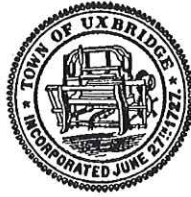


James Smith, Chairman  
 Barry Desruisseaux, Vice-Chairman  
 Barry Hauck, Clerk  
 Joseph Leonardo, Member  
 Eli Laverdiere, Member



Uxbridge Town Hall  
 21 South Main Street, Room 205  
 Uxbridge, MA 01569  
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**PLANNING BOARD MEETING MINUTES  
 WEDNESDAY  
 September 25, 2019**

REC'D UXB TOWN CLERK  
 2020 JAN 9 PM 12:45

Minutes of the Uxbridge Planning Board regularly scheduled meeting on **Wednesday, September 25, 2019**, at **7:00 P.M.** in the **Board of Selectmen Meeting Room, 21 South Main Street, Uxbridge, MA.**

**Present:** James Smith, Chairman; Barry Desruisseaux, Vice-Chairman; Barry Hauck, Clerk; Joseph Leonardo, Member

**Also:** Michael Gallerani, Economic Development Coordinator/Community Planner; Lynn Marchand, Land Use Administrative Assistant

**Absent:** Eli Laverdiere, Member.

**I. CALL TO ORDER**

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

**II. PUBLIC HEARINGS**

*Continued from August 28, 2019, 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.
  - a. Request for continuance to November 13, 2019

*\*See Motion under Public Hearing #2*

*Continued from August 28, 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.
  - a. Request for continuance to November 13, 2019

**\*MOTION I: to continue Items 1 & 2, Public Hearings for the ARIS group, to November 13th. made by Mr. Desruisseaux. Motion was seconded by Mr. Leonardo. Motion carried 4-0-0.**



**PLANNING BOARD MEETING MINUTES**  
**September 25, 2019 continued**

*Continued from Sept 11, 2019, PH opened on 7/24/19*

3. **FY19-31, Special Permit Application** - The Owner and applicant of record, **Lackey Dam Nominee Trust/Thomas P. Berkowitz, Trustee**, is seeking a **Special Permit** to **expand existing use for a recycling/processing yard to be graded to enhance Stormwater management inclusive of a non-potable well, truck weigh scale, trailer, and glass processing equipment for the purpose of asphalt, brick, & concrete rubble (ABC) sorting and processing for re-use**. Property is located **off Old Lackey Dam Road, Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 15, Parcel 3153. The title to said land is recorded in the Worcester District Registry of Deeds Book 22590 Page 392 and is free of encumbrances. Property is located in Industrial Zone B.

a. 09.20.19 Graves Review #3

Representing the applicant, Eric Bazzette from Allen Engineering spoke to the Board. Also present for the applicant was James Berkowitz. Mr. Bazzette verbally replied to each of Graves Engineering's comments from September 20, 2019; outstanding items: #6 stamped set of the drainage calculations, provided to the Board at the meeting. #'s 8 & 9 related to the sediment basin, Mr. Bazzette asked that they be made as part of the condition of approval. He stated the drainage basin was for sedimentation only (not infiltration as there were no paved surfaces proposed.) He said it was to provide some sediment removal before the runoff was discharged into the wetlands. In reply to Graves comments wanting a test pit in the middle of the sediment basin, he asked the Board if that could be a condition of approval as they would have to go down approximately 17 feet to look for the groundwater. He added that the comment suggestions, #8 & 9 from Graves, could be done when the rest of the work was being performed. Two of the Board members agreed that it could only be done when they did the excavation work. Mr. Hauck asked the engineer if he felt confident that he could address all of Graves comments. Mr. Bazzette acknowledged that he could. Mr. Leonardo asked about comment #12, loaming and seeding with New England control mix, and further stated they did not want to hear back from Conservation that it was not used.

The floor was opened to the public. No abutters spoke to the application.

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

The Board instructed the Admin. to draft the Decision and Conditions.

4. **FY20-01, Definitive Subdivision Application** - The Owner and applicant of record, **Lars Kiessling**, is seeking approval of a **Definitive Subdivision Plan** to create **4 Residential Building Lots**, and the creation of a roadway, **Kiessling Road**. Property is located on **85 Chestnut Street, Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 44, Parcel 494. The title to said land is recorded in the Worcester District Registry of Deeds Book 60149 Page 231 and is free of encumbrances. Property is located in an Agricultural Zone.

- a. Public Road
- b. National Heritage Endangered Species call
- c. Street Naming –BOS policy & Public Safety Committee review
- d. Stormwater Regulations waiver requests

*\*No one was present to speak to the application so the Chair delayed the opening of the public hearing until the applicant's representative arrive. He moved on to the next item on the agenda and returned to the agenda item after **Public Hearing #5**.*

Representing the applicant, Norm Hill of Land Planning addressed the Board and passed out information related to the 36 acres of land that the applicant owns. He described the initial meeting with his client, the concept sketches to divide the land, and that ultimately it was designed as a private road with only 4 lots (the owner's existing lot and 3 additional lots) to minimize impact and stated that was what was submitted to the Planning Board. He said his client has decided within the last week that he wanted the road to be public. Mr. Hill stated he wanted the Board to consider a series of waiver requests and if they are denied then it would have to be redesigned as a public way.



## PLANNING BOARD MEETING MINUTES September 25, 2019 continued

The Chair reminded Mr. Hill that what was submitted was an application for a private way and that the Board would consider the design if it is private but not as a public road. He further remarked that the Board would not grant waivers on the road width, the cul-de-sac, turnaround, and that the Planning Board, DPW, and Public Safety would all have issues with the current design if looking at it becoming public. Mr. Hill requested a continuance so that he could meet with his client and go over the public/private issue.

Abutters spoke to the Board and discussed the following concerns: standing water, Wetlands, street flooding, proximity to septic, well concerns, rock walls, and incomplete National Heritage application.

**MOTION I: to continue to October 23<sup>rd</sup> made by Mr. Desruisseaux. Motion was seconded by Mr. Leonardo. Motion carried 4-0-0.**

5. **FY20-02, Definitive Subdivision Application** - The Owner and applicant of record, **Uxbridge Woods Realty Trust/Mark Foss**, is seeking approval of a **Definitive Subdivision Plan** to create **7 family residential building Lots**, and widening the existing unimproved portion of **Eber Taft Road** which will have a total centerline length of approximately 1,700± linear feet. The proposed stormwater system will consist of roadside swales and culverts on both sides of the street. Dwellings will be served by private individual wells and on-site subsurface sewage disposal systems. Property is located on **Eber Taft Road, Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 33, Parcel 3073. The title to said land is recorded in the Worcester District Registry of Deeds Books 35868, 35868, 34773, & 34773 Pages 250, 252, 7, & 9; also Judgement recorded at Book 58339 Page 153. Property is located in an Agricultural Zone.

a. Stormwater Regulations waiver requests

Representing the applicant, Mr. Travis Brown of Andrews Survey & Engineering, addressed the Board and introduced three other people also present for the proposed project; Mr. Steve Rodolakis, Mr. Mark Foss, and Mr. Ed Renaud. He described the definitive subdivision and extension of Eber Taft Road, referenced the previously submitted road improvement plan (which was withdrawn by the applicant) and stated that he had incorporated the development of the 7 Lots on the site plan. He said the 7 new lots would be on the new-improved portion of Eber Taft extension. He described the road as 700 linear feet from the existing terminus of Eber Taft Road to the cul-de-sac and showed the Board on the site plan the proposed area of the roadway that they would improve. He informed the Board of the existing 33' right-of-way which they would move, taking the center line of the road over approximately 12' and providing a 50' wide right of way to a cul-de-sac. He added that there would be 24' of pavement and a drainage system consisting of roadway swales with cross-culverts under each driveway location. The drainage design was stated to have accounted for the full lot development of the lots. He reviewed the proposed drainage and infiltration basin which had, had soil tests performed which he said were reviewed by both Graves Engineering and the DPW previously when the road improvement plan had been submitted. He said the only thing that had changed was moving the roadway over and providing the 50' of right-of-way width in compliance of the Subdivision Regulations, as well as horizontal curves.

He reviewed the 3 requested waivers related to sidewalks and catch basins.

He concluded with a summary and stated they would later do ANR's to divide the land.

The Chair stated that basically the applicant would grant, to the Town, 12' along the edge of the roadway to add on to the public way. Mr. Brown confirmed. Members asked questions and were shown on the site plan, the areas to be conveyed to the Town.

Mr. Leonardo asked about the approximate 50' change in elevation from the top to the bottom of the cul-de-sac in relation to the drainage and basin. Mr. Brown said the proposed grading 2% to 6% at the steepest point and that they were proposing an 18" deep grass swale on that side and check dams every 50'. He said the swale would begin from the tie-in to the existing cul-de-sac, all the way down 18" deep, 2:1 side slopes, total width of 9', and the check dams every 50' would slow water and remove sediment as the water is conveyed.



**PLANNING BOARD MEETING MINUTES**  
**September 25, 2019 continued**

Mr. Hauck asked about any concerns regarding standing water from the drainage. Mr. Brown answered by saying the soil was generally good, would be mostly infiltrated in the swale, and said the check dams don't restrict flow, only slows it down, and that it can still move through those checkpoints. Mr. Brown stated the roadway would be 24' wide, public, and that everything would be on the right-of-way or on the parcels that the applicant owns.

Mr. Hauck asked about the rationale for the waiver requests from the Stormwater Regulations. Mr. Brown responded by saying it was previously designed in compliance with Mass DEP stormwater standards. Mr. Smith added that the applicant had also applied for a stormwater permit. The Chair and Vice-Chair commented that because proposed stormwater management was part of the subdivision application, that they incorporated it into the public hearing rather than having two separate ones. The Admin. asked about whether or not fees would be waived when applicants submit a stormwater application in conjunction with another application. The Chair responded that, that had not been decided yet and the PB and Stormwater were still going back-and-forth about it.

The Chair opened the floor to the public for comment. One abutter asked about the following topics: the no-cut/no build zone, if they were widening the whole road or just the unimproved portion, dwelling locations, and who the Builder was. Mr. Brown replied that they would not be developing in the no-cut/no-build zone, that they were only improving the unimproved portion of the road, and that the dwelling locations could be put anywhere in the allowed building setbacks, and that the builder would be decided by whomever the individual Lots were sold to,

The Board instructed the engineer to provide the full-size Plans to Graves for review.

**MOTION I: to continue to October 9th made by Mr. Desruisseaux. Motion was seconded by Mr. Leonardo. Motion carried 4-0-0.**

*\*Public Hearing #4 was heard.*

**III. BUSINESS**

**1. October 22, 2019 FATM updates:**

- a. 10/9/19 PB will hold their public hearing to vote recommendations on selected Warrant Articles

**2. October 22, 2019 (potential) Special Town Meeting (STM) updates:**

- a. Review of final revised Article: Zoning Bylaw for a Multi-Town Mixed Commerce
- b. 10/16/19: extra PB meeting for public hearing to vote recommendations for STM Articles

The Town Planner, Mr. Gallerani, reviewed the revisions with the Board members. The Board made additional changes to the Table of Dimensional Requirements, changing the authority for permitting/approval from ZBA to PB for several business types so applicants would not have to go to both Boards unnecessarily for the same project and adding certain business types as an allowed use in certain zones.

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

Mr. Desruisseaux discussed putting forth a Special Town Meeting Article to address water/well inadequacy in terms of providing businesses and residents with adequate water, pressure, filter house, infrastructure, and funding. He outlined the existing infrastructure, problems, some of the challenges, the impact if the Town failed to act, and funding options without hurting taxpayers and rate payers. Mr. Desruisseaux stated he would like to have a meeting at 10am on Monday to vote to put forth the Article.

The Board discussed Stormwater Application Fees. The Board felt the application fee should only be applied if the application was not done in conjunction with another application. (Definitive Subdivision, Earth Removal, etc). No vote was taken.

The Chair okayed the Monday 10 meeting in the Accounting/upstairs conference room to avoid interrupting the day-to-day Town Hall activities.



PLANNING BOARD MEETING MINUTES  
September 25, 2019 continued

**MOTION I:** recommendation that we add to the Stormwater Permit Application as far as fee schedule that the fee would be \$300 if they are already applying for a Subdivision Application or a Special Permit Application in which stormwater management has been submitted made by Mr. Desruisseaux. Motion was seconded by Mr. Leonardo. Motion carried 4-0-0.

**V. MINUTES/MAIL/INVOICES**

1. 08.14.19 Meeting Minutes  
**MOTION I:** to accept the Meeting Minutes of August 14, 2019 made by Mr. Leonardo. Motion was seconded by Mr. Hauck. Motion carried 4-0-0.
2. 08.28.19 Meeting Minutes –passed over
3. 09.11.19 Meeting Minutes –passed over
4. Invoices (over \$600)

**VI. ADJOURNMENT:**


- NEXT MEETING TO VOTE ON PUTTING FORTH A WARRANT ARTICLE SCHEDULED FOR MONDAY, September 30, 2019 in the upstairs Accounting Office. Signs will be posted.
- NEXT REGULARLY SCHEDULED PLANNING BOARD MEETING, WEDNESDAY, October 9, 2019.

**MOTION I:** to adjourn the meeting made by Mr. Leonardo. Motion was seconded by Mr. Hauck. Motion carried 4-0-0. The Meeting adjourned at approximately 8:35 p.m.

**Planning Board Signatures**

  
\_\_\_\_\_  
James Smith, Chairman

  
\_\_\_\_\_  
Barry Desruisseaux, Vice-Chairman

  
\_\_\_\_\_  
Barry Hauck, Clerk

  
\_\_\_\_\_  
Joseph Leonardo, Member

  
\_\_\_\_\_  
Eli Laverdiere, Member

January 8, 2020

\_\_\_\_\_  
Date