

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
MONDAY
February 26, 2020**

REC'D UXB TOWN CLERK
2020 MAY 28 AM 11:14

Minutes of the Uxbridge Planning Board regularly scheduled meeting on **Wednesday, February 26, 2020, 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; Eli Laverdiere, Member.

Also present: Michael Gallerani, Economic Development Coordinator/Community Planner and Lynn Marchand, Land Use Administrative Assistant.

I. CALL TO ORDER

It being a little past 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

PH opened 2/26/2020

1. **FY20-06 Exportation Permit Application - The Owner/Applicant, Immanuel Corp, P.O. Box 7021/50 Lynch Place, Cumberland, RI**, is seeking an **Earth Removal Permit** to **excavate 115,054 cubic yards with a net removal of 112,588 cubic yards** at **775 Millville Rd.** The property is shown on the Town of Uxbridge Assessor's **Map 41 Parcel 3376**. The title to said land is recorded in the Worcester District Registry of Deeds Book 21529 Page 249 and Plan reference Plan Book 21529 page 249; Property is located in Residence C Zone.
 - a. 12.04.19 Conservation Agent questions & comments
 - b. 12.06.19 Graves Review #1
 - c. 12.16.19 Conservation Agent Memo
 - d. 12.16.19 Zoning Enforcement Officer Letter
 - e. 12.26.19 Reply to Graves Review #1
 - f. 12.31.19 Graves Review #2
 - g. 01.07.20 Board of Health Memo

MOTION I: to, at the request of the applicant, postpone the opening of the public hearing to March 25, 2020 made by Mr. Desruisseaux. Motion was seconded by Mr. Leonardo. Motion carried 5-0-0.

Continued on January 22, 2020; PH opened 9/25/19

2. **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. Continued per applicant request to 03/25/2020

The Chair stated that the Board had already granted a continuation to March 25, 2020.



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Continued on February 12, 2020; PH opened 2/12/2020

3. **FY20-09, Elmdale Estates, Definitive Subdivision Application** - The Owner and applicant of record, **ARIS Group, LLC**, is seeking approval of a **Definitive Subdivision Plan** to create **19 Residential Building Lots, 3 Parcels**, the **extension of Old Elmdale Road**, the **creation of a 2 roadways yet unnamed, with associated drainage, grading, and utilities**. 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 Residence-C zone.

****The Chair stated that Agenda items 3, 4, & 5 were all together and that the applicant requested a continuation of the public hearings for all three to March 11th. See Motion under Public Hearing #5.***

Continued on February 12, 2020; PH opened 2/12/2020

4. **FY20-09EP, Excavation Application** - The Owner and applicant of record, **ARIS Group, LLC**, is seeking an **Excavation Permit** to remove **412,746 cubic yards of sand and gravel with excavation/exportation to continue until completion, stabilizing areas once proposed grade is achieved**. 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 Residence-C zone.

****The Chair stated that Agenda items 3, 4, & 5 were all together and that the applicant requested a continuation of the public hearings for all three to March 11th. See Motion under Public Hearing #5.***

Continued on February 12, 2020; PH opened 2/12/2020

5. **FY20-09SW, Stormwater Permit Application** - The Owner and applicant of record, **ARIS Group, LLC**, is seeking a **Stormwater Permit** for a **proposed disturbance of 412,154 cubic yards (598,259 square feet) of disturbance and the creation of 128,393 square feet of impervious area**. 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 Residence-A zone.

****MOTION I: to continue public hearings 3, 4, & 5, for Elmdale Estates, per applicant request, to March 11th made by Mr. Desruisseaux. Motion was seconded by Mr. Leonardo. Motion carried 5-0-0.***

6. **FY20-08, Special Permit Application** - The Owners and applicants of record, **TDJ Materials, LLC** and **Gerald A. & Mary L. Lemire**, are seeking a **SPECIAL PERMIT** to construct **fifty (50) housing units contained within twenty-five (2) duplex buildings including grading, stormwater, parking, and landscaping, including new water, sewer, gas, & electric connections within the Waucantuck Adaptive Reuse Overlay District**. Properties are located on **300 Mendon Street, Uxbridge, MA**. The properties, comprised of four (4) parcels, are shown on the Town of Uxbridge Assessor's Map 19, Parcels 2413, 2467, & 2475 and the parcel known as Nicholas Way. The titles to said land is recorded in the Worcester District Registry of Deeds Book 46744 Page 217, Book 49951 Page 357, & Book 45280 Page 83. Properties are located in Residential B Zone and the Waucantuck Mill Adaptive Reuse Overlay District.

-Passed over (per applicant request; Public hearing not yet opened)

7. **FY20-08SW, Stormwater Application** - The Owners and applicants of record, **TDJ Materials, LLC** and **Gerald A. & Mary L. Lemire**, are seeking a **Stormwater Permit** to construct **50 condominium units (25 duplex buildings) within the Waucantuck Adaptive Reuse Overlay District per Section UZBL 400-40**. Total amount of existing disturbed: 268,290 s.f., proposed disturbance: 315,743,



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s.f./11,694 c.y., and total proposed creation of impervious surface: 121,704, s.f. Properties are located on **300 Mendon Street, Uxbridge, MA**. The properties, comprised of four (4) parcels, are shown on the Town of Uxbridge Assessor's Map 19, Parcels 2413, 2467, & 2475 and the parcel known as Nicholas Way. The titles to said land is recorded in the Worcester District Registry of Deeds Book 46744 Page 217, Book 49951 Page 357, & Book 45280 Page 83. Properties are located in Residential B Zone and the Waucantuck Mill Adaptive Reuse Overlay District.

Passed over (per applicant request; Public Hearing not yet opened)

- 8. FY20-11EP, Exportation Permit Application - The Owners/Applicants of record, Uxbridge Rod & Gun Club and David Sadowski, are seeking an Earth Removal Permit to excavate 69,136 cubic yards of gravel at 560, 0, & 0 West Street.** The properties are shown on the Town of Uxbridge Assessor's Map 038 Parcels 1171, 2764, & 2858. The title to said land is recorded in the Worcester District Registry of Deeds Books 4737, 08674, & 08674 Pages 473, 106, & 106. Properties are located in an Agricultural zone.

MOTION I: to postpone the opening of the public hearing, per applicant request, to March 25th made by Mr. Desruisseaux. Motion was seconded by Mr. Leonardo. Motion carried 5-0-0.

III. BUSINESS

- 1. Trowbridge Acres/Bayliss Way**
a. Update

Representing the applicant, Mr. Dale Bangma requested an extension of the Special Permit and Subdivision Certificate of Approval which expires on June 14, 2020. He gave the Board on update on the construction and stated that inspections have been ongoing. Mr. Bangma said they had multiple projects that they were working on and stated that as the reason for the construction not having been completed yet. He also said they were working on the Land Trust and Open Space Agreement that was required of the Conservation Design Plan.

The Board members said they had witnessed the site construction and also read Graves reports. They collectively agreed that there had been no issues.

MOTION I: to extend the construction completion for another three years, with an expiration of 6-14-2023, for Trowbridge Acres made by Mr. Desruisseaux. Motion was seconded by Mr. Leonardo. Motion carried 5-0-0.

After the vote, Mr. Bangma asked for a construction change request. He said the grass strip was 6' wide and that the sidewalk was 5' wide on the left side/high side of the road. He said if they eliminated the sidewalk, they could keep the houses closer to the roadway, shorten the driveways, and eliminate some impervious area as well as the area of the sidewalk itself. He said it made sense to have a more conservative road construction and commented that the development was away from the center of Town.

The Board asked about the number of Lots. Mr. Bangma stated there were 12 on a 700' roadway to the back of the cul-de-sac.

Discussion was had regarding surrounding streets having sidewalks. Mr. Leonardo felt the Board should either eliminate sidewalk requirements in conservation designed subdivisions or require all applicants to have them in order to be consistent in their regulations. Mr. Desruisseaux argued that this would be a public Town road, and that the Town does not maintain sidewalks. Mr. Laverdiere added that the salt from the road would kill the grass on the grass strip and that no one would maintain it. An alternate idea was floated regarding putting a painted strip in the road to allow for a walking area and for children walking to the bus stop. The road width is 24'.

The Chairman interjected that it makes a difference with a conservation design and having or not having sidewalks depending on the number of Lots, citing that it was 12 Lots not 50 Lots.

Mr. Laverdiere expressed concern about kids standing in the road waiting for the bus and suggested a 10' section/storm pad for kids to stand.



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A member of the public addressed the Board to express concern about children safety and asked about requiring sidewalks. Mr. Laverdiere stated the speed limit on that street would likely be 25mph and that there would be minimal traffic. Mr. Leonardo briefly explained what a Conservation Low-Impact Design consists of.

MOTION I: to approve a construction change, to remove a 6' strip, a 5' sidewalk, and to put a 5 foot by 10 foot bus stop pad next to the mailbox pad, made by Mr. Desruisseaux. Motion was seconded by Mr. Laverdiere. Motion carried 5-0-0.

Mr. Smith recused himself.

2. Tucker Hill Estates/Tucker Hill Road

a. Mylars, Street Acceptance

The Vice-Chair asked if the Board wanted to sign the Mylars after the meeting. The Board agreed.

Mr. Smith returned to the meeting.

3. Review/Revise/Adopt revised Stormwater application & permit templates

a. 09.11.19 Minutes –first review of stormwater application & permit templates

The Board reviewed the stormwater application and permit drafts and changed language to say "submitted by engineer or applicant", and "cubic yards" to "acres". They asked for a clean copy of the revision before voting on it. The Chair stated the template, with the revisions stated, could be used in the interim until the Board voted to adopt it.

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

The Town Planner, Mr. Michael Gallerani, presented the Board with a potential SATM warrant article to be sponsored by the Board for the 146 mixed commerce zoning bylaw. He requested that the Board read through it and make revisions as they deemed necessary. He stated that CMRPC was doing the GIS mapping, also showing overlay maps showing infrastructure. The Board discussed concern for split-use of property. Mr. Gallerani stated that CMRPC would provide accurate property lines when mapping out the corridor and that the submitted map was just to start the conversation on the zoning change.

Mr. Desruisseaux stated it would be better for the Fall Town Meeting as FinCom does the budget in the Spring and has asked that Zoning Articles be reserved for the Fall. Mr. Desruisseaux and Mr. Smith expressed concern for residents with re-zoning their properties to a mixed use and that it would be more appropriate to have an overlay district.

Mr. Gallerani also reviewed the zoning bylaw errors that he had observed and proposed corrections to, included required changes noted by the AG's office from the last time Town Meeting voted for the mixed use district.

V. MINUTES/MAIL/INVOICES

- 1. 02.12.20 Meeting Minutes** -passed over
- 2. Invoices (over \$600)** -none

VI. ADJOURNMENT:

1. NEXT PLANNING BOARD MEETING: WEDNESDAY, March 11, 2020

Note: There were no meetings in March or April 2020 due to the State shutdown of non-essential businesses, closure of Town Hall, ban on gatherings of 10 or more, and 6' social distancing requirements.

MOTION I: to adjourn made by Mr. Desruisseaux. Motion was seconded by Mr. Hauck. Motion carried 5-0-0

The meeting adjourned at approximately 8:50 p.m.



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Planning Board Signatures (5 pages)

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