

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

Received by
Uxbridge
Town Clerk

April 12, 2017

**TOWN OF UXBRIDGE
DECISION
CERTIFICATE OF APPROVAL
DEFINITIVE RESIDENTIAL SUBDIVISION
OWNER: STAGE ONE INVESTORS, LLC**

**CASE NO. FY 17-03
COTE LANE
off 44 CARNEY STREET
PUBLIC ROAD**

APPLICANT/OWNER OF RECORD:

The applicant, Steven Venincasa, and owner of record, Stage One Investors, LLC, P.O. Box 1205, Westborough, MA/One Kelly Square Worcester MA in accordance with the provisions of MGL Chapter 41 Section 81 presented for review to the Planning Board, a Definitive Residential Subdivision Plan and related materials, prepared by J.M. Grenier Associates Inc. and New England Engineering dated July 6, 2016 with the last revision dated March 17, 2017 located at Cote Lane, Uxbridge, MA showing six (6) proposed lots. Property is shown on the Uxbridge Assessor's Map 24A, Parcel 1434 and recorded in the Worcester Registry of Deeds Book 54575, Page 91. Property is located in Residence A Zoning District.

PROJECT SUMMARY:

The project area is located on the southerly side of Carney Street to the west of Marywood .The proposed subdivision contains 4.69 acres of land in the Residence A Zoning District with an address of 44 Carney Street.

This proposed development will create six (6) residential building lots/single family houses, driveways, lawn areas on a 490' cul-de-sac and stormwater management facilities associated with a six lot subdivision.

The total impervious area in the post development condition is 1.05 acres. The total percentage of impervious area in the post development condition is 13.0%. The remaining portion of the site not developed is to remain wooded.

The proposed site drainage is separated into five subcatchment drainage areas. These subcatchments are physically separate in the post development condition through the use of deep sump catch basins an infiltration basin and infiltration trench.

“Subcatchment P1” includes runoff from lawn/wooded areas on Lots 4 and 5. This clean runoff flows toward the Farnum Street as is does in the existing condition

“Subcatchment P2” includes the proposed subdivision roadway and driveway and house runoff. This runoff is directed into dump sump catch basins and an infiltration basin. The combination of a deep sump catch basin and infiltration basin provides a minimum of 80% TSS removal.

“Subcatchment P3” includes tributary offsite area and limited tributary area from Lot 1. This runoff flow is directed into an infiltration trench to reduce peak rates of runoff before discharging toward Carney Street as it does in the existing condition.

“Subcatchment P4” includes limited runoff from the proposed subdivision roadway and lawn area from Lot 1. This runoff flow is directed into a catch basin connected to the existing Carney Street drainage system.

“Subcatchment P5” includes runoff from lawn/wooded areas on Lot 6. This clean runoff flows toward the northeast as is does in the existing condition

FILINGS upon which the decision is based:

1) Application for Definitive Subdivision Plan, submitted August 9, 2016 and containing application forms, operation and management plan and stormwater management reports dated July 6, 2016 and revised February 15, 2017, deeds, and ownership data, fee schedule, and associated submittal fees, a certified abutters list and a list of requested waivers.

2) Plans drawn by J.M. Grenier Associates, Inc. 787 Hartford Turnpike, listed as Project No. G-434 dated July 6, 2016, revised January 19, 2017, February 15, 2017, and March 1, 2017 and consisting of the following sheets:

- a) 1 of 10 Cover Sheet
- b) 2 of 10 Existing Conditions Plan
- c) 3 of 10 Layout and Materials Plan
- d) 4 of 10 Grading and Drainage Plan
- e) 5 of 10 Utility Plan
- f) 6 of 10 Roadway Profile Plan
- g) 7 of 10 Site Distance Plan
- h) 8 of 10 Erosion and Sedimentation Plan
- i) 9 of 10 Detail Plan 1/2
- j) 10 of 10 Detail Plan 2/2

3) Reviews, Reports, Correspondence, and Comments from:

- a) July 6, 2016 (Rev. Feb. 15, 2017) Stormwater Management Report
- b) August 19, 2016: Graves Eng. Definitive Subdivision Plan Review
- c) November 9, 2017: Department of Public Works Memorandum
- d) December 8, 2016: Crash Data provided by the Uxbridge Police Department

- e) February 13, 2017: Graves Eng. Definitive Subdivision Plan Review
- f) February 28, 2017: Graves Eng. Definitive Subdivision Plan Review
- g) March 21, 2017: Department of Public Works Memorandum
- h) March 20, 2017: Graves Eng. Definitive Subdivision Plan Review
- i) March 22, 2017: DPW/Wastewater Division Comment

PUBLIC HEARINGS:

It is hereby certified by the Planning Board of the Town of Uxbridge, Massachusetts that a duly called and properly posted meeting/public hearing was posted and advertised opening on September 14, 2016. The hearing was continued over a span of meetings with the Board receiving requests for continuances and granting of extensions. Following Board discussions and public comment, the public hearing was ultimately closed on March 22, 2017.

DECISION:

Following review of all materials and testimony, on April 12, 2017, the Board voted to approve the Cote Lane Definitive Subdivision based the on the filings, conditions and waivers noted herein.

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 (20) 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.
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 basecoat of asphalt being installed.
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.
15. Copies of all recorded instruments, including this decision, deed restrictions, easements (utility easements), 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, Conservation Commission and any other town agencies deemed necessary.
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 extension has been granted by the Planning Board). Failure of the developer to complete construction as stated above may result in a 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.

18. Development and construction shall be in compliance with the application and plans submitted and any change to the number, shape and size of the lots shown on the plan shall require approval by the Planning Board and the Department of Public Works.

*****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:

1. From 4.A.5.a. Stopping Sight Distance is the sum of the brake reaction distance and the braking distance required by stopping a vehicle when a driver sees an obstacle in the roadway. Required stopping sight distance shall be provided in both the horizontal and vertical plane, on all roadways and intersections within and immediately external to the subdivision a minimum design speed of thirty (30) mph will be utilized within all subdivision roadways. Stopping sight distances should include both external and immediate external intersections stopping sight distance must be measured at the 85th percentile speed, using the most recent revision to the AASHTO manual.

Waiver is requested to base sight distance calculations on a design speed of thirty (30) mph instead of the 85th percentile speed.

2. From 4.A.5.c. Intersection Sight Distance (ISD) is the sight distance required by a driver entering or crossing an intersecting roadway to perceive an on-coming vehicle and safely complete a turning or crossing maneuver with on-coming traffic. ISD shall also allow drivers of stopped vehicles with a sufficient view of the intersecting roadway to decide when to enter or cross the intersecting roadway safely. The methods for determining ISD needed by drivers approaching intersections shall be based on the same principals as Stopping Sight Distance. ISD evaluation and design shall be in accordance with AASHTO and Mass Highway Standards. The measurement of the driver's eye and object height of an automobile shall be three and one-half (3.5) feet above the roadway. The horizontal and vertical alignment of the intersecting roadways and any visual obstructions shall be considered as part of the ISD evaluation

An Intersection Sight Distance of three hundred one (301) feet for a right turn from a stop is proposed at the intersection of Cote Lane with Carney Street whereas three hundred twelve feet (312) is required. This waiver is requested as the change in grade of Carney Street to the west of the proposed intersection limits sight distance and moving the proposed roadway entrance further to the east is impractical as it would affect to the ability to provide adequate stormwater management facilities for the development.

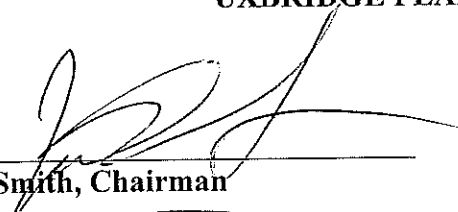
Mitigation is proposed by adding an intersection warning sign approximately three hundred ninety (390) feet to the west of the proposed intersection.

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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.

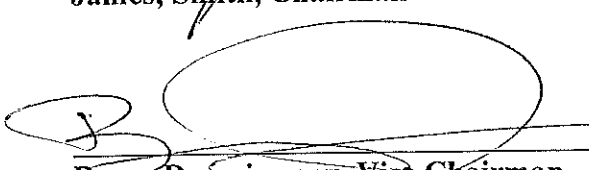
UXBRIDGE PLANNING BOARD:



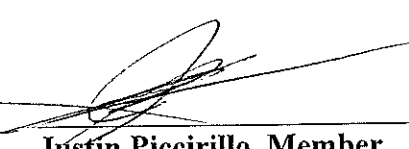
James, Smith, Chairman

Absent

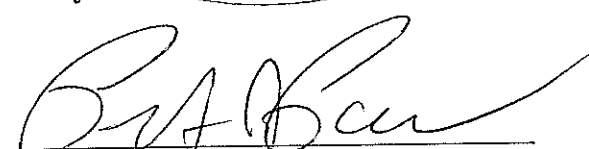
Joseph Leonardo, Member



Barry Desruisseaux, Vice Chairman



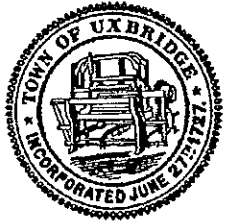
Justin Piccirillo, Member



Peter Pavao, Clerk

12 APR 2017

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

Town Clerk/Assistant Town Clerk
(Town Seal Affixed)

Date _____