

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

Received by
Uxbridge
Town Clerk

JUN 9 '16 PM12:23

May 25, 2016

**TOWN OF UXBRIDGE, MASSACHUSETTS
CERTIFICATE OF APPROVAL
DEFINITIVE SUBDIVISION**

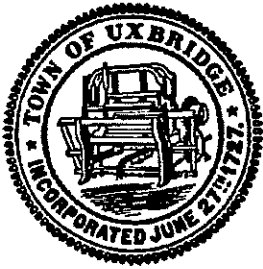
**CASE NO. 15-08, WOODLAND PARK, 340 EAST STREET
PUBLIC ROAD**

APPLICANT/OWNER OF RECORD:

The applicant and owner of record, Omega Financial Services, LLC, 6900 Wisconsin Avenue, Suite 700, Chevy Chase MD, in accordance with the provisions of MGL Chapter 41 Section 81 presented for review to the Planning Board, a Definitive Subdivision Plan and related materials, prepared by Andrews Survey & Engineering, Inc. dated November 17, 2014 and with the last revision dated June 17, 2015, located at 340 East Street, Uxbridge, MA showing seven (7) proposed lots. Property is shown on the Uxbridge Assessor's Map 36, Parcel 3895 and recorded in the Worcester Registry of Deeds Book 51609, Book 83.

BACKGROUND:

Following submittal of an application, for approval of a Definitive Plan titled Woodland park Definitive Residential Subdivision revised on 2/23/15, 4/27/15, and 6/17/15, it is hereby certified by the Planning Board of the Town of Uxbridge, Massachusetts, that at a duly called and properly posted meeting of said Planning Board, a public hearing posted and advertised was opened on December 10, 2014, continued over the span of many meetings with the Board receiving the (10) requests for continuances; granting of extensions to the period in which the Planning Board needed to take action. The Public Hearing was closed on February 10, 2016. Two additional extension letters dated April 13, 2016 and May 5, 2016 were received after the close of the Public Hearing, granting extensions to the period in which the Planning Board needed to take action.



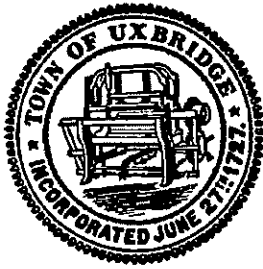
Town of Uxbridge
PLANNING BOARD
21 South Main Street
Uxbridge, MA 01569
508-278-8600 x2013

DECISION:

Following review of all materials and testimony on April 27, 2016, the Board voted to approve the Woodland Park Definitive Subdivision based on the filings, conditions and waivers noted herein.

FILINGS upon which the decision is based:

- 1) Application for Definitive Subdivision Plan, submitted November 17, 2014 and containing application forms, operation and management plan dated November 17, 2014, stormwater management report dated November 13, 2014 and revised June 17, 2015, 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 November 17, 2014, revised 2/23/15, 4/27/15, and 6/17/15 and consisting of the following sheets:
 - a) C-1.0 Cover Sheet
 - b) C-2.1 Definitive Subdivision Plans
 - c) C-2.2 Definitive Subdivision Plans
 - d) C-3.0 Legend, Abbreviations, and General Notes
 - e) C-4.0 Index Plan
 - f) C5.1 Existing Conditions Plan
 - g) C5.2 Existing Conditions Plan
 - h) C-6.1 Site Layout & Utilities Plan
 - i) C-6.2 Site Layout & Utilities Plan
 - j) C-7.1 Grading & Drainage Plan
 - k) C-7.2 Grading & Drainage Plan
 - l) C-8.1 Road A Plan & Profile STA 0+00 to 9+42.43
 - m) C-9.1 Construction Details
 - n) C-9.3 Construction Details
 - o) C-9.4 Construction Details
 - p) C-9.5 Construction Details
 - q) C-9.6 Construction Details
 - r) C-9.7 Construction Details
 - s) C-10.1 Erosion & Sediment Control Plan
 - t) C-10.2 Erosion & Sediment Control Plan
 - u) C-10.3 Erosion & Sediment Control Plan
- 3) Reviews, Reports, Correspondence, and Comments from:
 - a) Department of Public Works Review letter dated December 16, 2014

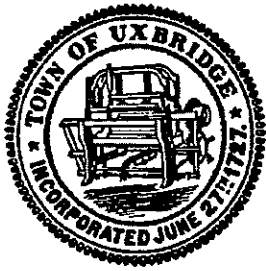


Town of Uxbridge
PLANNING BOARD
21 South Main Street
Uxbridge, MA 01569
508-278-8600 x2013

- b) Graves Engineering Review letter dated December 16, 2014
- c) Andrews Survey & Engineering letter dated February 23, 2015 (comment response)
- d) Andrews Survey & Engineering letter dated February 23, 2015 (waivers)
- e) Graves Engineering Review letter dated March 24, 2015
- f) Andrews Survey & Engineering letter dated April 28, 2015 (comment response #2)
- g) Graves Engineering email dated April 28, 2015
- h) Tata & Howard letter dated May 14, 2015 addressed to DPW Director (East Street Booster Pump Station Evaluation)
- i) Graves Engineering Review letter dated June 4, 2015
- j) Andrews Survey & Engineering letter dated June 17 2015 (comment response #3)
- k) Tata & Howard letter dated June 23, 2015 addressed to DPW Director (Project Budget Estimate East Street Area Booster Pump Station and Elevated Water Storage Tank)
- l) Graves Engineering Review letter dated July 22, 2015
- m) Uxbridge Fire Chief email dated July 22, 2015
- n) Kats Pump Service letter dated December 16, 2015 (East Street Booster Pump Station)
- o) Abutter Comments

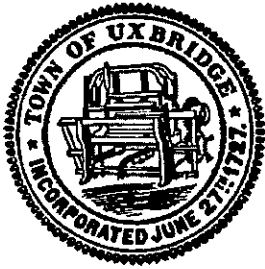
SUBJECT TO THE FOLLOWING CONDITIONS:

- 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-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.



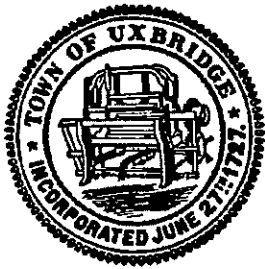
Town of Uxbridge
PLANNING BOARD
21 South Main Street
Uxbridge, MA 01569
508-278-8600 x2013

- 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.



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

- 15) Copies of all recorded instruments, including this decision, deed restrictions, easements (AT&T utility easement), 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 and Conservation Commission.
- 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 an 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.



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

*****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.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 requirement. The land beyond the subject parcel is occupied by existing residential dwellings and unlikely to ever be extended.

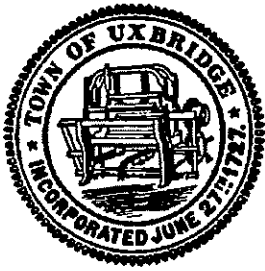
Section 4.a.4.e *Dead end streets shall not exceed 950 feet in length to the extremes of the layout, except in the agricultural zone, where a street shall not exceed 1,250 feet in length.*

The applicant requests a waiver from the maximum dead end length of 950 ft. The total road length measured through the center of the cul-de-sac to the extremes of the layout is 967.2 ft. The excess distance of 17.2 ft. of roadway length (when measured to the extremes of the layout) is a result of creating a hammerhead cul-de-sac in lieu of a conventional cul-de-sac to create a larger building envelope further away from the wetland resource area on lot 4.

Section 5.C.8 *Curbing shall be sloped granite edging except at catch basin and intersection roundings where vertical granite curbing shall be required. Granite transition sections shall be provided at transitions from sloped to vertical curb. Granite curb shall meet Uxbridge DPW specifications.*

The applicant requests a waiver from this requirement and proposes modified cape cod berm throughout the subdivision. The primary function of curbing is to convey storm water runoff to catch basins and other drainage devices. When modified cape cod berm is damaged the cost of repairs is minimal in comparison to sloped or vertical granite curb.

Section 5.G *Standard Cross Section*

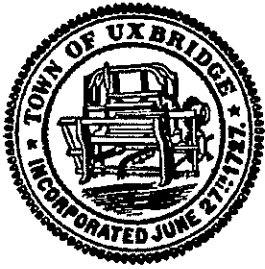


Town of Uxbridge
PLANNING BOARD
21 South Main Street
Uxbridge, MA 01569
508-278-8600 x2013

The applicant requests a waiver for the pavement width from 26 feet to 24 feet. A 24-foot wide paved roadway is sufficient for the size of this development and any reduction in pavement will help reduce stormwater runoff.

Section 5.G *Standard Cross Section*

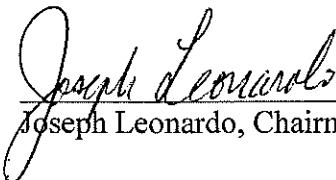
The applicant requests a waiver for the minimum drainage pipe cover of four (4) feet for two (2) sections of the drainage system. section 1 being between station 0+81± to 1+50± where pipe cover ranges from 2 feet to 4 feet respectively and section 2 being between station 3+75± to 5+35± where pipe cover ranges from 4 feet to 3.5 feet respectively. The shallow pipe cover is a direct result of the high groundwater table found at the site which has required the stormwater system and roadway to be designed at or above the existing grades.



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

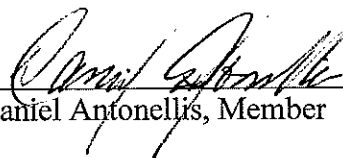
SAID DEFINITIVE SUBDIVISION APPROVAL IS GRANTED PURSUANT TO M.G.L. CHAPTER 41, SECTION 81K-81GG. APPEALS FROM THIS DECISION SHALL BE MADE PURSUANT TO MASSACHUSETTS GENERAL LAWS CHAPTER 41 SECTION 81BB.

UXBRIDGE PLANNING BOARD:


Joseph Leonardo, Chairman

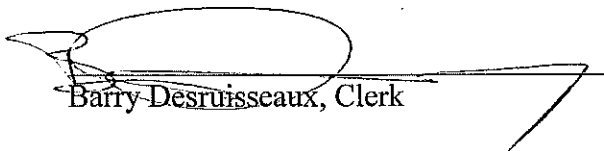
Recused

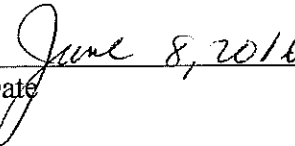
James Smith, Vice Chairman

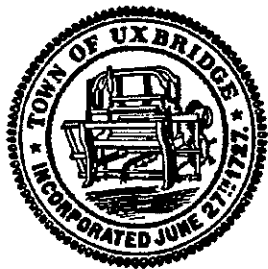

Daniel Antonellis, Member

New Member

Peter Pavao, Member


Barry Desruisseaux, Clerk


Date



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

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)