

ORIGINAL

PLANNING BOARD MEETING MINUTES
WEDNESDAY, JUNE 24, 2015

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Minutes of the Uxbridge Planning Board regularly scheduled meeting on **Wednesday, June 24, 2015, at 7:00 P.M.** in the **Lower Town Hall, Uxbridge Town Hall, 21 South Main Street, Uxbridge, MA.**

Present: Chair Joseph Leonardo, Vice Chair, James Smith, Clerk Barry Desruisseaux, Members Peter Petrillo, and Daniel Antonellis; Administrative Assistant Lynn Marchand.

Absent:

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):

1. **Continued from June 10, 2015 - FY15-08 - 164 Woodland Park, East Street, Application for Definitive Subdivision Plan** —The Owner/Applicant of record, Omega Financial Services LLC, is seeking a Definitive Subdivision located at 340 East Street, Uxbridge, MA. The property has seven (7) proposed lots on approximately 13.4 acres and is shown on the Town of Uxbridge Assessor's Map 36, Parcel 3895. The title to said land is recorded in the Worcester District Registry of Deeds Book 51609, Page 83; in Residential-C zone.

a. Continued discussions/updates by Andrews Survey & Engineering: Stephen O'Connell stated that due to scheduling conflicts, the meeting between Andrews, DPW, and the Town Manager had not taken place and that they had only just received the Town Water Consultant's report that day. He announced that the meeting with the TM and DPW would take place on Thursday, July 25th to discuss the water pressure issue on East Street.

Mr. O'Connell requested a continuance to the next Planning Board meeting.

Mr. Smith was recused.

MOTION I: to continue the Woodland Park Public Hearing to the July 8th Planning Board meeting made by Mr. Desruisseaux and seconded by Mr. Petrillo. Motion carried 4-0-0

Mr. Smith returned to the meeting.

2. **Continued from June 10, 2015 - FY15-14 Cobbler's Knoll, 255 Chocolog Rd, Application for Definitive Subdivision Plan.**

The Owner/Applicant of record, FIKOW, LLC, is seeking a Definitive Subdivision located at 255 Chocolog Road, Uxbridge, MA. The proposed development will create fifty-one (51) single family residential building lots on approximately 116.25 acres and is shown on the Town of Uxbridge Assessor's Map 39, Parcel 4254. The title to said land is recorded in the Worcester District Registry of Deeds Book 52122, Page 321; Property is located in an Agricultural zone.

a. Continued discussions/updates by Andrews Survey & Engineering: Stephen O'Connell stated that Andrews Survey will revise plans for drainage and address Graves comments then submit the revisions to Graves for a second review. He also stated the traffic study report would be completed shortly,



PLANNING BOARD MEETING MINUTES
JUNE 24, 2015 continued

- b. Received just prior to the meeting, the Preliminary Review by Graves Engineering was entered into record.
- c. Also entered into record was a review from the Board of Health.

The Chair opened the Public Hearing to comments from the public.

Fire Chief Kessler: Asked that water cisterns be considered since the development is outside the water district.

Mr. Michael Healy: Asked with the storm water management report would be made available. Mr. O'Connell said it would be complete within a week or so.

MOTION I: to continue the Cobbler's Knoll Public Hearing to the next Planning Board meeting on July 8, 2015 made by Mr. Desruisseaux and seconded by Mr. Smith. Motion carried 5-0-0

- 3. **FY15-15 Rogerson Crossing, Definitive Subdivision Modification Application.** The Owner/Applicant of record, Rogerson Crossing Realty Trust, is seeking approval of a proposed subdivision shown on a plan entitled: Rogerson Crossing Definitive Subdivision Plan by Heritage Design Group dated July 16, 2007, revised through August 15, 2008 being land bounded as follows: On the north by Herman W. Lavallee, Jr. & Constance Lavallee & Richard Lavallee; on the east by the Mumford River; on the south by various owners along Homeward Avenue; and on the west by Gertrude Larkin and the Providence & Worcester Railroad; Number of lots proposed being 2, total acreage of tract being 52.99 acres, more or less. Said plan has evolved from a Definitive Subdivision approved by the Uxbridge Planning Board and recorded in the Worcester Registry of Deeds in Book 43227, Page 132. Title to said land is derived from Edward K. Renaud by deed dated April 28, 2015 and recorded in the Worcester Registry of Deeds Book 53646, Page 389 and said land is free from encumbrances. Property is located in Residential Zone A.

- a. Continued discussions/updates by Andrews Survey & Engineering: Steve O'Connell submitted a preliminary Decision and Covenant for the Board to discuss/consider.
- b. Chair stated that the Board had submitted a letter to the Town Attorney and was waiting for them to weigh in on whether the Board can sign the Mylars. Mr. O'Connell made the suggestion that the Applicant's attorney could possibly speak directly with the Town attorney in order to expedite the process.
- c. Received shortly before the meeting was a letter from the DPW Director, Mr. Benn Sherman. He stated that he did not have sufficient time to review the Rogerson Crossing Definitive Subdivision Modification and strongly suggested that the Board have the Town Engineer, Graves Engineering, review the Modification request.

Mr. O'Connell restated that the Mylars were previously approved and signed by the Board but were not filed with the Worcester Reg. of Deeds. He stated that the Plans were the same and that the applicant filed for a modification because it was the best process to correct the administrative oversight. He asked what the Board's thoughts on which direction they were going?

Mr. Smith stated that that they would wait on Town Counsel's input to decide which direction they should proceed. In regards to an engineering peer review, he reiterated the DPW director's comment regarding strongly recommending having the Town Engineer review the Modification. He stated that since the project was older and now had a new board, new engineer, new storm water regulations, etc that the Board would wait for the Review.



PLANNING BOARD MEETING MINUTES
JUNE 24, 2015 continued

d. Board of Health Review entered into record

Chair opened up the Public Hearing to comments from the public.

Fire Chief Kessler: Expressed his safety concerns regarding there being a one-way, single point of entry into the lots, over a bridge, in a flood plain. He expressed concerns that the bridge be able to handle the weight of emergency vehicles.

Mr. O'Connell stated the bridge would be a Mass. D.O.T built bridge of either steel truss or timber. He also stated that it would be a private road/bridge maintained by an Association within the development.

Discussion was had regarding the difficulty with procuring a second point of entry since the temporary easement with the Railroad would end once the bridge was built. Water was looped.

Sara Knox: Asked how this Plan could still be valid and how the Conservation Commission's requirement that the applicant file a new application with them would affect the Planning Board's decision. She also expressed concern that in 2008 children were bussed to school and now would be walking. She mentioned about the sidewalks not being plowed and the narrow road.

The Vice-Chair, Mr. Smith said they were waiting to hear from Town Counsel regarding how the Planning Board could proceed. He also explained that the Planning Board cannot enforce sidewalk plowing. The Board acknowledged that the snow budget was exceeded and sidewalk plowing as an issue in general. Mr. Smith explained that the Conservation Commission has different regulations and requirements than the Planning Board

Erika Devlin: Submitted pictures of the road, asked where the snow would go, and expressed concerns regarding the traffic.

Sans Marshall: Expressed safety concerns; bridge maintenance, safety of existing neighborhoods with increase in traffic, snow removal

Mr. Desruisseaux explained that the Board is only looking at the application to subdivide the land into two lots to make sure that it complies with the subdivision rules and regulations. He explained that the Special Permit had already been approved. Normally, an applicant would first apply to subdivide the land and then for a Special Permit however in this case, due to it not being duly filed, the Board was having to do the process backwards.

Mr. O'Connell explained that Special Permits expire after 2 years if not acted upon. Due to extensions granted and work having been done before the expiration of the Special Permit, it was still valid. Special Permits do not expire once acted upon/once work has begun.

MOTION I: to continue the Rogerson Crossing Public Hearing to the next Planning Board meeting made by Mr. Desruisseaux and seconded by Mr. Smith. Motion carried 5-0-0

III. BUSINESS

1. PB reorganization

MOTION 1: to nominate Joseph Leonardo as Chairman made by Mr. Petrillo. Motion was seconded by Mr. Smith. Motion carried 4-0-0.

MOTION 1: to nominate James Smith as Vice-Chairman made by Mr. Desruisseaux. Motion was seconded by Mr. Petrillo. Motion carried 4-0-0.

MOTION 1: to nominate Mr. Desruisseaux as Clerk made by Mr. Antonellis. Motion was seconded by Mr. Smith. Motion carried 4-0-0.



**PLANNING BOARD MEETING MINUTES
JUNE 24, 2015 continued**

IV. SUDIVISION RULES AND REGULATIONS

V. MINUTES/MAIL/INVOICES

1. 6/10/2015 Meeting Minutes –Chair stated that due to the length of the minutes, extra time was needed to review them, and they would vote on approval of the minutes at the next Planning Board meeting.

VI. ANY OTHER BUSINESS that can lawfully come before the Board.

Mr. Desruisseaux made a motion to grant authority to the Administrative Assistant, Lynn Marchand, to pay invoices up to \$600.00 without Board approval. Motion was seconded by Mr. Smith. Motion carried 5-0-0.

VII. ADJOURNMENT: NEXT PLANNING BOARD MEETING, WEDNESDAY, JUNE 24, 2015

1. At approximately 8:05 P.M., Mr. Desruisseaux made a motion to adjourn. Motion was seconded by Mr. Smith. Motion carried 5-0-0.

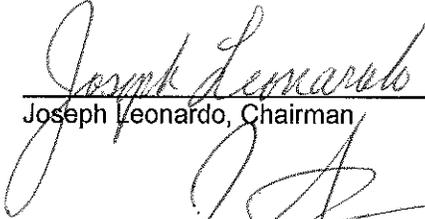
Respectfully submitted,

Lynn Marchand
Land Use Administrative Assistant

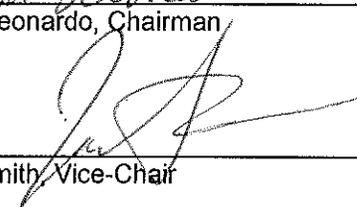


PLANNING BOARD MEETING MINUTES
JUNE 24, 2015 continued

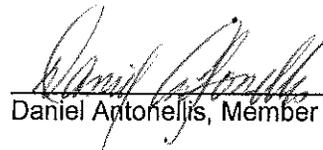
Planning Board Signatures



Joseph Leonardo, Chairman



James Smith, Vice-Chair



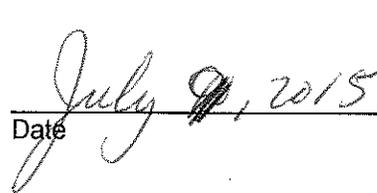
Daniel Antonellis, Member



Peter Petrillo, Member



Barry Desruisseaux, Clerk



Date July 9, 2015

