

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



Uxbridge Town Hall
21 South Main Street, Room 205
Uxbridge, MA 01569
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APR 11 '19 AM 9:29

**PLANNING BOARD MEETING MINUTES
WEDNESDAY
February 20, 2019**

**Received by
Uxbridge
Town Clerk**

Minutes of the Uxbridge Planning Board regularly scheduled meeting on **Wednesday, February 20, 2019**, at 7:00 P.M. in the **Board of Selectmen Meeting Room, 21 South Main Street, Uxbridge, MA.**

Present: Chair, James Smith, Vice Chair, Barry Desruisseaux; Member, Joseph Leonardo; Member, Barry Hauck.

Absent: Clerk, Eli Laverdiere

Also present: Town Planner, Michael Gallerani and Administrative Assistant, Lynn Marchand.

I. CALL TO ORDER

II. PUBLIC HEARINGS

Continued from January 23, 2018, PH opened on 9/12/18

1. **FY19-03, Definitive Subdivision Application – The owner and applicant of record, ARIS Group, LLC/Odisefs Tsimogiannis**, is seeking approval of a **Definitive Subdivision Plan to create 23 Residential Building Lots, Elmdale Estates and (1) parcel of land**, which is not to be considered a building lot, to be served by the extension of Old Elmdale Road **and** the creation of **two roadways** having a total centerline length of 2,375± linear feet. Property is located on **0 Old Elmdale Road, Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 25, Parcel 3979. The title to said land is recorded in the Worcester District Registry of Deeds Book 55344 Page 172 and is free of encumbrances. Property is located in Residential A Zone.
***see MOTION under public hearing #2**

Continued from January 23, 2019, PH opened on 9/12/18

2. **FY19-04 Exportation Application** **Exportation Application - The owner and applicant of record, ARIS Group, LLC/Odisefs Tsimogiannis**, is seeking approval of an **Exportation Permit to perform earthwork with project design results/volume estimate to be 621,381 cubic yards of cut, 35,640 cubic yards of fill with a net result of 585,741 cubic yards of cut**. Property is located on **0 Old Elmdale Road, Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 25, Parcel 3979. The title to said land is recorded in the Worcester District Registry of Deeds Book 55344 Page 172. Property is located in Residential A Zone.

MOTION I: to continue Public Hearings #'s 1 & 2 to March 13, 2019 made by Mr. Desruisseaux. Motion was seconded by Mr. Hauck. Motion carried 4-0-0.

Mr. Desruisseaux recused himself.

Continued from January 23, 2019, PH opened on 1/9/19

3. **FY19-15 Definitive Subdivision Application - The Owner of record, 1025-1045 Quaker Highway Realty Trust**, is seeking a **Definitive Subdivision Approval** to construct a **five (5) lot industrial subdivision** including the construction of a roadway with grading, drainage, and utilities. Property is located on **1025 & 1045 Quaker Highway, Uxbridge MA**. The property is shown on the Town of Uxbridge Assessor's Map 56, Lots 2117 & 2853. The titles to said land are recorded in the Worcester Registry of Deeds Books 52700 Pages 79; Property is located in the Industrial Zone.
 - a. 12/27/18 Graves review

MOTION I: to continue FY19-15 definitive subdivision application to the next meeting Mr. Hauck. Motion was seconded by Mr. Leonardo. Motion carried 4-0-0
Mr. Desruisseaux returned to the meeting.



PLANNING BOARD MEETING MINUTES February 20, 2019 continued

Continued from January 23, 2019

4. **FY18-03MOD, Special Permit Modification Application** - The Owner of record, **Richard Hurteau**, is seeking a **Special Permit modification** amending Condition #6 of the August 8, 2018 Planning Board Special Permit Decision. Property is located on **0 Quaker Street, Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 051, Parcel 2341. The title to said land is recorded in the Worcester District Registry of Deeds Book 17112, Page 323; Property is located in an agricultural zone.

Representing the applicant, Attorney Mark Wickstrom recapped the considerations of the Planning Board, application details, the site plan, ZBA Variance, and the frontage of each of the 3 properties. He stated that the Board has protected the interests of both Uxbridge and Millville residents in terms of proper access and use of the property. He reviewed MGL Chapter 40A Section 3 and stated that the lot serves no purpose related to the public safety, health, and welfare. He requested that the Board release Condition #6 and replace it with the condition suggested on the application.

The Board reviewed frontage amounts of each of the properties and restated that all the frontage is in Millville. Mr. Leonardo expressed that he wanted to make sure the plantings were done before a Building Permit/Certificate of Occupancy was granted. It was stated that Graves Engineering would do a review prior to that to ensure all conditions were met.

One abutter from Millville spoke to the application and asked about whether or not an access road was going to be constructed. Mr. Wickstrom reviewed the purpose of the application modification to release the Lot of the previously approved Special Permit for the solar project.

MOTION I: to close the public hearing made by Mr. Desruisseaux. Motion was seconded by Mr. Leonardo. Motion carried 4-0-0.

MOTION II: to strike item # 6 from the Conditions for 0 Quaker Street made by Mr. Desruisseaux. Motion was seconded by Mr. Hauck. Motion carried 4-0-0.

MOTION III: to add a new Condition for #6 for 0 Quaker Street that is written in the last page of the application that the Millville parcel at Map 125 Lot 14 may be separated and sold as a residential lot pursuant to the Uxbridge Zoning Board of Appeals dated October 3, 2018. The remaining Millville parcels at Map 125 Lot 13 (on Quaker St) and Map 124 Lot 9.4 (on Ronden Road) may not be separated from the Uxbridge parcel which is the subject of this Special Permit Application (Uxbridge Map 51, Parcel 2341), unless additional frontage is provided that satisfies the Town of Uxbridge zoning requirements (300 feet) made by Desruisseaux. Motion was seconded by Mr. Leonardo. Motion carried 4-0-0.

III. BUSINESS

1. **Cobbler's Knoll**
a. 02/14/19 Site Visit discussion

Mr. Desruisseaux updated the Board and stated the Engineer was going to work with the developer and the Conservation Commission to come up with a plan to mitigate the existing problems to stabilize it until the spring. He stated some things were not built correctly and would have to be redone. Mr. Hauck referenced the Conservation enforcement order.



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2. Autumn Vista

- a. 12/11/19 Graves revised construction estimate
- b. Bond Reduction request
- c. Stormwater update
- d. 02/01/19 Graves email

The Board reviewed the construction estimate provided by Graves Engineering. It was noted that the triparty agreement was not yet signed and that the amount listed on the agreement was slightly less than the amount recommended by Graves. The Board felt comfortable with the reduced amount on the agreement. The Board stated they would sign it only after all the parties had signed it and the document had been notarized. They agreed after that was complete, they could come in to sign it. They returned the original triparty to the applicant.

MOTION I: to accept the new triparty agreement for Rifleman Properties with a new bond amount of \$169,865 made by Mr. Desruisseaux Motion was seconded by Mr. Hauck. Motion carried 4-0-0.

3. FY19-14, Eber Taft Road –Road Improvement site plan review -passed over

- a. 1/16/19 Graves Review #1
- b. 1/18/19 DPW Review #1

4. Forest Glen Estates

- a. LAU discussion (Local Action Units)
- b. Special Permit Decision review
- c. Draft of PB letter to BOS

Mr. David Cashman and Brian Angler, of SEB (the lottery agent) addressed the Board to answer questions regarding their submission. The Chairman stated the Board was unfamiliar with the process and asked them for more information.

Mr. Cashman outlined the process stating the Planning Board would first have to sign off on the plan, the State would review it to ensure all regulations were met, then it would be marketed for 60 days in the newspaper, the SEB website, and to several local groups (included in their submission) along with the application information packet.

He stated that there were many qualifications that had to be met and that there was a rigorous review of the incomes and assets for each of the applications; over 55, can't own a home, deed restriction, assets under \$75K, not more than 80% of the median income in the area.

He stated that only 70% of the affordable units would be local preference; 5 would be affordable with 3 of those units for local preference.

Those that qualified would be entered into a lottery and then it would be turned over to the Sales Team. It was stated that the lottery was usually drawn at the local library or the Town Hall, at night so people in the lottery could attend.

Also included in the packet submission was the cost for the units and the condo fees.

The Board asked about how the resale amount is determined. Mr. Angler replied that there would be a deed restriction on all units stating they are affordable in perpetuity, based on a formula based on the percentage of the increase of the area median income. If in the future if the unit were going to be resold, notification would have to be given to the State and the State would work with the owner to market it, establish the sale price, and oversee the buyer screening process.

He anticipated that they would be marketing in May.



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

Mr. Desruisseaux reviewed the zoning bylaws in relation to businesses and what is and isn't allowed in various zones. He proposed a rough draft of some zoning bylaw changes, which Town Counsel had made suggestions regarding. He stated instead of not allowing certain business, instead have them be allowed in the business and industrials zones if approved via a Special Permit through the Planning Board. Town Planner, Mr. Gallerani, stated that the Zoning Bylaws in the next few years should be completely revised. Mr. Hauck brought up concerns about "getting into the weeds" of what can and can't go in each zone. Mr. Desruisseaux advocated for being more open to business but with oversight and review rather than not allowing any business that isn't specifically listed in the bylaws. He said it may also be advantageous to local businesses that want to expand. Mr. Gallerani agreed, saying that the Town needed to be more proactive rather than reactive.

V. MINUTES/MAIL/INVOICES

1. 01/23/19 Meeting Minutes

MOTION I: to approve the meeting meetings of 1/23/19 made by Mr. Desruisseaux Motion was seconded by Mr. Leonardo. Motion carried 3-0-1. Mr. Smith abstained.

2. 02/14/19 Meeting Minutes –Site Visit, Cobbler's Knoll **-passed over**


3. Invoices (over \$600) **-The Chair signed multiple invoices**

VI. ADJOURNMENT: NEXT PLANNING BOARD MEETING, WEDNESDAY, March 13, 2019

MOTION I: to adjourn made by Mr. Desruisseaux. Motion was seconded by Mr. Leonardo. Motion carried 4-0-0. The Meeting was adjourned at approximately 8:07 p.m.

Planning Board Signatures

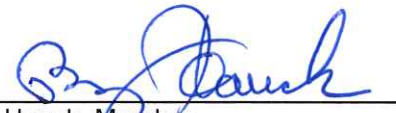

James Smith, Chairman


Barry Desruisseaux, Vice-Chair

Absent

Eli Laverdiere, Clerk


Joseph Leonardo, Member


Barry Hauck, Member


Date