JUL 28 '16 PM 12:50

Town of Uxbridge
Planning Board
21 South Main Street
Uxbridge, MA 01569
(508) 278-8600, ext 2013

Received by
Uxbridge
Town Clerk

DECISION
CERTIFICATE OF APPROVAL
DEFINITIVE RESIDENTIAL SUBDIVISION
PUBLIC ROAD
Case No. FY 16-21, Autumn Vista, 0 & 478 Blackstone Street

APPLICANT/OWNER OF RECORD:

The owner of record, Rifleman Properties, LLC/John J. & Priscilla Romasco Kryger, 478 Blackstone Street, Uxbridge, MA, in accordance with the provisions of MGL Chapter 41 Section 81 presented for review to the Planning Board, a Definitive Residential Subdivision Plan and related materials, prepared by Andrews Survey & Engineering, Inc. dated March 29, 2016 with the last revision dated June 15, 2016, located at 0 & 478 Blackstone St, Uxbridge, MA showing twenty-four (24) proposed lots. Property is shown on the Uxbridge Assessor's Map 36, Parcels 124, 191, 997 and recorded in the Worcester Registry of Deeds Book 54559, Book 391.

PROJECT SUMMARY:

The project area is comprised of two parcels of land situated in the eastern portion of the Town of Uxbridge on the southerly side of Blackstone Street totaling 34.5± acres and is bounded to the north by Blackstone Street. A single point of access of the subdivision road will be from Blackstone Street.

The project area is comprised of existing house #478 and wooded land with existing sloped topography ranging in elevation from 330 to 430 with grades rising as you move from Blackstone Street to the southeast of the property. NRCS Soil Survey Maps illustrate soils with a hydrologic soil group classifications of A, B, & D.

This proposed development will create twenty-four (24) single family residential building lots. These lots will be served by the proposed main cul-de-sac having a total centerline length of 2775± linear feet. As part of the stormwater system design, proposed dwelling with septic systems and driveways were sited on each of the building lots to illustrate anticipated build-out conditions and attain the future impervious area of the development under the post development scenario. Each dwelling will be served by private wells and individual on-site subsurface sewage disposal systems.

FILINGS upon which the decision is based:

1) Application for Definitive Subdivision Plan, submitted March 29, 2016 and containing application forms, operation and management plan and stormwater management reports dated March 29, 2016, deeds, and ownership data, fee schedule, and associated submittal fees, a certified abutters list and a list of requested waivers.

2) Plans drawn by Andrews Survey & Engineering, Inc. P.O. Box 312, Uxbridge, MA 01569, dated March 29, 2016, revised June 15, 2016 and consisting of the following sheets:
   a) C-0.0 Cover Sheet
   b) C-1.0 Legend, Abbreviations, & General Notes
   c) C-2.0 Index Sheet
   d) C-3.1-3.3 Existing Conditions
   e) C-4.1-4.3 Definitive Subdivision Plans
   f) C-5.1-5.3 Topographic & Utility Plans
   g) C-6.1-6.4 Site Layout & Utilities Plan
   h) C-7.1-7.4 Grading & Drainage Plan

3) Reviews, Reports, Correspondence, and Comments from:
   a) April 12, 2016: Fire Chief comment
   b) April 22, 2016: Graves Eng. Definitive Subdivision Plan Review
   c) May 19, 2016: Speed Study & Sight Analysis, Memo from Parson Brinckerhoff
   d) June 2, 2016: Hydrant Flow Test by Cogswell Sprinkler Co. Inc.
   e) June 15, 2016: Peer Review Comment Responses from Andrews Survey & Engineering
   f) July 1, 2016: Graves Eng. Definitive Subdivision Plan Review

PUBLIC HEARINGS:

It is hereby certified by the Planning Board of the Town of Uxbridge, Massachusetts that a duly called and properly posted meeting/public hearing was posted and advertised opening on April 27, 2016. The hearing was continued over a span of meetings with the Board receiving requests for continuances and granting of extensions. Following Board discussions and public comment, the public hearing was ultimately closed on July 13, 2016.

DECISION:

Following review of all materials and testimony on July 13, 2016, the Board voted to approve the Autumn Vista Definitive Residential Subdivision based the on the filings, conditions and waivers noted herein.

SUBJECT TO THE FOLLOWING CONDITIONS:

1) The applicant seeks various waivers from the requirements of the Subdivision Regulations. The waiver requests and the Board's votes thereon are reflected in the Waiver List, in Attachment 1 "Waivers".

2) The applicant (or assignees) shall be responsible for maintenance of all ways and infrastructure within the subdivision until the road is accepted by the Town. Said maintenance includes but is not limited to, the removal of snow.

3) The contents of this Decision, including all waivers and conditions of approval, shall be shown on the plan prior to endorsement.

4) Plans shall be submitted for endorsement within sixty (60) days of the expiration of the twenty (20) day appeal period or within sixty (60) days after the entry of a final decree by the court sustaining the approval of the plan if appeal has been taken.

5) A covenant shall be required, pursuant to MGL 41 Section 81U. All conditions of approval shall be satisfied in full prior to any lot release for building, sale, or occupancy.

6) Within thirty (30) days following endorsement of the approved Plan, the applicant shall provide the Board with four (4) complete sets of said Plan, as finally approved.

7) Within six (6) months following endorsement of the approved plan, the applicant shall record with the Worcester County Registry of Deeds, and in the case of registered land, with the Recorder of the Land Court, a copy of said Plan and any covenants, and shall submit four copies of recorded plan(s) to the Board.

8) The developer will be held responsible for any regulatory traffic warning signs which may be needed after the development becomes occupied as required by the Police Department or Board of Selectmen.

9) All street names shall be approved by the Board of Selectmen. Street name signs shall be posted prior to the clearing of trees and/or actual start of work on this subdivision.

10) The applicant shall record (at the Registry of Deeds) a deed restriction prohibiting future expansion of the roadway. Prior to endorsement of the plan, the proposed easement language shall be submitted for review and deemed satisfactory to the town. The easement shall be recorded at the Registry of Deeds and contain margin or other references with this decision and the approved plan to ensure the "paper trail."

11) The existing decision, including reduced construction requirements, shall not be valid beyond the lots approved herein, and the roadway shall not be extended in distance or function.

12) The developer shall retain rights to any and all easements that may be needed for Town infrastructure. Such rights shall be assignable in easement form to the Town of Uxbridge on request.

13) All regulations and requirements of the Building Department, Board of Health, Fire Department, Department of Public Works, Police Department and all other town agencies shall be fully complied with.

14) The applicant will comply with the "Requirements for Digital Submission for Site or Subdivision Plans, ANRs or As-Built Drawings", including fee.

15) Copies of all recorded instruments, including this decision, deed restrictions, easements (utility easements), etc shall be provided to the Planning Board, and deemed satisfactory to the Board for their stated purposes, prior to release of any covenant. Such materials shall include the book and page number where such documents(s) is/are on file at the Worcester District Registry of Deeds.

16) Prior to actual start of work on this subdivision or roadway construction activity including tree clearing, a pre-construction meeting will be held with representatives of the town of Uxbridge DPW, Water Department, Fire Chief, Police Chief, Planning Department, Conservation Commission and any other town agencies deemed necessary.

17) The developer shall complete construction of all ways and installation of all municipal services and utilities in accordance with the Board's rules and regulations within three (3) years from the date of approval (unless extension has been granted by the Planning Board). Failure of the developer to complete construction as stated above shall result in an automatic rescission of the plan without further action of the Board. At its option and among whatever other remedies it may have, the Board may enforce the bond or apply the deposit towards reasonable cost of satisfactory completion of such work. In the case of a covenant, the Board may also seek an injunction restraining any further sale of lots or buildings thereon until all required work has been satisfactorily completed.

*****Attachment # 1**

WAIVERS

In recognition of the public benefit to be gained as described, waivers from certain requirements of the Uxbridge Subdivision Rules and Regulations are allowed as follows:

Section 4.A.4 –Dead End Streets

Section 4.A.4.D
A 50' right of way shall be provided for the future expansion of the roadway on a dead-end street.

The applicant requests a waiver from this require

The applicant requests a waiver from this requirement. The land beyond the subject parcel is occupied by existing residential dwellings and unlikely to ever be extended.

DECISION
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DEFINITIVE RESIDENTIAL SUBDIVISION
PUBLIC ROAD

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SAID DEFINITIVE SUBDIVISION APPROVAL IS GRANTED

PURSUANT TO M.G.L. CHAPTER 41, SECTION 81K-81GG. APPEALS FROM THIS DECISION SHALL BE MADE PURSUANT TO MASSACHUSETTS GENERAL LAWS CHAPTER 41 SECTION 81BB.

UXBRIDGE PLANNING BOARD:

James, Smith, Chairman	**Peter Pavao, Clerk**
Joseph Leonardo, Member	**Daniel Antonellis, Member**
Justin Piccirillo, Alternate Member	July 27, 2016 **Date**

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Appeals, if any, from this decision shall be made pursuant to M.G.L. Chapter 40A Section 17 and filed within 20 days after the date of the filing in the Office of the Town Clerk. A copy of this decision has been filed with the Town Clerk on _____

I hereby certify that twenty (20) days has elapsed from the date this decision was filed and no appeal has been filed in this office.

A true copy: ATTEST

_____
Town Clerk/Assistant Town Clerk
(Town Seal Affixed)

Date _____