

Town of Uxbridge
Planning Board
21 South Main St.
Uxbridge, MA 01569
(508) 278-8603

DECISION
SPECIAL PERMIT APPLICATION - APPROVED
300 Mendon Street, Uxbridge, MA
Case No. FY 20-08 Waucantuck Heights

Date:	September 28, 2020
Name of Applicant:	Cook's Crossing, LLC
Address of Applicant:	95 East Main Street Westborough, MA 01581
Owner:	TDJ Materials, LLC P.O. Box 90 Whitinsville, MA 01588
Location of Property:	300 Mendon Street
Assessors Map/Parcel:	Map 19, Parcels 2413, 2467, & 2475
Site Plan Dated:	November 20, 2019; Revised 1/9/20, 1/13/20, 2/13/20, 7/9/20
Engineer or Land Surveyor	Andrews Survey & Engineering, Inc.
Zoning District(s):	Residence-B Waucantuck Mill Adaptive Reuse Overlay District Groundwater Protection Overlay District

DESCRIPTION:

The Applicant, Cook's Crossing, LLC, submitted an application for a Special Permit to construct 50 residential townhomes and associated paving, earthwork, utility, and stormwater construction pursuant to the Uxbridge Zoning Bylaws, Section 400-40 on property located at 300 Mendon Street, Uxbridge, MA.

The property contains approximately 12.1± acres of land and is shown on the Uxbridge Assessor's map 19, parcels 2413, 2467, & 2475. The deed for said parcels are recorded in the Worcester Registry of Deeds in book 46744, page 217; book 49951, page 357; and book 45280, page 83, and said land is free from encumbrances. The property is located in the Residence-B zoning district and also within the Waucantuck Mill Adaptive Reuse Overlay District (WMAROD) and the Groundwater Protection Overlay District (GPOD).

The property is not located within the 100-year flood plain (Zone A) according to the current Flood Insurance Rate Map (FIRM) Panel 25021C0302E, dated July 17, 2012.

According to the most current MA Natural Heritage Atlas, Priority Habitat of Rare Species and Estimated Habitat of Rare Wildlife are not located on or bordering the property. No known Areas of Critical Environmental Concern (ACEC) are located on or bordering the property.

BACKGROUND:

The application for a Special Permit to construct 50 residential townhomes with associated paving, earthwork, utility, and stormwater construction was received and duly filed with the Town Clerk. The application was forwarded to various Town Departments and Boards/Committees. Abutters were notified via certified mail.

It is hereby certified by the Planning Board of the Town of Uxbridge, Massachusetts that at a duly called meeting of the Board, a public hearing, properly posted and advertised, was opened on July 8, 2020. Following numerous public hearings, on August 12, 2020, the public hearing was closed.

FILINGS upon which the decision is based:

- 1) Application for Special Permit, submitted on December 19, 2020, and containing application forms and checklists, deeds, ownership data and a stormwater management report dated November 19, 2020, and revised February 13, 2020.
- 2) Plans drawn by Andrews Survey & Engineering Inc. dated November 20, 2019 and revised 1/9/20, 1/13/20, 2/13/20, and 7/9/20.
 - Cover Sheet (C1)
 - Legend, Abbreviations & General Notes (C2.1-C2.2)
 - Existing Conditions Plan (C3)
 - Proposed Property Plan (C4)

- Demolition Plan (C5)
 - Site Layout Plan (C6)
 - Utility Plan (C7)
 - Grading & Drainage Plans (C8)
 - Roadway Plan & Profile Sheets (C9.1-C9.2)
 - Erosion & Sediment Control Plan (C10.1)
 - Erosion & Sediment Control Notes (C10.2-C10.3)
 - Construction Details (C11.1-C11.6)
 - Landscaping Plan & Details (L1)
 - Architectural Plans
- 3) Correspondence from Graves Engineering dated January 9, 2020.
 - 4) Correspondence from Uxbridge DPW dated February 11, 2020.
 - 5) Correspondence from Andrews Survey & Engineering dated February 13, 2020.
 - 6) Correspondence from Uxbridge DPW dated March 11, 2020.
 - 7) Correspondence from Graves Engineering dated March 23, 2020.
 - 8) Correspondence from Andrews Survey & Engineering dated July 9, 2020.
 - 9) Correspondence from Graves Engineering dated July 29, 2020.

DECISION:

MOTION: to close the public hearing for Waucantuck Heights made by Eli Laverdiere, seconded by James Smith. The motion carried 5-0-0.

MOTION: to approve the Special Permit for Waucantuck Heights to construct 50 townhouse dwelling units with associated paving, earthwork, utilities, and stormwater, made by Joseph Leonardo, seconded by James Smith. The motion carried 5-0-0.

FINDINGS:

In granting the Special Permit with conditions, the Board determined that any adverse effects of the proposed use of land will not outweigh its beneficial impacts to the Town and use of the property located in the WMAROD and GPOD, in view of the particular characteristics of the site and of the proposal in relation to the 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.
2. There is little to no impact on traffic flow and safety, including parking and loading.
3. There is little to no impact on utilities and other public services.
4. There is little impact on the neighborhood character and social structures.
5. There will be a positive impact on the natural environment.
6. The potential fiscal impact on Town services, tax base and/or employment is positive.

7. Pursuant to Uxbridge Zoning Bylaw 400-200, 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 Applicant shall comply with all applicable laws, regulations and permit conditions required by the Uxbridge Conservation Commission, Board of Health, Fire Department, Building Department, Department of Public Works, and all other departments and agencies for this project.
2. Within six (6) months of the date of this decision, the Applicant shall record this Special Permit at the Worcester County District Registry of Deeds and provide evidence thereof to the Planning Board. Failure to record this decision may render this special permit null and void.
3. Development and construction shall be in compliance with the application and plans submitted and any change shall require approval by the Planning Board and/or the Department of Public Works.
4. In accordance with MGL Chapter 40 A §17, this Special Permit shall lapse in three years if construction has not begun by such date, except for good cause.
5. Prior to the start of construction, the Applicant must notify the Planning Board and schedule a pre-construction meeting and provide contact information of site supervisors/contractors.
6. Applicant shall provide and maintain engineering review monies for inspections/reviews throughout construction in an amount to be determined by the Planning Board.
7. Construction hours of Operation shall be 6:00 a.m. to 6:00 p.m. Monday-Friday and 8 a.m. to 4:00 p.m. on Saturdays. No Sunday or holiday work.
8. All signage shall be mounted on breakaway style posts.
9. The Planning Board approves the issuance of a building permit for one (1) building, two (2) units, for the construction of a model home, subject to approval by the Building Inspector. No occupancy permit shall be sought by the Applicant until the construction of ways and utilities are complete to the satisfaction of the Building Inspector.

WAIVERS:


1. Section 400-40.F.3.a – Submission Requirements: A site plan shall be prepared by a registered professional engineer, architect, or landscape architect at a scale of one inch equals 20 feet, on standard twenty-four by thirty-six sheets, with narrative information on eight-and-one-half by eleven inch sheets.

The applicant requested a waiver to provide the site plans at a scale of one-inch equals forty feet (1"=40'). The Board finds that the plans are clear and legible at this scale and grants this waiver.

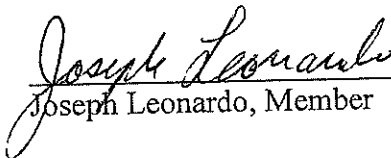
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SAID SPECIAL PERMIT APPROVAL IS GRANTED PURSUANT TO M.G.L. CHAPTER 40A, SECTION 9. APPEALS FROM THIS DECISION SHALL BE MADE PURSUANT TO MASSACHUSETTS GENERAL LAWS CHAPTER 40A, SECTION 9.

UXBRIDGE PLANNING BOARD

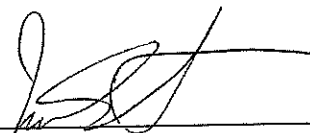


Barry Desruisseaux, Chairman



Joseph Leonardo, Member

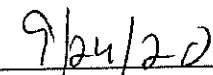
Eli Laverdiere, Member



James Smith, Vice-Chairman



Barry Hauck, Member



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

Wanda M. Corner
Town Clerk/Assistant Town Clerk
(Town Seal Affixed)

9-24-20
Date