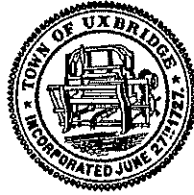


James Smith, Chair  
 Barry Desruisseaux, Vice Chair/Clerk  
 Joseph Leonardo, Member  
 Eli Laverdiere, Member  
 Barry Hauck, Alternate Member



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## PLANNING BOARD MEETING MINUTES WEDNESDAY August 22, 2018

Minutes of the Uxbridge Planning Board regularly scheduled meeting on **Wednesday, August 22, 2018, at 7:00 P.M.** in the **Board of Selectmen Meeting Room, 21 South Main Street, Uxbridge, MA.**

**Present:**; Chair, James Smith; Member Joseph Leonardo; Member Eli Laverdiere; Alternate Member, Barry Hauck; Also present: Administrative Assistant, Lynn Marchand

**Absent:** Vice Chair/Clerk, Barry Desruisseaux

### I. CALL TO ORDER

It being approximately 7:00 p.m., the meeting being properly posted, duly called, and a quorum present, the meeting was called to order by the Chair, who led the Pledge of Allegiance.

### II. PUBLIC HEARINGS

*Continued from August 8, 2018, PH opened on 2/28/18*

- 1. FY18-08, Special Permit/Retreat Lot** – The **applicant/owner of record, Uxbridge Woods Realty Trust/Mark Foss, Trustee**, is seeking approval for a **Special Permit** to construct a single-family dwelling pursuant to Uxbridge Zoning Bylaws Section 400-32 – Retreat Lots. Property is located on **Eber Taft Rd. & Pond St.** The property is shown on the Town of Uxbridge Assessor's Map 33, A.P.O. Parcel 3073. The title to said land is recorded in the Worcester District Registry of Deeds Books 35868 & 34773, Pages 250 & 252 and Pages 7 & 9 (proposed Lot 11). Property is located in an Agricultural zoning district.

The Chair stated that he received an extension letter for the two public hearings (FY18-08 & FY18-09), for the same applicant and that they had requested a continuance of the meetings to September 12<sup>th</sup>.

*\*see Motion below*

*Continued from August 8, 2018, PH opened on 2/28/18*

- 2. FY18-09, Special Permit/Retreat Lot** – The **applicant/owner of record, Uxbridge Woods Realty Trust/Mark Foss, Trustee**, is seeking approval for a **Special Permit** to construct a single-family dwelling pursuant to Uxbridge Zoning Bylaws Section 400-32 – Retreat Lots. Property is located on **Eber Taft Rd. & Pond St.** The property is shown on the Town of Uxbridge Assessor's Map 33, A.P.O. Parcel 1485. The title to said land is recorded in the Worcester District Registry of Deeds Books 35868 & 34773, Pages 250 & 252 and Pages 7 & 9 (proposed Lot 9). Property is located in an Agricultural zoning district.

**\*MOTION I: to continue the public hearings to September 12<sup>th</sup> made by Mr. Leonardo. Motion was seconded by Mr. Laverdiere. Motion carried 4-0-0.**

### III. BUSINESS

- 1. FY19-01 ANR Application - 128, 136, & 150 Henry Street, Parcels A, B, & C**  
 Representing the applicant, Byron Andrews of Andrews Engineering stated the owner of the 3 family owned lots wanted to move the lines due to the buildings not conforming with the existing lots. The Board reviewed the proposed lot lines, frontage, and the property access for each Lot. Mr. Andrews stated they had received a variance for the shed.



**PLANNING BOARD MEETING MINUTES  
August 22, 2018 continued**

A brief discussion was had regarding 61A. Byron Andrews of Andrews Engineering gave a history of the project stating that due to it being a family owned property, the location of buildings and occupations didn't conform with the existing lots. He gave a description of the 3 parcels and how the Lot lines would be configured. Discussion was had regarding frontage,

**MOTION I: to endorse the ANR Plan for 128, 136, & 150 Henry Street made by Mr. Leonardo. Motion was seconded by Mr. Laverdiere. Motion carried 4-0-0.**

**2. FY19-02 ANR Application - 1012 Hathaway Lane**

Representing the applicant, Byron Andrews of Andrews Engineering described the property; approximately 40 acres, 3600' of road frontage on Hathaway Lane and Chocolog Road. He reviewed the 4 acre Lot that he wanted to cut out. He stated the existing paved area has useable access. The Board reviewed aerial photos.

**MOTION I: to grant the endorsement to the ANR application for 1012 Hathaway Lane made by Mr. Leonardo. Motion was seconded by Mr. Hauck. Motion carried 4-0-0.**

*\*the Chairman called a 5 minute recess to sign the Mylars for the ANR's.*

- 3. Calvary Crossing/Walnut Grove:** updates, determination of completeness discussion, and take any action thereto.
- a. 8/15/18 Graves As-Built & Acceptance review**

On behalf of the Calvary Crossing, Mr. John Palmer addressed the Board. Discussion was had regarding DPW's comments including storage capacity, changing the Plan to say "catch basin" instead of "drop inlets", handicap ramps, and easement issues. Mr. Palmer said he had spoken with Paul Hutnack at the DPW and he said he would be satisfied with changing the Plan to reference a catch basin as opposed to a drop inlet and was satisfied with its function. Mr. Palmer stated the basin fills up when it rains then goes away. Regarding the handicap ramps, he stated that his contractor measured in several spots; some spots were in conformance and others were not. He stated they would replace them and make sure they are well within conformance. He stated that the easements were part of the Plan that the PB, at the time, approved. He stated that every property owner maintains their property and that maintenance was not an issue. He deferred to the PB as to whether it was an issue or just a comment. The Board had no issue. Mr. Palmer stated the basin was cleaned.

Mr. Palmer stated that two of the residents of Calvary Crossing signed the citizen's petition. He stated that he asked the residents if they had any concerns. One resident expressed a concern about it becoming a Town accepted road. She expressed concern that the Town wouldn't maintain it as well as Mr. Palmer had.

The Chair stated that they could grant the Determination of Completeness with conditions that would need to be completed before the Town Meeting. He stated the Board would vote favorable/unfavorable in late September/early October and that the conditions would need to be met by that time.

The Chair advised Mr. Palmer that he should make the recommended changes on the Street Acceptance Plan. The Board was satisfied with the size and functionality of the catch basin. Several Board members stated that had inspected it during and after rainstorms. They reviewed pictures provided by one of the Members.

**MOTION I: to determine Calvary Crossing deemed complete subject to the following condition that the DPW had concerns in; the handicap ramp, made by Mr. Hauck. Motion was seconded by Mr. Leonardo. Motion carried 4-0-0.**



## PLANNING BOARD MEETING MINUTES August 22, 2018 continued

### 4. FY17-01, 183/197 Providence Street -solar

#### a. 8/14/18 Graves Engineering Review

No one was present to speak to the Board on behalf of the project. The Board discussed Graves report, tree cutting/lease agreement, and stormwater runoff. The Board said they would wait for a response letter. No vote taken.

### 5. FY16-23, 680 Hartford Ave E -solar

#### a. 8/15/18 Graves Engineering Review

A field engineer with Conti Solar and the project developer stated they were seeking a final close-out with the Building Department. The Board read the 8/15/18 review by Graves Engineering. The Chair asked about the stabilization growth. The engineer stated that had installed the Knox box and addressed the outstanding issues. Pictures had been sent to the Board. Stormwater was discussed.

**MOTION I: to allow Jim (Smith) to sign off on the building card made by Mr. Leonardo. Motion was seconded by Mr. Hauck. Motion carried 4-0-0.**

Mr. Smith signed the building card at the meeting.

### 6. 200 Quaker Highway, McDonald's -Scoping session/Informal discussion

#### a. Site Plan

A representative from Bohler Engineering described to the Board the proposed side-by-side drive-thru stating it would accommodate larger orders, that they would be maintaining the same amount of parking spaces (67), that there would be no change in the drive thru pattern, and that there would be an increase in the efficiency/serve time. He indicated there would be adding approximately 700 square feet of pervious surface. The representative said the septic improvements had already been completed. He also mentioned that there would be interior renovations as well. Mr. Smith commented that the work consisted basically of remodeling and rerouting their own internal traffic and did not seem to meet the criteria to trigger a modification to the Special Permit.

### 7. Spruce Hill Estates, Peter Street

#### a. Discuss status of Spruce Hill Estates

- i. -1 notice rcv'd back "return to sender" (developer)  
and 1 notice was picked up. (attorney)

#### b. Bond amount update as of 6/31/18)

#### c. Process -former Town Counsel's comments 4/30/18, 5/1/18, 5/2/18

#### d. Current Town Counsel's comments -update from the Chairman

The Chairman updated the Board and relayed information discussed with an attorney in Town Counsel's firm; Attorney Brian Winner. He stated that Attorney Winner was looking to see if there was a statute on the books that would allow the Town to work on a private way to improve the road before taking the road. If not, he stated that the Town may have to take the road first, lay it out as a public way, and then improve the road. If that is the case, he said Town Counsel would propose the right statute so going forward it would be easier to remedy in the future. The Chair also mentioned that procurement law may factor in and that it's not a "quick and easy fix." He stated that it may take until the Spring Town Meeting to work it out.

Mr. Smith stated he had spoken to the interested party, that had repeatedly demanded a letter from the Town saying the Town would take and complete the road, and informed him that he had no right to demand anything, that the Board was working on it, that it was in process, and when it's done they would let him know.



PLANNING BOARD MEETING MINUTES  
August 22, 2018 continued

IV. MINUTES/MAIL/INVOICES

1. 07/11/18 Meeting Minutes

MOTION I: to accept the Minutes of July 11, 2018 made by Mr. Leonardo. Motion was seconded by Mr. Laverdiere. Motion carried 4-0-0.

2. 07/25/18 Meeting Minutes

MOTION I: to accept the Minutes of July 25, 2018 made by Mr. Leonardo. Motion was seconded by Mr. Hauck. Motion carried 4-0-0.

3. 08/08/18 Meeting Minutes –passed over

4. Invoices (over \$600) –Chair provided signature for authorization of payment for multiple invoices.

V. ANY OTHER BUSINESS, which may lawfully come before the Board.

VI. ADJOURNMENT: NEXT PLANNING BOARD MEETING, WEDNESDAY, September 12, 2018.

MOTION I: to adjourn made by Mr. Laverdiere. Motion was seconded by Mr. Leonardo.  
Motion carried 4-0-0.

The Meeting was adjourned at approximately 7:55 p.m.

Planning Board Signatures

James Smith, Chairman

Absent

Barry Desruisseaux, Vice-Chair

Eli Laverdiere, Clerk

Joseph Leonardo, Member

Barry Hauck, Alternate Member

10 Nov 2018

Date