

FEB 13 '17 AM 8:57



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

Received by
Uxbridge
Town Clerk

DECISION

MODIFICATION OF A SPECIAL PERMIT APPLICATION -APPROVED

Rogerson Commons, Off Rogerson Crossing _Private Road in Perpetuity

PRIVATE ROAD IN PERPETUITY

Case No. FY17-21 (formerly FY08-05)

Date: February 8, 2017

Name of Applicant: Rogerson Crossing Realty Trust

Address of Applicant: 217 W. Central Street, Suite 3
Natick, MA 01760

Owner: Rogerson Crossing Realty Trust

Name of Representative: Andrews Survey & Engineering

Address of Representative: 104 Mendon Street
Uxbridge, MA 01569

Location of Property:
Assessors Map/Parcel: Rogerson Commons, Off Rogerson Crossing
Map 12B/3768 & 12C/4455

Plan Dated: April 21, 2016

Engineer or Land Surveyor: Andrews Survey & Engineering, Inc.
P.O. Box 312, 104 Mendon Street
Uxbridge, MA 01569

Zoning District(s): Residence-A

APPLICANT/OWNER OF RECORD:

The Owner/Applicant of record, Rogerson Crossing Realty Trust, submitted an application seeking approval to construct 66 townhouse style units and roadway with associated grading, drainage, and utilities pursuant to Section 400-29 of the Uxbridge Zoning Bylaws. Property is located off Rogerson Crossing. The property is shown on the Town of Uxbridge Assessor's Map 12B & 12C, Parcels 3768 & 4455. The title to said land is recorded in the Worcester District Registry of Deeds Book 53646 & 53741, Page 389 & 227, and located in the Residence A.

BACKGROUND:

The application for a Special Permit to construct a Town House development was received and duly filed with the Uxbridge 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 a duly called and properly posted meeting of the Planning Board, a public hearing posted and advertised was opened on and closed on January 25, 2017. No abutters were present.

DECISION:

Following a review of all materials and testimony on January 25, 2017, the Board voted to approve the Special Permit for Town House development based on the filings and conditions noted herein.

FILINGS upon which the decision is based:

Application for Modification of a Special Permit, submitted January 4, 2017 and containing application forms and checklists, deeds, ownership data and plans listed below.

- 1) Application for Special Permit, submitted January 4, 2017 and containing application forms and checklists, deeds, ownership data, plan, and inclusive of Decisions dated June 25, 2008 and June 8, 2016.
- 2) Plans drawn by Andrews Survey & Engineering Inc. dated February 23, 2016 and modified April 21, 2016
 - Cover Sheet C.0-0
 - Legend, Abbreviations & General Notes C. 1-1
 - Overall Plan C – 1.2
 - Existing Plans Conditions C. 2.0
 - Layout & Materials Plan C – 3.0
 - Utility Plan Sheet 1 of 2 C – 4.1
 - Utility Plan Sheet 2 of 2 C – 4.2
 - Grading & Drainage Plan C. 5-0
 - Topographic Plan and Profile Sheet 1 of 2 C – 6.1
 - Topographic Plan and Profile Sheet 2 of 2 C – 6.2
 - Plan Showing Existing Degraded Riverfront Area C – 7.1
 - Plan Showing Proposed Restoration of Riverfront Area C – 7.2

- Construction Details Sheet 1 of 5 C – 8.1
 - Construction Details Sheet 2 of 5 C – 8.2
 - Construction Details Sheet 3 of 5 C – 8.3
 - Construction Details Sheet 4 of 5 C – 8.4
 - Construction Details Sheet 5 of 5 C – 8.5
 - Landscape Plan L – 1.0
 - Landscape Schedule and Details L – 2.0
 - Landscape Notes L – 3.0
- 3) Abutters Notice Mass Wetlands received February 29, 2016
 - 4) Correspondence from Graves Engineering, Inc. dated March 11, 2016
 - 5) Correspondence from EcoTec, Inc. dated April 1, 2016
 - 6) Correspondence from Andrews Survey & Engineering, Inc. dated April 21, 2016
 - 7) Correspondence from Graves Engineering, Inc. dated May 10, 2016

FINDINGS:

In granting the Modification of the Special Permit, for the previously approved Town House Development Special Permit dated June 25, 2008, attached hereto as Exhibit A and recorded in the Worcester Registry of Deeds Book 43227, Page 127, and a previously approved Town House Development Special Permit dated February 23, 2016, modified on April 21, 2016, and approved on June 8, 2016, the Board reaffirms the finding that the modification from the combination of 3, 4 and 5-units to all duplex-style units is permitted. The Board also finds that all submittals and findings remain the same and that the modification application was required only as a result of inadvertent failure to timely record the previously approved Modification of the Special Permit, with all submittals and findings remaining the same

The Board further finds that there is no increase in the number of units proposed. The project consist of the construction of the buildings and associated site work including, but not limited to, paving, patios, walkways and landscaping. The water line shown on the "Rogerson Crossing" subdivision modification shall be extended through the project and be looped out to North Garden Street via the Providence and Worcester Railroad as previously approved. The sewer line will also be extended to service the proposed project in order to provide a connection to an existing sewer line that runs down an easement to Homeward Avenue. Other utilities, including gas, telephone and electric are all proposed within the project, all being extended from the "Rogerson Crossing" subdivision modification. Stormwater management controls are proposed to collect, treat, and infiltrate stormwater runoff from the proposed development and roadway.

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 and all other departments and agencies for this project.
2. Within 60 days 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 do so shall render this special permit null and void.
3. In accordance with MGL Chapter 40A Section 17, this Special Permit shall lapse in two years if construction has not begun by such date except for good cause.
4. 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 or the number of units shown on the plan shall require approval by the Planning Board and the Department of Public Works.

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

UXBRIDGE PLANNING BOARD:



James Smith, Chairman



Barry Desruisseaux, Vice-Chairman



Peter Pavao, Clerk

absent

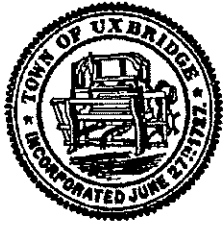
Joseph Leonardo, Member



Justin Piccirillo, Member

8 Feb 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 _____