

**Wednesday, August 12, 2020
Uxbridge Planning Board Meeting Minutes
21 South Main Street, Room 205
Uxbridge, MA 01569**

REC'D UXB TOWN CLERK
2023 OCT 3 AM 7:52

Members	Barry Desruisseaux Chairman	James Smith Vice Chairman	Barry Hauck Clerk	Eli Laverdiere	Joe Leonardo
Attendance	X	X	X	X	X

This meeting was conducted by zoom.

There was some technical difficulty. The minutes are a summary of events and actions. This is not a transcription

The Planning Board Chairman opened the meeting by zoom at 7:00 pm.

ANR Application, 363 Quaker Highway:

The Board is in receipt of an application for an ANR for 363 Quaker Highway. The plan was shown on the screen. The Engineer Byron Andrews explained the plan.

On a motion made by Jim Smith, seconded by Joe Leonardo, the Board voted by Roll Call vote to endorse the ANR Plan for 363 Quaker Highway as presented.

Roll Call Vote:

Barry Desruisseaux aye
Jim Smith aye
Joe Leonardo aye
Eli Laverdiere aye
Barry Hauck aye

Continued Public Hearing:

TDJ Materials, LLC – Special Permit Application & Stormwater Application, 300 Mendon Street:

The hearing was reopened for TDJ Materials. Attorney Wickstrom was present representing the applicant. Andrews Engineering was also present. All members are in receipt of the recent review letter from Graves Engineering. Item #23 regarding the catch basin detail has been revised and will be resubmitted to the DPW.

There were no questions from the Board since this was the only outstanding item.

On a motion made by Eli Laverdiere and seconded by Jim Smith, the Board voted by Roll Call vote to close the hearing for TDJ Materials.

Roll Call Vote:

Barry Desruisseaux aye

Jim Smith	aye
Joe Leonardo	aye
Eli Laverdiere	aye
Barry Hauck	aye

On a motion made by Joe Leonardo and seconded by Jim Smith, the Board voted by Roll Call vote to approve the Special Permit and Stormwater Application and have a favorable decision be written.

Roll Call Vote:

Barry Desruisseaux	aye
Jim Smith	aye
Joe Leonardo	aye
Eli Laverdiere	aye
Barry Hauck	aye

Continuation Public Hearing: Uxbridge Gun and Rod Club, 560 West Street, Stormwater Permit Application:

The continued public hearing was reopened.

The Engineer Mark Allen was present by zoom representing the applicant. The Board is in receipt of the most recent letter from peer review consultant Graves Engineering. The three outstanding issues have been addressed. There were amended calculations provided regarding the impervious area. The drainage calculations have also been updated and there was a modification to the operation and maintenance plan which will not be for 5 years. There was discussion about the waiving of the stormwater design regulations as written. The current regulations are not consistent with the DEP. The discussion about the basin was what is the harm to the town if the basin is undersized. A recommendation was that this basin be bigger. Engineer Allen communicated that this basin is not being maintained by the Town of Uxbridge but by a private entity.

There were no comments from the public.

On a motion made by Jim Smith, seconded by Joe Leonardo, the Board voted by roll call to grant the waiver.

Roll Call Vote:

Barry Desruisseaux	aye
Jim Smith	aye
Joe Leonardo	aye
Eli Laverdiere	aye
Barry Hauck	aye

On a motion made by Eli Laverdiere, seconded by Jim Smith, the Board voted by roll call to close the hearing.

Roll Call Vote:

Barry Desruisseaux aye
Jim Smith aye
Joe Leonardo aye
Eli Laverdiere aye
Barry Hauck aye

Continued Public Hearing Definitive Subdivision Application , Stormwater Application and Special Permit 100 Acres LLC:

The Chairman reopened the hearing for 100 Acres LLC.

The applicant is seeking a Certificate of Approval and it was indicated that all the comments have been addressed with Consultant Graves. The applicant would like the hearing to be closed and is seeking a certificate of approval.

On a motion made by Eli Laverdiere, seconded by Jim Smith, the Board voted by roll call to close the hearing for the Definitive Plan, Stormwater Permit and Special Permit for Zipp Drive.

Roll Call Vote:

Barry Desruisseaux aye
Jim Smith aye
Joe Leonardo aye
Eli Laverdiere aye
Barry Hauck. aye

The Board will be working to draft a decision for the next meeting.

Public Hearing: Special Permit Application, Stormwater Permit, 486 & 502 Douglas Street:

Chairman Desruisseaux recused himself from the hearing.

The Vice Chairman ran the hearing.

The public hearing was opened. It was explained that the applicant Uxbridge ARIS Group, LLC & Desruisseaux Realty Trust, are seeking a special permit for a project that includes construction of a 5,000 s.f. filling station/convenience store with drive thru coffee shop, five gasoline fuel pump islands, two high speed diesel pumps, and associated parking spaces and utilities at 486 & 502 Douglas Street. The properties are shown on assess map 023, parcels 4364 & 4424. The title to said land is recorded in Worcester Registry of Deeds Book 54556 & 27722 Pages 63 & 346. The properties are located in a business zone.

The applicant team was present. The Engineer David Faist from CMG was present on zoom to explain the project. The Engineer explained that there is currently a Notice of Intent which is in front of the Conservation Commission. The first hearing in front of the Commission was in July. The applicant is also in front of the Zoning Board of Appeals. The hearing for the Zoning Board of appeals was continued to September. The Engineer explained that the application for the Planning Board was forwarded to Graves Engineering for peer review. Graves Engineer has provided a peer review letter back after review. There are a number of issues in the peer review letter which will need to be addressed. The Engineer provided a share screen of the site. There is a separate agreement for lease regarding the land associated with the potential gas station. The parcel 486 Douglas Street will need to be deeded. The site plan showed the noted wetland line and also the lease line. The existing stone wall will remain.

The special permit is for a drive-thru with Dunkin Doughnut and convenient store. There will also be lane for high-speed diesel. There will be a bypass lane around building with full access around the site. The grading plan was also shown on the screen. The drainage plan was next discussed. The majority of site in front slopes on the west side and discharges to the front. The majority of the site drains to southeast to 486 Douglas property. The project was designed to not increase runoff off the site. The standards for drainage have been met. There are deep sump basins and oil water separator. The design calculations have been provided. The applicant has received comment from Graves about the drainage comments and the Engineer will respond. There will need to be more meetings with the Conservation Commission to address the comments regarding the rear of the site. There will not be direct discharge into the tributary at the rear of the site. The plans are being revised to remove discharge out of the 25 ft. zone. The stormwater treatment will be addressed with both Conservation and Planning Board. The site will be serviced with water, sewer and gas which will be located within roadway. The lighting plan was shown. There will be wall packs under the canopy on the diesel island. They will also be pole mounted lights. The intent is to have no light spillage off site. There will be some adjustments to the lighting plan to not allow spillage. The building at 502 Douglas Street will be removed. There will need to be 5 to 6 ft cut at the existing grade to level the site. There will also be a retaining wall which will be at the highest 6 ft. to grade at each end. Near the Summerfield Drive, there is about 300 ft. of existing wooded area which will remain and there are also trees which will remain along the western side adjacent to residential area. There will be additional buffer added with a mix of mix of evergreens, spruce and arborvitaes. The southerly corner of the site can also include additional screening with arborvitaes. There are two proposed signs for the site. The applicant would like the sign visible from Rt. 146. The next topic of discussion was the traffic. Robert Michaud, from MDM Transportation provided the traffic presentation. The numbers in the report were from pre-covid. There was a screen share of the traffic presentation. There was consultation with MA DOT. There was a chart with the vehicle trips shown including the peak hours. The numbers presented were based on industry standards. The numbers in the charts also included a 7-year future analysis. The design presented has a level service of C which is noted as a low impact project for traffic. All of the current site lines both left and right meet the requirements.

Representative Eric Simpson provided an update on the underground tank system. There will be a managing of the underground tanks. These tanks will have double wall protection with

alarming sensors. There are sensors within tanks. These types of tanks are what gas stations such as Sunoco uses. These tanks will have top of the line equipment.

There was an expert, John Lehman who explained the architecture of the building. A rendering of the building was shown. This will be constructed on a slab on grade with a wood frame. There will be exterior brick and composite panel. The exterior will have brick and a canopy. There will be a tenant signage will be on the building. The height is going to be 30 ft. There will be a hip roof with architectural shingles and wood siding. A screen share of this was shown. The inside of the building will have a typical convenient store layout with seating in inside.

The Vice Chairman asked if there were any questions. The Board did not have any questions.

Questions from Public:

Resident Fields had questions about the traffic study. Are all vehicles treated the same in the study. The site plan also has three diesel pumps and the application notes only two. Also, how many trucks will be able to come in to fill up with diesel.

Response: The driveway will be for both enter and exit which there is full access. The estimate is that there will be about one truck entering every five minutes. There will be a total of three pumps.

Resident, Pat Stephan:

The Board was informed that the Sommerfield Taft Condominium Association has an Attorney representing their Association regarding the current project in front of the Board. It was communicated that the Taft community are direct abutters to this project. A letter was sent to the Board opposing this project.

The following comments/concerns were noted:

- This is a truck stop which will attract trucks from Rt. 146.
- There are two highspeed lanes close to Sommerfield Taft property .
- The Association would like to know if there has been accounting about number of truck trips. This site is intended to attract 18-wheeler trucks.
- There is no information in presentation about the truck traffic from 18 wheelers. This impacts, safety, noise, cues and traffic.
- What are hours of operation?
- A recommendation was made that a peer review of the 18-wheeler generation of this truck stop be reviewed to see the impacts in ingress and egress in relation to Rt. 146.
- Is the use of this ground lease allowed in the zoning bylaw.
- There is not an ANR process for this. This is borrowing one property to make another compliant through ground lease.
- The other lot will intend to stay and then build a truckstop which is two improvements on the land. Is this a legal concept? There is concern how is this conditioned for ground lease structures.

The Board communicated that the trucks are not going to sleep at this site overnight. The board is not concerned with the liability of this on site. The hours of operation have not been set.

Resident, Pat Stephen:

Resident Stephan had the following comments:

- The Graves peer review report identified 51 deficiencies.
- The site needs to be delineated (wetlands) there is a discrepancy with flag #10.
- The Bylaw refers to an environmental assessment which has not been done. It is his request that this be completed.
- It is requested that a community financial impact.
- There needs to be clarity about where the water will go with the impervious areas noted on plan.
- The site is too small for detention ponds.
- There is a request that a peer review be completed of the traffic study.
- A request was made that the corrections noted in the Graves report be done prior to board voting.
- The trust would like to have all the letters provided into the record and file.
- There was a petition provided in opposition of this project.
- There appears to be an error in the application appendix. It references B when it should be A.
- This is the fourth time an application has been made for this site. The last two applications were denied from ZBA.
- The abutters would like the agenda and dropbox to be provided prior to the meeting.
- The traffic study does not include all future traffic.
- There was a note from the Police Chief who noted a concern about response time.
- The last information from the State traffic numbers were from 2017.
- The numbers from MDM reported the exceeding of speed limits. This is a concern.
- The cueing on this site is also a concern.
- The Trust would like more information provided about the changes in what will happen to changes in water flow.

A resident who did not provide name had following comment:

- This will be a truck stop for those trucks who need to park off of Rt. 146.
- The Chairman of the Board should be offline and not allowed to listen and should be recused. He has a direct interest.

Resident Tom Fields had the following comment/questions:

- The question was asked about the fire hydrants and will there be testing of the water pressure after a year. The concern is the water pressure drops at the top of the hill.

The Board responded that the pressure of water will be reviewed. The applicant needs to comply with the standards of the water department. It was also communicated that there will not be stacking of tractor trucks. If there is an issue, the applicant will be responsible for police detail

There were no more questions.

On a motion made by Eli Laverdiere, seconded by Joe Leonardo, the Board voted by roll call to continue the public hearing for 486 & 502 Douglas Street to August 26, 2023.

Roll Call Vote:

Barry Hauck	aye
Jim Smith	aye
Joe Leonardo	aye
Eli Laverdiere	aye

486-502 Douglas Street Stormwater Application:

On a motion made by Eli Laverdiere, seconded by Joe Leonardo, the Board voted by roll call to open and continue the hearing for 486-502 Douglas Street public hearing for to August 26, 2023.

Roll Call Vote:

Barry Hauck	aye
Jim Smith	aye
Joe Leonardo	aye
Eli Laverdiere	aye

Member Desruisseaux rejoined the meeting as Chairman.

Exportation Earth Removal Permit – Rod and Gun club:

The members are in receipt of the exportation/earth removal permit for Uxbridge Rod & Gun Club.

The representative David Sadowski was present. It was explained that a cash bond has been put in place.

On a motion made by Joe Leonardo, seconded by Jim Smith, the Board voted by roll call to accept the cash bond.

Roll Call Vote:

Barry Hauck	aye
Jim Smith	aye
Joe Leonardo	aye
Eli Laverdiere	aye
Barry Desruisseaux	aye

On a motion made by Eli Laverdiere, seconded by Joe Leonardo, the Board voted by roll call to endorse the earth removal permit and amend the condition of permit noting the change in day and hours.

Roll Call Vote:

Barry Hauck	aye
Jim Smith	aye
Joe Leonardo	aye
Eli Laverdiere	aye
Barry Desruisseaux	aye

Public Hearing, 290 Millville Road Zipp Industrial Drive Definitive Subdivision Application, Special Permit & Stormwater Application:

The Chairman opened the hearing for 290 Millville Road.

There are three applications in front of the Board.

The applicant and Engineer provided an overview of the project via zoom.

The applicant is seeking Certificate of approval for a 4-lot commercial subdivision Zipp Industrial Park including 1,500 long proposed public way with cul-de-sac along with land clearing, new paved parking lots, landscaped areas, utilities and not stormwater management system. The property is located at 290 Millville Road and consists of approximately 27.68 acres of currently undeveloped land with the front portions of the lot formally utilized as a gravel operation and junkyard. The parcel is shown on map 30, parcel 2768 and the plan is recorded on register of deeds book 54541 page 219. This is located in an Industrial A-Zone, Flood Plan Overlay District and the Groundwater Protection Overlay District. The amount of proposed disturbance is 650,000 sq. ft and proposed impervious area is 182,517. The Special Permit for this site is for a new commercial building which has 75,200 sq. ft for a marijuana cultivation facility.

The Board was informed that the applicant is working with MA DOT regarding the granite curbing. Once this is worked out with the State and the Planning Board, this could be written as a condition. The DPW has been able to review the application and their conditions have been met. The peer review from Graves has been completed and there will need to be a condition regarding the granite curbing at the entrance. The applicant will work with MA DOT regarding the sidewalk. The Board was also made aware that this application will need a gravel removal permit which will level the site. There was a meeting on site and recommendations were made to address the site line which will move further to the north.

Fall Annual Town Warrant Articles:

The Board was informed that the warrant article at the last town meeting had voted on the modification on the Table of Uses and other items noted in article. The Attorney General has sent this back with recommended modifications. The presented article were changes based on the Town Counsel recommendations.

On a motion made by Jim Smith, seconded by Eli Laverdiere, the Board voted by roll call to support the proposed articles.

Roll Call Vote:

Barry Hauck	aye
Jim Smith	aye
Joe Leonardo	aye
Eli Laverdiere	aye
Barry Desruisseaux	aye

The Board also commented that the Town Planner/EDC director put forth mixed use commerce district. This is for an overlay district. The Board will review and discuss at a letter meeting.

Next Meeting: Wednesday, August 19, 2023

Adjourn:

On a motion made by Jim Smith, seconded by Eli Laverdiere, the Board voted unanimously to adjourn the meeting at 9:27 pm.

Respectfully Submitted,

Amy Sutherland
Recording Secretary
Approved 9.27.23

