



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

REC'D UXB TOWN CLERK
2020 OCT 21 PM 2:24

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

Date:

Name of Owner/Applicant: 100 Acres LLC, John Sahagian

Address of Owner/Applicant: 248 South Pier Road

Location of Property: 290 Millville Road, Uxbridge, MA 01569

Assessors Maps/Parcels: Map 20, Parcels 2768

Deed Books/Pages: Deed Book 54541 Page 219

Site Plan Dated: August 13, 2020

Engineer or Land Surveyor: Crossman Engineering
103 Commonwealth Avenue
North Attleboro, MA 02763

Zoning District(s): Industrial -A Zone

BACKGROUND/SUMMARY

On March 11, 2020, an application was received, by the Planning Board and duly filed with the Uxbridge Town Clerk, for a Special Permit to construct a new commercial (public) roadway and a 75,200 square foot marijuana cultivation facility, at 290 Millville Road, Uxbridge, MA. The named owner and applicant of record is 100 Acres LLC, John Sahagian. The Applicant of record is 100 Acres LLC, John Sahagian. Notice of the Public Hearing was scheduled and published in the Worcester Telegram & Gazette for March 18th and March 25, 2020, posted in the Uxbridge Town Hall, and abutters were notified by way of certified mail. The Public Hearing was opened on April 8, 2020, continued through a span of meetings, and ultimately closed on August 12, 2020.

The properties contain approximately 27.68 acres of land and is shown on the Uxbridge Assessor Map 30, Parcel 2768. The deed for said lots are recorded in the Worcester Registry of Deeds Books 54541 Pages 219 and said land is free from encumbrances. The site lies within the Industrial zoning district.

FILINGS

The Planning Board has received the following written materials:

1. The application submitted by 100 Acres, LLC on behalf of Crossman Engineering, Inc. consisted of a Special Permit Application Form, Project Narrative and Impact Assessments, a copy of the Deed, a copy of the Application for Certified Abutters List, a copy of the Abutters List Report, Locus Map, Operation & Maintenance Plan, Drainage Narrative & Assessment, associated fees, and a Site Plan.
2. Plans titled, BARE NAKED GREENS, LLC CULTIVATION FACILITY prepared by Crossman Engineering, Inc., dated March 9, 2020 with a final revision date of June 23, 2020, included the following plan 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. File Correspondence:

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

DECISION

MOTION I: made by Mr. Leonardo to endorse the Special Permit Application located at 290 Millville Road, Uxbridge, MA. Motion was seconded by Mr. Hauck the motion carried 5-0-0. This decision is granted based on the following findings and conditions as noted herein in accordance with UZBL 400-20 & 400-50. No waivers were sought for this Special Permit application. The findings and conditions of approval are set forth below.

FINDINGS

In granting the Special Permit with conditions, the Board determines that any adverse effects of the proposed use of land will not outweigh its beneficial impact to the Town, in view of the particular characteristics of the site and of the proposal in relation to that site. The Board has also taken into consideration the following:

1. The social, economic and community needs which are served by the proposal are positive.

The proposed project based on the submitted materials together with all associated parking, facilities and infrastructure has been located in a manner consistent with the Uxbridge Zoning Bylaw, §400-20, Appendix A Table of Use Regulations, and Article X Definitions of the Uxbridge Zoning By-Law.

2. There is little impact on traffic flow and safety, including parking and loading. The detailed analysis concluded that the proposed project will have no significant impact on adjacent roadways.

3. There is no impact on utilities and other public services.

There will be minimal demands placed on Town services and infrastructure. Property owner will be responsible for site/infrastructure maintenance, waste disposal, stormwater management, erosion control, snow removal, landscaping, maintenance of paved areas, and curbing. No adverse impacts on the school system or public safety resources. The project was designed to treat, recharge, and attenuate stormwater runoff from the site.

4. There is little to no impact on the neighborhood character and social structures.

The project is located in an industrial zoning district. The project is consistent with the current zoning and land uses in the area.

5. There will be a positive impact on the natural environment. This project will have negligible impact on air, water, ground, noise, wetlands, floodplains, plants, animals and the visual environment.

6. The potential fiscal impact on town services, tax base and/or employment is positive.

7. Pursuant to Uxbridge Zoning Bylaw 400-20, the Planning Board finds that the application, with Conditions, meets each of the required traffic, environmental, community, and fiscal standards as stated in Findings 1-6. The Planning Board also finds that the application, with Conditions, as a whole, substantially conforms to the intent of the Bylaws and proposes an appropriate and beneficial development to the site.

CONDITIONS

1. The Owner/Applicant shall comply with all applicable laws, regulations, and permit conditions required by the Planning Board, Zoning Board of Appeals, Conservation Commission, Board of Health, Building Department, Fire Department, Department of Public Works and all other departments and agencies for this project.


2. The Owner/Applicant shall adhere to the conditions noted in this Decision and on the approved Plan.
3. The Owner/Applicant shall install and maintain all screening/fencing and plantings shown on the site plan or deemed necessary by the Planning Board. Additional removal of vegetation beyond what is shown on the Plan shall require approval of the Planning Board.
4. Prior to applying for an occupancy permit from the Building Inspector, the Owner/Applicant must notify the Planning Board and schedule a pre-construction meeting.
5. The Special Permit, including any attachments or appendices thereto shall be recorded at the Worcester Registry of Deeds within six (6) months or this Special Permit may be deemed null and void by the Planning Board. Said time shall not include such time required to pursue or await the determination of an appeal referred to in M.G.L. Chapter 40A, Section 17. The Applicant shall submit evidence of such recording to the Planning Board.
6. This Special Permit shall lapse in two (2) years on October 21, 2022 the filing date of the Special Permit approval, if a substantial use thereof has not commenced, except for good cause, or in the case of a permit for construction, if construction has not begun by such date except for good cause. Said time shall not include such time required to pursue or await the determination of an appeal referred to in M.G.L Chapter 40A, Section 17.
7. Color renderings, elevations, and floor plans shall be submitted to the Planning Board Chair for sign-off prior to the issuance of a Building Permit.
8. Snow storage shall be captured and conveyed into the stormwater system and/or removed from the site as needed to prevent runoff/flooding on adjacent properties.
9. 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.
10. The developer shall retain rights to any and all easements that may be needed for Town infrastructure. Such rights shall be assignable to the Town of Uxbridge on request.
11. The applicant will comply with the "Requirements for Digital Submission for Site or Subdivision Plans, ANRs or As-Built Drawings", including fee.
12. Utility and Final As-Builts must be provided to the Planning Office upon completion of construction.
13. Noise levels and dust control during construction shall be within State and Local requirements.
14. Any Police detail that may become necessary during construction to control traffic as determined by the Chief of Police is to be contracted by and paid for by the applicant.

*** DECISION
SPECIAL PERMIT
FY- 20-15, 100 ACRES LLC
OWNER: BARE NAKED GREENS, LLC Cultivation Facility**

SAID SPECIAL PERMIT APPROVAL IS GRANTED PURSUANT TO M.G.L. CHAPTER 40A, SECTION 9. APPEALS FROM THIS DECISION SHALL BE MADE PURSUANT TO MASSACHUSETTS GENERAL LAWS CHAPTER 40A, SECTION 9.

UXBRIDGE PLANNING BOARD

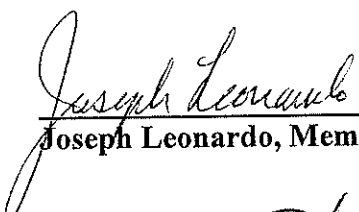
Barry Desruisseaux, Chair




James Smith, Vice-Chair



Eli Laverdiere, Clerk

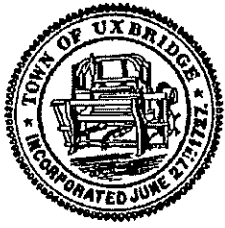


Joseph Leonardo, Member



Barry Hauck, Member

Date



**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