

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

TOWN OF UXBRIDGE
SPECIAL PERMIT FOR MAJOR NONRESIDENTIAL PROJECT AND WAREHOUSE USE
DECISION AND CERTIFICATE OF ACTION
Campanelli Business Park East (Lot 5)
FY21--07, FY 21-08 515 Douglas Street

Date: September 20, 2020

Name of Applicant: Campanelli Development VI LLC

Address of Applicant: 1 Campanelli Drive
Braintree MA 02184

Owners and addresses: Map 23 Lot 2895 and Lot 3545:
Penbrooke Realty Trust
Tusino Louis C-Tr
14 West St
Douglas, Ma 01516

Map 22 Lot 3283:
Greenville Lot Realty Trust
Tusino Louis C-Tr
14 West St
Douglas, MA 01516

Map 22 Lot 1685:
Donna Yargeau
746 Hazel St
Uxbridge, MA 01516-1105

Location of Property: 515 Douglas Street

Assessors Maps/Parcels: Map 22 Lot 3283, 1685; Map 23 Lot 2895 and Lot 3545

Deed Books/Pages: Deeds Bk. 52107 Pg. 227; Deeds Bk. 36530 Pg. 311;
Deeds Bk. 43783 Pg. 33; Deeds Bk. 7295 Pg. 185

Site Plan Dated: July 31, 2020; Last revised September 9, 2020 (*this date may need to be changed*)

Engineer or Land Surveyor: Kelly Engineering Group, Inc.
0 Campanelli Drive
Braintree MA 02184

Zoning District(s): Business, Agricultural

BACKGROUND/SUMMARY

On August __, 2020, an application was received by the Planning Board and duly filed with the Uxbridge Town Clerk, for a Special Permit for Major Nonresidential Project and for warehouse, distribution and sortation use in a Business District (the "Special Permit") for the construction and subsequent operation of an approximately 518,336 square foot warehouse, distribution and sortation center with operations scheduled to take place on a 24 hour basis. Within the building there will be and an approximately 184,353 square foot mezzanine. The project will have associated car parking, loading and other development features on a property comprised of 435 Douglas Street, 515 Douglas Street and two unnumbered Hazel Street properties. Lot 5 which will be approximately 99.5 acres will be created by filing an 81X plan to combine the referenced properties. The Special Permit is sought pursuant to Article III, sec. 400-10 C and Article VI, sec. 400-20 Uxbridge Zoning Bylaws ("UZB" or "Zoning Bylaw"), "Special Permit: Planning Board" and "Special Permit for Major Nonresidential Project" and pursuant to such other applicable provisions of the Zoning Bylaw. A Stormwater Management Permit application was concurrently requested. Notice of the Public Hearing was scheduled and published in the "Worcester Telegram & Gazette" for August 12 and August 19, 2020 posted in the Uxbridge Town Hall, and abutters were notified by way of certified mail. The Public Hearing was opened on August 26, 2020, continued to September 9, 2020, and September 23 and closed on September 30, 2020.

The site lies partially within the Business Zoning District and partially within the Agricultural Zoning District. The proposed warehouse distribution and sortation use is allowed by Special Permit in the Business District. No work is proposed in the Agricultural District. The site was designated as a "Chapter 43D" site in 2007 to allow for expedited permitting.

FILINGS

The Planning Board has received the following written materials:

1. The application submitted by Kelly Engineering Group, Inc. on behalf of Campanelli Development VI LLC consisted of a Special Permit Application Form, Letter to the Board which included a project description and a request for Stormwater Management Permit, a copy of the Deeds, a copy of the Application for Certified Abutters List, a copy of the certified Abutters List, Locus Map, Stormwater Report, associated fees, floor plans and elevations and a Site Plan.
2. Plans, entitled "Site Development Plans for Campanelli Business Park- Lot 5, 515 Douglas Street", prepared by Kelly Engineering Group, Inc., dated July 31, 2020 all with a final revision date of September 9, 2020 (sheet 3 also revised dated 9/24/2020), included the following plan sheets:
 - Sheet 1 Cover Sheet
 - Sheet 2 Overall Existing Conditions Plan

- Sheet 3 Overall Layout Plan
- Sheet 4 Existing Conditions Plan (Part1)
- Sheet 5 Existing Conditions Plan (Part 2)
- Sheet 6 Layout Plan (Part1)
- Sheet 7 Layout Plan (Part 2)
- Sheet 8 Grading Plan (Part 1)
- Sheet 9 Grading Plan (Part 2)
- Sheet 10 Sewer, Drainage Plan (Part 1)
- Sheet 11 Sewer, Drainage Plan (Part 2)
- Sheet 12 Utility Plan (Part 1)
- Sheet 13 Utility Plan (Part 2)
- Sheet 14 Detail Sheet
- Sheet 15 Detail Sheet
- Sheet 16 Detail Sheet
- Sheet 17 Detail Sheet
- Sheet 18 Detail Sheet

3. Related Materials include the following:

- 1.) Photometric Plan, By Exposure Lighting, dated July 23, 2020.
- 2.) Stormwater Management Report, by Kelly Engineering Group, Inc. dated July 31, 2020 revised September 9, 2020.
- 3.) Architectural Floor Plans and elevation by RKB Architects dated July 31, 2020 , revised September 14, 2020 and Elevations by Campanelli Companies dated April 4, 2019 revised April 26, 2019
- 4.) Landscape Plans sheet L1.0 to L3.1 and D1 dated July 31, 2020 by Hawk Design, Inc.
- 5.) Traffic Impact Assessment Report prepared by MDM Transportation dated July 15, 2020.
- 6.) Fiscal Memorandum by Fougere Planning and Development dated August 12, 2020
- 7.) Sound study by Tech Environmental dated September 14, 2020
- 8.) Erosion Control Plans by Kelly Engineering Group, Inc. dated September 9, 2020
- 9.) Drainage Exhibit Plan by Kelly Engineering Group, Inc. dated September 9, 2020

4. File Correspondence:

- dated 09/01/2020 letter from Graves Engineering Inc.,
- dated 09/14/2020 letter from Kelly Engineering Group, Inc.
- dated 08/07/2020 email from Uxbridge DPW
- dated 07/28/2020 letter from Police Department
- dated 08/31/2020 letter from Randy Fields, 21 Summerfield Drive
- dated 9/22/2020 letter from Vanasse and Associates, Inc. providing peer review of the Traffic Impact Assessment Report referred to above.

- Dated 9/17/ 2020 Letter from Acentech providing peer review of the Sound Study referred to above.
- dated 9/21/2020 response to comments by Tech Environmental
- dated 9/21/2020 revised Sound study by Tech Environmental
- dated 9/23/2020 email from Benn Sherman Director of Public Works
- dated 9/23/ 2020 Letter from Acentech providing a follow up peer review of the Sound Study referred to above.
- dated 9/28/2020 letter from Kelly Engineering Group dated 09/28/2020 letter from Graves Engineering Inc.,

DECISION

At the Planning Board's duly scheduled meeting on September 30, 2020 , a MOTION made by Eli Lavediere to endorse and grant the Special Permit Application FY21-07 and FY 21-08, for Campanelli Development VI LLC, their respective successors and assigns for use and development of the property identified as Lot 5, located on Douglas Street with current address 515 Douglas Street, Uxbridge, MA., with Finding 7, that the 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.

Motion was seconded by Joseph Leonardo. The motion carried five (5) in favor and none (0) opposed. This decision is granted based on the following findings and conditions as noted herein. A waiver of scoping session per section 400-20.C.1, plan scale per section 400-200-D.1, locus plan scale per section 400-20 5, plan scale per section 400-50 E. and locus plan per section 400-50 E.1 of the Zoning Bylaw were requested by the Applicant and after due deliberation were granted. A Stormwater Management Permit an Importation Permits were also separately deliberated upon and granted. The required findings and conditions of approval are set forth below.

FINDINGS

In granting the Special Permit with conditions, the Board finds that any adverse effects of the proposed use of land as a warehouse, distribution and sortation facility will not outweigh its beneficial impact to the Town, in view of the particular characteristics of the site, its zoning and the proposal in relation to the site. The Board finds that the standards of 400-20 F of the Zoning Bylaw have been substantially met, that the application as a whole substantially conforms to the intent of the Zoning Bylaws, including its designation as a priority development site pursuant to Chapter 43 D and proposes an appropriate and beneficial development of 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.

The proposed warehouse distribution and sortation establishment 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 without limitation, Articles VI, IX and X (Definitions) of the Uxbridge Zoning By-Law.

2. There is minimal impact on traffic flow and safety, including parking and loading.

A Transportation Impact and Analysis Study (TIAS) by MDM Transportation Consultants was submitted for the project. The TIAS fully documented the existing traffic volumes, capacities, controls, road condition, safety, and level of service on the streets adjacent to the site; projected changes due to the site development, with specific reference to probable future uses of neighboring sites and to their potential to affect background traffic growth or decline; assessed the projected impact of such changes; proposed and discussed management and structural improvements and mitigation measures, both on and off the site. The TIAS demonstrated that proposed roadway intersections comply with the development standards referenced in section 400-20.F of the Zoning Bylaw, and Massachusetts Department of Transportation Standards. The TIAS analysis concluded that ample roadway capacity is available to support the proposed project with no material degradation of traffic operations relative to no-build conditions. The TIAS was reviewed by the Board's consultant, Vanasse and Associates, Inc.

The site has been designed to facilitate safe and orderly truck, passenger vehicle and pedestrian activity on the site. As demonstrated in the TIAS increases in traffic at the site will be mitigated in accordance with Mass DOT requirements and will include expanding the site driveway, providing a left turn lane to access the site from Douglas Street (Route 16), a detailed traffic monitoring program, an enforceable commitment to participating in potential design and construction of traffic lights or a roundabout at the Route 146 Southbound Ramps, if, as and when warranted. Subsequent to the preparation of the TIAS and pursuant to discussions with MassDOT, the applicant has agreed to design, permit and construct a roundabout and associated improvements at the northbound and south bound ramps to Route 146. Final details of these improvements will be pursuant to a MassDOT permit. If, as and when such improvements are warranted all construction activity shall be done in accord with the applicable rules and regulations of Mass DOT. The applicant has also agreed to design and implement an optimal traffic signal timing and phasing plan for the intersections of Route 16 at North and South Main Street

Onsite parking and loading was designed consistent with the Uxbridge Zoning Bylaws and are sufficient to meet the needs of the project.

3. There will be minimal impact on utilities and other public services.

The proposed project, will not overly burden the Town's water or sewer system. The project is a warehouse, distribution and sortation use and is expected to need approximately 11,250 GPD of water and generate approximately 11,250 GPD of sewer flow. Fire flows will be accommodated by a water storage tank and fire pumps. A sewer was recently extended in Douglas Street from Taft Hill Road past the project site. Water, sewer and other utilities will be extended from Douglas Street to service the project. The project has been reviewed by the Town of Uxbridge Department of Public Works. The Applicant or their successor will be responsible for site infrastructure maintenance, waste disposal, snow removal, landscaping, maintenance of paved areas, and curbing.

4. There will be minimal impact on the neighborhood character and social structures.

The project is located in the Business zoning district, and as previously stated the project site was designated by the Town as a 43 D Expedited permitting site to promote growth in the Route 16/146 corridor and is an appropriate use for that district in general and specifically the Site. In 2019, Sewer & Gas utilities were provided to the site to encourage economic development. These infrastructure improvements benefit the area as a whole and were funded by a Mass Works Grant. In 2019, the Uxbridge Town Meeting authorized and approved the issuance of Special Permits by the Planning Board for certain industrial uses on this and other business zoned lots.

As the use of the site will be a warehouse, distribution and sortation center it will have little impact to the provisions described in 400-20.E.2 including air quality, water quality, vibration or electromagnetic radiation. The project has been designed to limit wetlands impacts and any impacts will be mitigated. The undeveloped land within the project site is partially located in habitat associated with an endangered species. The applicant has worked closely with the Division of Fisheries and Wildlife (DFW) Natural Heritage and Endangered Species Program to protect those species. The site plans, incorporate the recommendations of the DFW. The project will require a permit from DFW. Downcast LED lights in combination with the proposed landscaping will prevent light nuisance/spillage onto adjacent properties. A Sound Study by Tech Environmental was submitted for the project. The study fully documented the existing and future sound levels and proposed mitigative measures. The sound study was reviewed by the Board's consultant, Acentech.

5. There will be a positive impact on the natural environment.

The proposed project will have stormwater management, which meets or exceeds the DEP Stormwater Management Standards and Town Bylaw Chapter 290 (Stormwater). There will be erosion and sedimentation controls in place during construction. The landscaped areas will maintain proposed plantings through private contractors and an irrigation system. A Stormwater Management Permit is also granted by the Planning Board acting as the Stormwater Authority for the Project.

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

The project will provide revenue for the Town with limited impact to Town services and no direct impact to the school system. A Fiscal Memorandum by Fougere Planning and Development was submitted for the project. The Memorandum concluded that the project will provide net positive annual revenues to the town of \$644,000 and will provide employment that will strengthen the local economy. In addition to the annual tax related revenue outlined above, the Town of Uxbridge will also garner over \$400,000.00 in building permit fees. Based on calculations from other warehouse and sortation center uses, the average annual wages to be paid to the employees will approximate \$7,500,000.00. The creation of new jobs at the site will have a positive impact on local businesses.

7. Pursuant to Uxbridge Zoning Bylaw 400-20G, 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 (*Note: all references to the Applicant, shall be deemed to include and where affirmative action is required be deemed to bind the Applicant's successors and assigns*) shall comply with all applicable laws, regulations, and permit conditions required by the Planning Board, Conservation Commission, Board of Health, Building Department, Fire Department, Department of Public Works and all other departments and agencies for this project.
2. The Applicant shall adhere to the conditions noted on the approved Plan. Notwithstanding the building shown on the Plan, when constructed, the building may conform to the dimensional requirements of the Uxbridge Zoning By-Law in effect on the date the Building Permit is issued.
3. The Applicant shall install and maintain all plantings shown on the site plan.
4. The Applicant shall be responsible for all on site snow management, trash removal and site maintenance.
5. Prior to applying for a building permit from the Building Inspector, the Applicant must notify the Planning Board and schedule a pre-construction meeting.
6. The Special Permit, including any attachments or appendices thereto shall be recorded at the Worcester Registry of Deeds within six (6) months after the date the Town Clerk certifies that no appeals have been filed. In no event shall the six month period 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.
7. As set forth in Massachusetts General Laws, Chapter 40 A Section 9, this Special Permit shall lapse in three (3) years on September __, 2023, 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.
8. Details of the water tank and other fire protection measures shall be reviewed with the Fire Department and Water Department prior to construction. A truck turning analysis of the site shall be prepared and provided to the Uxbridge Fire Department demonstrating that the site can accommodate emergency vehicles as necessary.
9. Plans and documents shall be revised as necessary to comply with outstanding comments in the Graves Engineering, Inc. review letter dated September 28, 2020. Specific reference is made to comments #19 (TSS removal calculations); # 21 (monitoring well with construction detail); # 31(calculation of total area to be disturbed); and #32 (add comment on tree clearing and grubbing).
10. Plans and Documents shall be revised as necessary to show the sound mitigation measures described in the Sound Study.
11. After the issuance of the Certificate of Occupancy there shall be no left turns for tractor trailers leaving the site.

12. The applicant shall design and implement an optimal traffic signal timing and phasing plan for the intersections of Route 16 at North and South Main Street, to include a review of the "yellow" and "all-red" clearance intervals and pedestrian phase times. The plan shall be coordinated with the Uxbridge Department of Public Works.
13. Signs shall be posted on the site noting that jake braking is not permitted.
14. Prior to initiating any blasting during construction (whether on site or associated with off-site mitigation requirements) the Applicant shall coordinate with the Uxbridge Fire Department or its designee to conduct pre-blast surveys in accord with existing regulations.
15. Prior to the issuance of an Occupancy Permit for the proposed building, the Applicant shall submit for review and approval by Town Counsel, a deed restriction for the agriculturally zoned portions of the site, which deed restriction shall prohibit the construction of impervious surfaces or structures.
16. With the exception of the proposed off-site improvements detailed in finding # 2 above, as set forth in section 400-20 H (5) (a) of the UZB, the Applicant shall provide sufficient surety prior to beginning all off-site improvements, if same are required.
17. In accord with Section 400-20 (6) of the UZB the Applicant shall be responsible during construction of the project to provide measures (including but not limited to police details for traffic) to properly and effectively mitigate off-site impacts.
18. The Applicant shall comply with the terms and provisions of any Order of Conditions issued by the Uxbridge Conservation Commission.
19. The Applicant shall comply with the terms and provisions of an access permit to be issued by MassDOT. As set forth above in the Findings, the terms and provisions of the access permit will include the installation of a left turn access lane from Douglas Street and the widening of the present entrance to the site and the design, permitting and construction of a roundabout and associated improvements at the northbound and south bound ramps to Route 146. Final details of these improvements will be pursuant to a MassDOT permit.
20. Prior to building occupancy the applicant shall provide a onetime payment in the amount of \$50,000 for the town's use in enhancing bicycle and pedestrian use on Douglas Street, or for other municipal purposes.
21. In the event due to unforeseen conditions at the site during development which conditions require the Applicant to seek changes to the approved plans, the Applicant shall submit a request for determination as to whether such change (s) constitute a minor modification or a major modification. In the event the Planning Board by a majority vote determines that the change is a minor modification then the Planning Board may deal with such changes at a public hearing by way of an agenda item. If the Planning Board determines that the changes represent a major modification of the plans so as to affect the terms and provisions of this Special Permit, then the

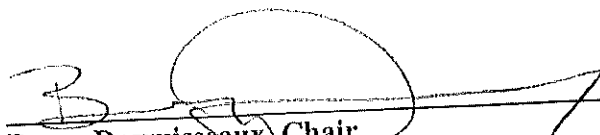
Planning Board shall be required to conduct a public hearing for which notice is sent pursuant to and in accord with the UZB.

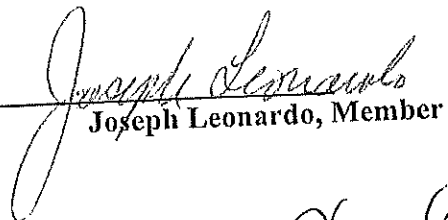
22. Hours of Construction at the site shall be limited to 7:00 AM- 7:00 PM on Mondays through Fridays. Saturday construction hours shall be limited to 8:00AM-4:00 PM. No work on Sunday. In the event due to special circumstances related to unforeseen site conditions or necessary construction protocols, the Applicant shall notify the Uxbridge Police Department.

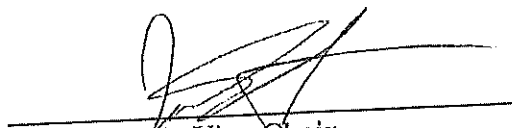
**TOWN OF UXBRIDGE
SPECIAL PERMIT FOR MAJOR NONRESIDENTIAL PROJECT AND WAREHOUSE
USE DECISION AND CERTIFICATE OF ACTION
Campanelli Business Park East (Lot 5)
FY21--07, FY 21-08 515 Douglas Street**

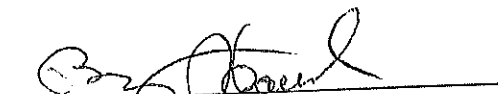
SAID SPECIAL PERMIT APPROVAL IS GRANTED PURSUANT TO M.G.L. CHAPTER 40A, SECTION 9. APPEALS FROM THIS DECISION SHALL BE MADE PURSUANT TO MASSACHUSETTS GENERAL LAWS CHAPTER 40A, SECTION 17.

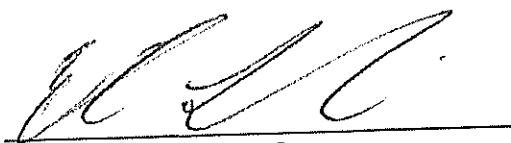
UXBRIDGE PLANNING BOARD


Barry Desruisseaux, Chair


Joseph Leonardo, Member


James Smith, Vice-Chair


Barry Hauck, Clerk


Eli Laverdiere, Member

9-30-20
Date