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Received by  
Uxbridge  
Town Clerk

**TOWN OF UXBRIDGE, MASSACHUSETTS  
CERTIFICATE OF APPROVAL  
ENDORSEMENT OF DEFINITIVE SUBDIVISION PLAN  
AND  
DEFINITIVE SUBDIVISION MODIFICATION**

AUG 13 '15 AM 9:13

**ROGERSON CROSSING**

Owner and Applicant: Logan R. Huffman, Trustee of Rogerson Crossing Realty Trust  
Property Address: off Rogerson Crossing  
Assessor's Map 12B, Parcels 3768 and 4561  
Deed Book 53646, Page 389  
Zoning District: Residence A

Town Clerk  
Town Hall  
Town of Uxbridge, Massachusetts

**BACKGROUND:**

This Decision is in response to a request by Owner and Applicant dated May 19, 2015, for a Definitive Subdivision Modification, pursuant to MGL CH. 41 Section 81W, to modify the Decision of the Planning Board dated June 25, 2008, ("Subdivision Approval"), approving the Definitive Subdivision Plan entitled, "Rogerson Crossing", prepared by Heritage Design Group, dated July 16, 2007, revised through August 15, 2008 ("Definitive Subdivision Plan"), which Subdivision Approval was recorded with the Worcester District Registry of Deeds in Book 43227, Page 132, and extended by the Massachusetts Permit Extension Act.

Due to inadvertence, the Definitive Subdivision Plan was not presented for endorsement by the Planning Board, within sixty (60) days as provided in the Subdivision Approval, and in accordance with the provisions of the Town of Uxbridge Subdivision Rules and Regulations. Applicant submits this application for Definitive Subdivision Modification to obtain the endorsement of the Definitive Subdivision Plan by the Planning Board under MGL. Ch 41, Sec. 81X, and to otherwise make the provisions of the Subdivision Approval consistent therewith.

Following submittal of the application for Definitive Subdivision Modification, 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 opened on June 10, 2015. Following testimony and public input on June 10, 2015, the hearing was continued until June 24, 2015, and further continued until July 8, 2015 to allow for input from Town Counsel. At the meeting on July 8, 2015, the Planning Board voted to have Graves Engineering review the Definitive Subdivision Plan to confirm that nothing had changed from the plans referenced in the Subdivision Approval, and the hearing was continued until July 22, 2015. At the hearing on July 22, 2015, the hearing was closed.

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## **DECISION AND CONDITIONS OF APPROVAL**

Following discussion, a Motion was made to endorse the Definitive Subdivision Plan in accordance with the provisions of MGL. Ch. 41, Section 81X, on the following conditions:

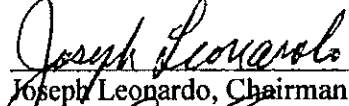
1. The endorsement of Definitive Subdivision Plan is based on the plans submitted and approved at the time of the Subdivision Approval, and resubmitted and reviewed by Graves Engineering prior to this public hearing. No changes have been made to the Definitive Subdivision Plan and none are requested in connection herewith by the Planning Board or the Applicant. Except as specifically provided herein, all conditions contained in the Subdivision Approval, recorded at the Worcester Registry of Deeds on August 22, 2008, Book 43227, Page 132, are incorporated herein and shall remain in full force and effect unless specifically modified hereby;
2. The Definitive Subdivision Plan shall be submitted to the Planning Board 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 this Decision, if appeal has been taken. The Definitive Subdivision Plan shall include a certification by a Professional Land Surveyor, ("PLS"), that nothing on the Definitive Subdivision Plan has changed from the plans submitted at the time of the Subdivision Approval, and a certification by the Planning Board, in accordance with MGL.ch. 41, Sec. 81X, certifying that the Subdivision Approval has not been modified, amended or rescinded, nor has the Definitive Subdivision Plan changed.

Additionally, a Motion was made to grant Definitive Subdivision Modification, and accordingly, the Planning Board hereby modifies the Subdivision Approval, as follows:


3. The time periods set forth in Paragraphs 5 and 7 of the Subdivision Approval shall run from the date of endorsement of the Definitive Subdivision Plan;
4. Pursuant to MGL. Ch. 41, Sec. 81U, a covenant in the form attached hereto, shall be executed by Applicant and the Planning Board at time of endorsement of the Definitive Subdivision Plan, and shall be duly recorded with the Worcester District Registry of Deeds simultaneously with the recording of the Definitive Subdivision Plan. As provided in MGL. Ch. 41, Sec. 81U, the covenant may be replaced by other forms of surety provided in said statute;
5. Applicant shall complete construction of all ways and installation of all municipal services and utilities in accordance with the Subdivision Approval, this Definitive Subdivision Modification and with the Board's Rules and Regulations within three (3) years from the date of endorsement of the Definitive Subdivision Plan (unless an extension has been granted by the Planning Board, which shall be granted for good cause).

THE ENDORSEMENT OF THE DEFINITIVE SUBDIVISION PLAN PURSUANT TO M.G.L. CHAPTER 41, SEC. 81X, AND THE DEFINITIVE SUBDIVISION MODIFICATION FOR "ROGERSON CROSSING" IS APPROVED AND GRANTED WITH CONDITIONS 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.

UXBRIGE PLANNING BOARD:

  
Joseph Leonardo, Chairman

  
Daniel Antonellis

  
James Smith

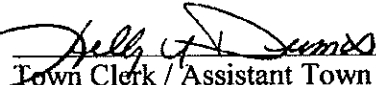
  
Peter Petrillo

  
Barry Desruisseaux

*August 12, 2015*

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

 9/3/15  
Town Clerk / Assistant Town Clerk  
(Town Seal Affixed)

ATTEST: WORC. Anthony J. Vigliotti, Register