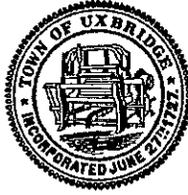


Joseph Leonardo, Chair
James Smith, Vice Chair
Barry Desruisseaux, Clerk
Daniel Antonellis, Member
Peter Petrillo, Member



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ORIGINAL

PLANNING BOARD MEETING MINUTES
WEDNESDAY, SEPTEMBER 23, 2015

OCT 15 '15 AM 8:45

Minutes of the Uxbridge Planning Board regularly scheduled meeting on **Wednesday, September 23, 2015**, at **7:00 P.M.** in the **Board of Selectmen Meeting Room, Uxbridge Town Hall, 21 South Main Street, Uxbridge, MA.**

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

Absent: Member Peter Petrillo

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.

*some agenda items were taken out of order

II. PUBLIC HEARING(S):

1. **Continued from September 9, 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. Update from Steve O'Connell for Andrews Engineering: no updates
- b. 60-day extension letter was submitted to the Board; Deadline to act date: 12/20/15

MOTION I: to continue the Public Hearing to October 14th made by Mr. Desruisseaux. Motion was seconded by Mr. Smith. Motion carried 4-0-0.

2. **Continued from September 9, 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. Update from Steve O'Connell for Andrews Engineering: no updates
- b. 60-day extension letter was submitted to the Board; Deadline to act date: 12/19/15

MOTION I: to continue the Cobbler's Knoll Public Hearing to the next Planning Board meeting on October 14th made by Mr. Desruisseaux. Motion was seconded by Mr. Smith. Motion carried 4-0-0

3. **Continued from September 9, 2015 -FY16-01 Clean Energy Collective/Special Permit applicant, 189 Mendon Street** - The Owner/Applicant of record, Clean Energy Collective, is seeking to construct a solar facility located at 189 Mendon St., Uxbridge, MA. The proposed project is to construct a 1/0-MW rated solar electric facility. The facility shall be comprised of approximately 2,500 330-watt solar modules, string inverters, and one (1) 13.8-kV 1 MA transformers with switchgear. The property is shown on the



**PLANNING BOARD MEETING MINUTES
SEPTEMBER 23, 2015 continued**

Town of Uxbridge Assessor's Map 19, Parcel 3753. The title to said land is recorded in the Worcester District Registry of Deeds Book 50954, Page 329; Property is located in an Agricultural zone.

- a. Update from Steve O'Connell for submitted to the Planning Board: no updates
- b. 60-day extension letter was submitted to the Board; Deadline to act date: 12/22/15

MOTION I: to continue the Public Hearing to October 14th made by Mr. Desruisseaux. Motion was seconded by Mr. Smith. Motion carried 4-0-0.

III. BUSINESS

1. Kettle Hill Estates

Status update by applicant's representative, Stephen O'Connell/Andrews Survey & Engineering:

Construction as required by the subdivision modification was completed as evidenced by letter from the Department of Public Works/Benn Sherman confirming work and stating no bond is needed. Mr. O'Connell stated that since there was no need for a Covenant or Bond, they therefore did not need a lot release. He stated they were requesting only endorsement of the modified subdivision plan mylars and the new original subdivision mylars of the original 11-lot subdivision. The reason stated for request of both sets of mylars to be endorsed was that the applicant's legal counsel advised that it was the best way to create a chain of title for future title review. Stated it was procedurally important to file the new original 11-lot subdivision mylars so that in the future they would know what was being modified by the endorsed mylar for the 4-lot subdivision modification.

Chair read a summary/statement into the record to be filed with the Approval: As you all know the original definitive subdivision for Kettle Hill Estates as a public road with 11 dwellings was approved in May 2012. The approval was appealed and the case was settled in September 2014. Subsequent to the settlement of the appeal, the Planning Board endorsed a set of mylar plans that were never recorded by the applicant at the Worcester District Registry of Deeds. Failure to record the plans was due to the pursuit of an alternative design of the subdivision. Thus, along with the modified 4-lot private road subdivision we need to endorse the original 11-lot subdivision mylars pursuant to MGL Ch. 41, Section 81X. The modified subdivision plan states that these plans modify and supersede the 11-lot subdivision plans.

Documents:

- 1- Receipts for Decision notifications sent to abutters; Submitted 09/24/15
- 2- Private Road Maintenance Agreement: Signed & Submitted
- 3- Mylars: New original mylars for 11-lot subdivision was signed by the Board and the 4-lot subdivision modification mylars were also signed by the Board
- 4- Deed Restriction: Signed & Submitted
- 5- Letter from DPW: Construction Review

Discussion was had regarding whether another vote was required to endorse the new original mylars that were identical to the previously voted upon and endorsed mylars that were never filed with the Worcester Registry of Deeds. Board decided that another vote was not needed.

Applicant was reminded of the street sign requirement; Stop sign, Private Road, Street Sign

MOTION I: to endorse (4) four lot subdivision made by Mr. Desruisseaux. Motion was seconded by Mr. Leonardo. Motion carried 4-0-0.

2. Warrant Articles : no discussion had. Public Hearing scheduled on 10/14/15 to review.



PLANNING BOARD MEETING MINUTES
SEPTEMBER 23, 2015 continued

IV. SUBDIVISION RULES AND REGULATIONS

1. Discussion was had regarding revising subdivision rules and regulations to include provisions to ensure timely filing of approvals and mylars as well as drafting language to specify decision rescission policies and procedures.

Topics raised and discussed: cost of rescission and who pays for it, public hearing vs regular meeting for decision rescission, various reasons for not filing approvals and mylars within 6 months; weather preventing moving forward with project, waiting on financing, avoiding having to pay higher tax on multiple lots as opposed to one.

Ideas also discussed: right to rescind after 6 months at the discretion of the Planning Board, sending a warning/reminder prior to rescinding approval after 90 days, 4 months, or 5 months, requiring proof of recording of any extensions granted, including a must be recorded date on the Approval and Mylars and a not valid after date, extensions being granted only for good cause, discouraging people from bending rules and regulations, sometimes for years, in order to avoid having to pay a higher tax rate on the approved multiple lot subdivision.

Chair stated additional dialogue on this matter was needed.

V. MINUTES/MAIL/INVOICES

1. 09/09/15 Meeting Minutes

MOTION I: to approve 09/09/15 Meeting Minutes, as written, made by Mr. Desruisseaux. Motion was seconded by Mr. Smith. Motion carried 4-0-0.

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

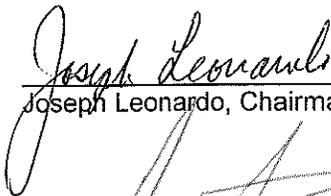
VII. ADJOURNMENT: NEXT PLANNING BOARD MEETING, WEDNESDAY, OCTOBER 14, 2015

1. At approximately 7:45 P.M., Mr. Desruisseaux made a motioned to adjourn. Motion was seconded by Mr. Smith. Motion carried 5-0-0.

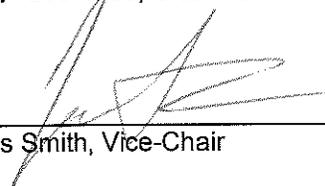
Respectfully submitted,

Lynn Marchand
Land Use Administrative Assistant

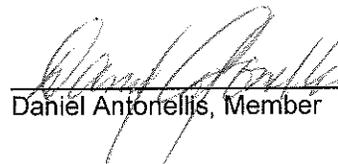
Planning Board Signatures



Joseph Leonardo, Chairman



James Smith, Vice-Chair



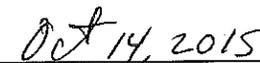
Daniel Antorellis, Member



Absent
Peter Petrillo, Member



Absent
Barry Desruisseaux, Clerk



Oct 14, 2015
Date