

Town of Uxbridge
PLANNING BOARD
21 South Main Street
Uxbridge, MA 01569
508-278-8600 x2013

REC'D UXB TOWN CLERK
2020 OCT 21 PM2:23

October 14, 2020

**DECISION
CERTIFICATE OF APPROVAL
DEFINITIVE SUBDIVISION
OWNERS: 100 ACRES LLC JOHN SAHAGIAN**

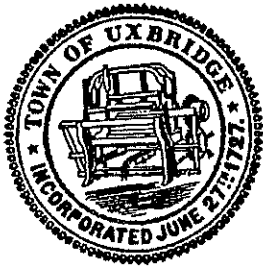
**CASE NO. FY 20-14
BARE NAKED GREENS, LLC
PUBLIC ROAD**

APPLICANT/OWNER OF RECORD:

The owners of record, 100 Acres, LLC of 248 South Pier Road, Narragansett, RI, and applicant of record, John Sahagian, 248 South Pier Road, Narragansett, MA., in accordance with the provisions of MGL Chapter 41 Section 81 presented for review to the Planning Board, a Definitive Subdivision Modification Plan and related materials, prepared by Crossman Engineering, dated January 2020 with the last revision dated June 23, 2020, located on 290 Millville Road, MA showing 4 lot commercial subdivision. Property is shown on the Uxbridge Assessor's Map 30, Parcels 2768, and recorded in the Worcester Registry of Deeds Book 54541, Page 219.

PROJECT SUMMARY:

The undersigned, being the owners and applicants as defined under Chapter 41, Section 81-L, for approval of a proposed subdivision modification shown on a plan entitled: 4 LOT COMMERCIAL SUBDIVISION/ZIPP INDUSTRIAL including a 1,500 long proposed public way, a Definitive Subdivision Modification Plan designed by Crossman Engineering, Inc., dated March 9, 2020 with the last revision dated June 23, 2020 and described as follows:
The Subdivision located on 290 Millville Road, Map 30 Parcels 2768 with four (4) proposed lots on 27.68 acres, hereby submits said plans as a definitive subdivision plan modification in accordance with the Rules & Regulations of the Uxbridge Planning Board and makes application to the Board for Approval of said plan. Said land is recorded at the Worcester Registry of Deeds on November 6, 2015, Plan Book 219.



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The undersigned's title to said land is derived from John Sahagian by deed dated November 6, 2015 and recorded in the Worcester District Registry of Deeds Book 54541, Page 219. Sole Trustee is John Sahagian.

The Definitive Subdivision will consist 4 commercial lots on a 1,500 ft. long public roadway with cul-de-sac. Road will be public.

FILINGS upon which the decision is based:

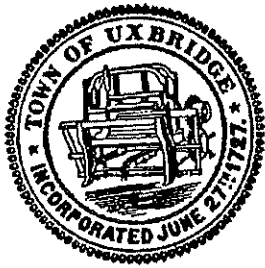
- 1) Application for a Definitive Subdivision Plan submitted and contained application forms, deeds, and ownership data, associated submittal fees, a certified abutters list and a list of requested waivers.

- 2) Plans drawn by Crossman Engineering., 103 Commonwealth Ave., North Attleboro, MA 02763, dated March 9, 2020 with the last revision dated June 23, 2020 consisting of the following sheets:

- C-0 COVER SHEET
- C-1.0 LEGEND, ABBREVIATIONS, & GENERAL NOTES
- C-2.0 LOCUS MAP
- C-3.0 AERIAL MAP
- C-4.0 RADIUS MAP
- C-5.0 OVERALL EXISTING CONDITIONS PLAN
- C.5.1 EXISTING CONDITIONS
- C.6.0 OVERALL SITE LAYOUT PLAN
- C.6.1 SITE LAYOUT PLAN
- C.7.1 GRADING AND DRAINAGE PLAN No.1
- C.7.2 GRADING AND DRAINAGE PLAN No.2
- C.8.0 UTILITY PLAN
- C.9.0 SOIL EROSION AND SEDIMENT PLAN
- C.10.-C.14 MISC. DETAIL PLAN
- E.1 SITE LIGHTING PLAN
- L.1 LANDSCAPING PLAN
- L.2. LANDSCAPE DETAIL PLAN
- A.1-2.1 ARCHITECTURAL PLAN

- 3) Reviews, Reports, Correspondence, and Comments from:

- Graves Review dated 3/05/20, 3/27/20, 4/08/20, 4.22.20
- Reply to Graves Review dated 03/09/20, 3/23/20, 3/31/20, 4/14/20, 4/15/20, 5/13/20, 5/18/20, 6/11/20, 6/20/20,



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- DPW Review dated 4/08/20, 5/07/20, 6/05/20
- Police Chief Comments 4/13/20
- Impact Assessment Statement 2/14/20

PUBLIC HEARINGS:

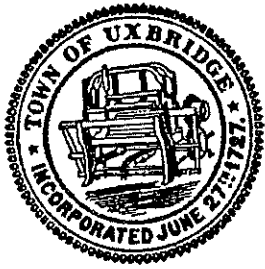
It is hereby certified by the Planning Board of the Town of Uxbridge, Massachusetts that a duly called and properly posted meeting/public hearing was posted and advertised was opened ON July 22, 2020 and closed on August 12, 2020.

DECISION:

Following review of all materials and testimony on July 22, 2020, the Board voted to approve the Definitive Subdivision for 100 Acres LC based the on the filings, conditions and waivers noted herein.

SUBJECT TO THE FOLLOWING CONDITIONS:

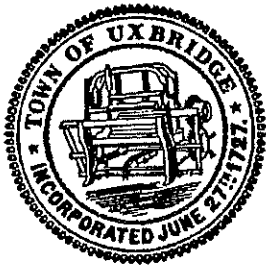
- 1) The applicant seeks two (2) waivers from the requirements of the Subdivision Regulations. The waiver requests are reflected in the Waiver List, in Attachment 1 "Waivers".
- 2) The owner/applicant (or assignees) shall be responsible for maintenance of all ways and infrastructure within the subdivision.
- 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-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



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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 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 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) 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 an extension has been granted by the Planning Board). Failure of the developer to complete construction as stated above may result in



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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.

- 17) Development and construction shall be in compliance with application and plans submitted and any change to the number, shape, and size of the lots shown on the plan shall require approval by the Planning Board and the Department of Public Works.

*****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:

§ 5.C.6 *(Street and Roadway Specifications)*

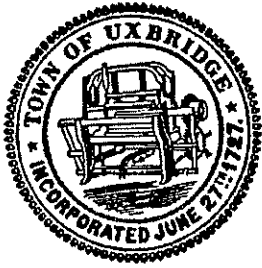
Waive the requirement to install granite curbing, except for at the intersection of Zipp Drive and Millville Road.

§ 5.D.3 *(Utilities)*

Waive the requirement to place all utilities underground at the time of initial construction.

§ 5.E. *(Sidewalks)*

Waive the requirement to install sidewalks along Zipp Drive.



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**DECISION
CERTIFICATE OF APPROVAL
DEFINITIVE SUBDIVISION
OWNER: JOHN SAHAGIAN**

**CASE NO. FY 20-14
ZIPP DRIVE
PUBLIC ROAD**

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:

Barry Desruisseaux, Chairman

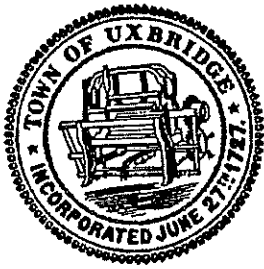
James Smith, Vice Chairman

Eli Laverdiere, Clerk

Joseph Leonardo, Member

Barry Hauck, Member

Date



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OWNER: JOHN SAHAGIAN**

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ZIPP DRIVE
PUBLIC ROAD**

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



Commonwealth of Massachusetts
Town of Uxbridge

Permit Number

Permit #:
FY20-14SW

This is to Certify that

100 Acres LLC John Sahagian

Name

248 South Pier Road

Mailing Address

Narragansett

City/Town

RI, 02882
State, Zip

Is hereby granted a permit under Chapter 290, Stormwater, of the Uxbridge General Bylaws at:

290 Millville Road

Street Address

30/27868

Assessors Map/Plat Number

54541/219

Parcel/Lot Number

And in accordance with plans:

Titled: Site Plans prepared by Crossman Engineering

Final revision date: 8-23-20

Prepared by: Crossman Engineering

Conditions of Permit

Standard conditions as listed in Uxbridge General Bylaws, Chapter 290 -Stormwater & the Regulations Governing Stormwater Management, Uxbridge, Massachusetts.

https://www.uxbridge-ma.gov/sites/uxbridgema/files/uploads/qb10.23.2018_3.pdf

https://www.uxbridge-ma.gov/sites/uxbridgema/files/uploads/stormwater_regulations.pdf

- Operating Hours are limited to Mon-Sat, 7am to 5 pm. No Holiday Work
- Area of Disturbance: 650,000 sf
- Total of Impervious Area Created: 182,517

Permit Expiration / Extension

Should a land-disturbing activity permitted in accordance with these Regulations not begin during a 180-day period following permit issuance, or if work has not been completed within three (3) years, the Applicant shall notify the Planning Board 30 days before expiration to avoid expiration and resubmission. The Planning Board may re-evaluate the originally approved Stormwater Management Plan to determine whether the plan still satisfies local program requirements. Permits may be renewed for one (1) additional one (1) year term, without Public Hearings at the discretion of the Planning Board. If the Planning Board finds the previously filed Plan to be inadequate, a Modified Plan shall be submitted and approved prior to the commencement of land-disturbing activities per the procedure in Section 5F of these Regulations.

This permit is granted in conformity with the Statutes and ordinances relating thereto unless sooner suspended or revoked.

Issued by:

Uxbridge Planning Board

Date of Issuance

Signatures:

Joseph Leonard

[illegible]



**DECISION
SPECIAL PERMIT
FY20-15 – 290 MILLVILLE ROAD
OWNER: 100 ACRES LLC**

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

A true copy: ATTEST

Town Clerk/Assistant Town Clerk
(Town Seal Affixed)

Date