

Wednesday, August 11, 2021
Uxbridge Planning Board Meeting Minutes
21 South Main Street, Room 205
Uxbridge, MA 01569

REC'D UXB TOWN CLERK
2021 OCT 18 AM 8:13

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

Public Hearing, Pine Ridge Estates:

The applicant representative Steven O'Connell was present.

On a motion made by Jim Smith, seconded by Eli Laverdiere, the Board voted by unanimously to continue the hearing to September 8, 2021 at 7:00 pm.

Continues Public Hearing 44 Cassie Lane:

The Chairman opened the continued hearing for 44 Cassie Lane.

The applicant representative Steve O'Connell present.

The Board discussed that at the last weekend, it was recommended to seek out counsel in relation to 44 Cassie Lane for a retreat lot. The Chairman contacted counsel and there is no issue issuing the retreat lot. This application does meet the requirements for granting a retreat lot.

On a motion made by Jim Smith, seconded by Joe Leonardo, the Board voted unanimously to close the hearing for 44 Cassie Lane.

The Board reviewed the decision for 44 Cassie Lane.

On a motion made by Joe Leonardo, seconded by Jim Smith , the Board voted to endorse and sign the decision for 44 Cassie Lane.

ANR Plan 85 South Main Street:

The Board is in receipt of an ANR application for 85 South Main Street. The applicant representative Steven O'Connell was present.

The plan was reviewed by the Board.

On a motion made by Joe Leonardo, seconded by Barry Hauck, the Board voted to endorse the ANR plan for 85 South Main Street.

Continued Public Hearing: ZP Battery 186 Providence Street:

The applicant was present for ZP Battery. The Board was informed by the applicant that all the comments have been addressed from the peer review letter. There still needs to be one comment which needs from the DPW. There was a meeting with the Fire Chief, and he is comfortable with that is being proposed. The applicant will work with the Fire Department on what fittings he will require. The applicant will be meeting with the Conservation Commission on Monday. The is also going to be a site walk on Saturday August 14, 2021. There should not be any issues with the Conservation Commission and the Order of Conditions should be issued. There will be an easement for the catch basin. The applicant is proposing to pipe and drain this into the wetland. The town will maintain the pipe. The DPW may want the easement. There is a concern that if the owner changes, this would need to be conveyed. This will improve the situation since the water will be treated and channelized with a concentrated flow. The entire battery area will be fenced with a Knox box for access. The fence was noted on the plan on the street side. There is going to be screening along the street. It was suggested to put a black mesh fabric on the fencing. The turning movements were shown for the fire equipment.

There were no comments from the public.

On a motion made by Eli Laverdiere, seconded by Barry Hauck, the Board voted to close the hearing for ZP Battery and will have a decision written for the next meeting on September 8, 2021.

Stormwater Regulations – Public Hearing:

The Chairman opened the public hearing for the discussion on the stormwater regulations. It was communicated by the Board that they are not in favor of accepting the changes noted in the proposed stormwater regulations. The Board does not want to put in language which the State does not have. The regulations should align with MA DEP. Town Engineer Hutnak was present and communicated that this document is beyond what the State requires but this is what was recommended from the EPA. Mr. Hutnak noted that there have been no further updates from the EPA or DEP. The Board was questioning why they would adopt updated stormwater regulations when they do not know what the State is proposing. The Board is not ready to vote on changing the Stormwater Rules and Regulations at this point. The Chairman communicated that to date, the State has not decided to comply with the EPA. Why should the Board comply if the State has not? We do not want to put anything in place which will need to be changed in the future. The Chairman communicated that the regulations should only note “See State of Massachusetts”. There as discussion about who is responsible for the stormwater responsibilities. It was indicated that Graves Engineering is the Stormwater Agent for the town.

Question from public:

Resident from Albee Road wanted to know how many times the catch basins cleaned. It was indicated by Mr. Hutnak that the basins are cleaned yearly.

On a motion made by Eli Laverdiere, seconded by Jim Smith, the Board voted to continue the hearing to September 8, 2021 at which time there will be more information presented or this will be withdrawn. (4 to 1 Member Hauck voted nay)

General Business:

ANR – 434 Elmwood Street:

The Board is in receipt of the ANR for 434 Elmwood Street. This was reviewed for completeness.

On a motion made by Jim Smith, seconded by Barry Hauck, the Board voted to endorse the ANR plan for 434 Elmwood Street.

Subdivision Freedoms Way: -

The Board had an informal discussion about the Subdivision entitled “Freedoms Way”. Representative Patrick Doherty informed all that this was approved back in 2004. This was for a total of 19 Lots. There is a priority habitat line on the eastern side of the site. There is a concept plan which was accepted within this habitat. The representative would like to change this now to extend the road about 300 ft. for new cul-de-sac for three new lots. The Board was informed that the current barrier needs to remain in place due to the turtles along with signage. This requirement was in an order. The Board asked the applicant why the current stormwater system is not working. The Board would want to make sure there is a bond in place. It was recommended that Graves Engineering go to site and prepare a bond amount. The applicant would like to apply for the following: Retreat Lot, Stormwater Permit and Modification Permit.

Street Acceptance:

The Board was informed that procedures have not changed regarding Street Acceptance, but a checklist was added. The sign off was the issue in the past. At the last Board of Selectmen meeting it was communicated that the DPW is the Town Engineer, but the Board disagrees since the Board and applicants use Grave Engineering. There are our rules and regulations which need to be followed. The Board always uses information provided from Graves and then DPW makes comments. When it is deemed complete by Graves, it should be complete by all. The goal is to provide developers with the same paperwork since it was different on the website. The problem is when Graves deems a road complete and then the DPW does not who does the Board listen to? At times it seems that there are two competing opinions, this is not fair to the applicant. The Board wants consistency and fairness for the applicant.

Cobbler's Knoll:

The Board discussed the bond for Cobbler's Knoll. There continues to be work that needs to be completed on site. The Board would like to extend the bond. The current bond expires July 2022. It was recommended to extend the bond until July 2025.

On a motion made by Joe Leonardo, seconded by Jim Smith, the Board voted to extend the bond for Cobber's Knoll to July 2025.

APPROVAL OF MINUTES:

May 12, 2021:

On a motion made by Eli Laverdiere, seconded by Barry Hauck, the Board voted to accept the minutes from May 12, 2021. (Member Smith abstained)

May 26, 2021:

On a motion made by Eli Laverdiere, seconded by Barry Hauck, the Board to accept the minutes from May 26, 2021. (Member Leonardo was not present at meeting)

June 9, 2021:

On a motion made by Eli Laverdiere, seconded by Barry Hauck, the Board to accept the minutes from June 9, 2021.

June 23, 2021:

On a motion made by Eli Laverdiere, seconded by Barry Hauck, the Board to accept the minutes from June 23, 2021.

New Meeting:

- September 8, 2021

Adjourn:

On a motion made by Eli Laverdiere, seconded by Joe Leonardo, the Board to adjourn the meeting at 8:36 pm.

Respectfully Submitted,

Amy Sutherland
Recording Secretary

Minutes Approved October 13, 2021