge; the stone walls and farms make it scenic.

The Chair stated that the Town does not have a bylaw for scenic roads; MGL is followed in absence of a bylaw; recommended that a committee be formed to address what can and cannot be done; noted that Douglas Planning Board has approval of activity. Mr. Smith stated concern with Public Hearing requirement to cut down a tree or open up a stone wall for a driveway for a single family lot; Chocolog is a country road; a scenic road has a view or vista across a field. Mr. Desruisseaux commented on



PLANNING BOARD MEETING MINUTES
WEDNESDAY, OCTOBER 8, 2014 continued

restrictions of scenic road and how that designation has had a direct impact on the condition and maintenance of Quaker Street in Northbridge; noted that Chocolog is a busy road; restricting future land owners to develop as they see fit; Public Hearing request can be appealed. Mr. Smith stated the petitioners are the same residents fighting the subdivision. Ms. Rogan stated the petition has nothing to do with the subdivision; it's coincidental. Mr. Petrillo asked why this is being requested as the golf course, stone walls, and farms will remain; the road will remain the same. Ms. Rogan stated that this article has nothing to do with trying to stop the subdivision. Mr. O'Connell provided the Board with copies of MGL Chapter 40 Section 15C. Discussion continued to include previously designated scenic roads and no bylaw enforcement for construction; required two (2) week advance publication of Public Hearing; twenty (20) day appeal period after a Public Hearing; putting a restriction on a single family home vs more than one home; appeal process of Public Hearing could potentially result in unnecessary lawsuit for the Town; suggested creation of a subcommittee to create a bylaw that addresses concerns of both parties; scenic road designation cannot stop the development; responsible party for designation of what applies (i.e. shade trees); and, restricting the ability of an owner to act on their own property.

Dan Demboski of 325 Chocolog Road commented that this is being pursued for the preservation of the historical character of the road; agreed with the Chair to create a subcommittee to create a bylaw to eliminate the speculation and approach this in a reasonable manner.

Mr. Smith suggested the potential of a waiver for a single family home in a scenic road bylaw to protect the owner. The Chair stated that a bylaw would require adoption at Town Meeting. Discussion continued regarding definitive rules that are enforced; cannot rush this process without proper rules and regulations with potential cost to the Town; who benefits from a scenic road designation; responsible parties for bylaw enforcement; current scenic roads have no signage.

Michael Healy of 280 Chocolog Road stated this decision shouldn't relate to proposed development or who future Board members are; decision should be based on scenic nature of the entire street; residents enjoy the wildlife, trees, and unique character; and, suggested the Board create the mechanisms for defining a scenic road. Mr. Smith questioned the timing of this request to make this a scenic road. Mr. Healy commented his point is not to stop developers or home owners.

Mr. Desruisseaux commented he would rather have a bylaw in place first, and then make a designation so potential limitations for parcel owners and the neighborhood are known. The Chair stated that he needs more time for due diligence before voting a recommendation; the designation should define who and why someone must come before the Board.

MOTION: I, Mr. Desruisseaux, move that the Planning Board continue the Public Hearing for Article: Citizen's Petition: Scenic Road. Seconded by Mr. Petrillo, the motion carried 5-0-0.

MOTION: I, Mr. Desruisseaux, move that the Planning Board recommend unfavorable action for Article: Citizen's Petition: Scenic Road due to insufficient guidelines to make the designation. Seconded by Mr. Smith, the motion carried 4-1-0. Mr. Leonardo voted against the motion.

III. BUSINESS

1. PROJECT COMPLETION: Wanda Way, a Definitive Subdivision

Steve O'Connell of Andrews Survey & Engineering, Inc., representing the Applicant, informed the Board that he met with the Fire Chief on site to get a timeframe for implementing his requirements; plans are moving ahead; no action is requested at this time.

Mr. Smith recused himself from discussion of Tri-Party Agreement/Lot Release: Hecla Village, 15 Bailey Street.



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WEDNESDAY, OCTOBER 8, 2014 continued

2. TRI-PARTY AGREEMENT/LOT RELEASE: Hecla Village, 15 Bailey Street

Jim Smith of TTK Real Estate stated his request for endorsement by the Board of the Tri-Party Agreement and a Certificate of Release of Lots; submitted letter from Graves Engineering, Inc., dated October 7, 2014, agreeing on the bond amount; and, submitted email from DPW Director Benn Sherman, dated October 8, 2104, also agreeing with bond amount. The Chair noted small items mentioned in Mr. Sherman's email that need to be addressed by Mr. Smith prior to acceptance.

MOTION: I, Mr. Desruisseaux, move that the Planning Board endorse the Tri-Party Agreement for Hecla Village subdivision. Seconded by Mr. Antonellis, the motion carried, 3-0-1. Mr. Petrillo abstained.

MOTION: I, Mr. Desruisseaux, move that the Planning Board endorse the Certificate of Release of Lots for Hecla Village subdivision, lots 1 through 10. Seconded by Mr. Antonellis, the motion carried, 3-0-1. Mr. Petrillo abstained.

Mr. Smith rejoined the meeting.

IV. **SUBDIVISION RULES AND REGULATIONS:** The Board has begun reviewing the rules and regulations in posted workshop meetings, the first being held on August 13, 2014.

V. **MINUTES/MAIL/INVOICES**

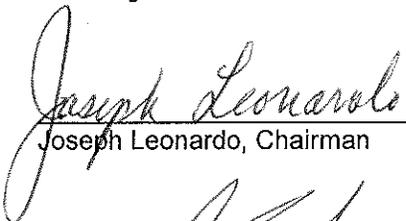
09/24/14 Meeting Minutes **MOTION: I, Mr. Desruisseaux, move that the Planning Board approve the 09/24/14 Meeting Minutes as written. Seconded by Mr. Petrillo, the motion carried 5-0-0.**

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

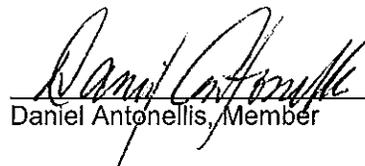
The Chair asked that the Members be prepared to discuss the current bylaw regarding the garaging and maintenance of 3 or more cars at the next scheduled Workshop. This request is being made by the Board of Selectmen.

At 8:54pm, MOTION by Mr. Desruisseaux to adjourn the meeting. Seconded by Mr. Smith, the motion carried 5-0-0.

Respectfully submitted,
Beth A Pitman
Planning Board Assistant



Joseph Leonardo, Chairman

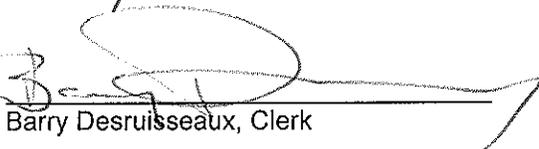


Daniel Antonellis, Member

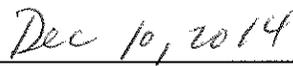


James Smith, Vice-Chair

Peter Petrillo, Member



Barry Desruisseaux, Clerk



Date