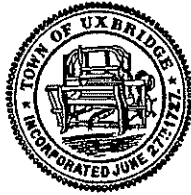


James Smith, Chairman
Barry Desruisseaux, Vice-Chairman
Barry Hauck, Clerk
Joseph Leonardo, Member
Eli Laverdiere, Member



Uxbridge Town Hall
21 South Main Street, Room 205
Uxbridge, MA 01569
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**PLANNING BOARD MEETING MINUTES
WEDNESDAY
June 3, 2020**

Minutes of the Uxbridge Planning Board scheduled meeting of **Wednesday, June 3, 2020, at 7:00 P.M.** with the **PB members in Lower Town Hall & the Public participating via Zoom.**

PB Members present: James Smith, Chairman; Barry Desruisseaux, Vice-Chairman; Barry Hauck, Clerk; Joseph Leonardo, Member; Eli Laverdiere, Member.

Participating remotely: Lynn Marchand, Land Use Administrative Assistant; members of the public; and members of other Committees and Depts.

ANNOUNCEMENT by the Chairman:

This meeting will be held remotely for the public. The Board will meet in Lower Town Hall. If you like to attend and comment by phone, please dial: 1-646-558-8656 and use meeting ID 930 4453 0742.

or video meeting click the following link: <https://uxbridge.zoom.us/j/93044530742>

Participants will be allowed to send a comment or question to the Chairman via the chat function and allowed to speak when permitted by the Chairman.

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Uxbridge Planning Board is being conducted via remote participation. Although, no in-person attendance of members of the public will be permitted, the Town of Uxbridge has made every effort to ensure the public can adequately access the proceedings in real time via technological means. A reminder that persons who would like to view/listen to this meeting live may do so by watching the Government Channel @ www.uxbridgetv.org or on Uxbridge Community Television Channel 191.

If not broadcast live or for those unable to watch it live, you may view the recording of the meeting on the Government Channel @ <https://archive.uxbridgetv.org>.

Links to the meeting documents are listed under each agenda item. If anyone is unable to access a computer to view the documents, please contact the Town Manager's Office, to request paper copies from the Land Use Office. Here is the link to the Town Meeting Warrant:

[https://www.uxbridge-ma.gov/sites/uxbridgema/files/uploads/satm - new date wed. 6.17.20.pdf](https://www.uxbridge-ma.gov/sites/uxbridgema/files/uploads/satm_-_new_date_wed.6.17.20.pdf)

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.

II. PUBLIC HEARINGS

1. ARTICLE 26: AMEND THE ZONING BYLAWS BY AMENDING ZONING TABLE OF USE REGULATIONS

To see if the Town will vote to amend the Zoning Bylaws by Amending the Zoning Table of Use Regulations, as proposed, or take any other action related thereto.



PLANNING BOARD MEETING MINUTES
June 3, 2020 continued

<https://www.dropbox.com/s/z8exubif88ae5e6/2020%20FATM%20%20rev03.04.20%20%20Zoning%20By-Law%20Amendment%20Table%20of%20Use%20Regulations.pdf?dl=0>

SPONSOR: The Planning Board

Opening the public hearing, the Chair read the proposed amendment summary. Mr. Desruisseaux reviewed the previous PB discussions, highlighting the purposes of the changes; introduction of a multi-town mixed use zone Article previously approved at the 2019 FATM, corrections required by the AG's office of that Article in order for the State to approve it, and cleanup of errors noted in the existing bylaw. No members of the Board had comments. The vice-chair stated being as it was a public hearing he asked if any members of the public had any comments; no one from the public wished to speak.

MOTION I: to close the public hearing made by Mr. Desruisseaux. Motion was seconded by Mr. Leonardo. Motion carried 5-0-0.

The Admin. reiterated to the Board, Mr. Gallerani's request to pass over the Article or vote no recommendation and that it would be revised, based on comments previously received from the Planning Board and put forth in the Fall; *clear title/naming of the Article, corrections based on AG's comments, etc.*

MOTION II: to rescind the Motion to close the public hearing and to pass over Article 26 made by Mr. Desruisseaux. Motion was seconded by Mr. Hauck. Motion carried 5-0-0.

2. **ARTICLE 27: AMEND THE SECTIONS OF THE ZONING BYLAWS WHICH ESTABLISH THE MAXIMUM NUMBER OF MARIJUANA CULTIVATORS, MARIJUANA TESTING FACILITIES, RESEARCH FACILITIES, MARIJUANA PRODUCT MANUFACTURER OR ANY OTHER TYPE OF LICENSED MARIJUANA-RELATED BUSINESS (EXCLUSIVE OF MARIJUANA RETAILERS OR MARIJUANA TREATMENT CENTERS)**

To see if the Town will vote to amend the Zoning Bylaw to increase the number of marijuana facilities (excluding growers and medical treatment centers) by amending the zoning bylaw §400-23, subsection B, Number of Marijuana Establishments, and Medical Marijuana Treatment Centers as follows:

B. Number of Marijuana Establishments and Medical Marijuana Treatment Centers

2. ~~The~~ There shall be no maximum on the number of marijuana cultivators, marijuana testing facilities, research facilities, marijuana product manufacturer or any other type of licensed marijuana-related business (exclusive of marijuana retailers or marijuana treatment centers) ~~shall be no more than twelve in total.~~

, or take any other action related thereto.

SPONSOR: Board of Selectmen

Page 10: https://www.uxbridge-ma.gov/sites/uxbridgema/files/uploads/satm_-_new_date_wed_6.17.20.pdf

The Chair opened the public hearing by reading the Article and summary into the record. The Board had discussions regarding the language of the Article and summary. The vice-chair stated the BOS could correct it at Town Meeting. The Board expressed their understanding that the intent of the Article was not to increase the number of retailers.

MOTION I: to close the public hearing on Article 27 made by Mr. Desruisseaux. Motion was seconded by Mr. Laverdiere. Motion carried 5-0-0.

No recommendation was made/no vote taken on Article 27.



PLANNING BOARD MEETING MINUTES
June 3, 2020 continued

Mr. Smith recused himself.

3. **ARTICLE 28: CITIZEN'S PETITION: ACCEPT TUCKER HILL ROAD AS A PUBLIC WAY**

To see if the Town will vote to accept as a public way the street known as Tucker Hill Rd. as laid out by the Board of Selectmen in the name and behalf of the Town to acquire by gift, easements, and appurtenant rights in and for said way for the purpose for which public ways are used in the Town; or take any actions relating thereto.

SPONSOR: Citizen's Petition

<https://www.dropbox.com/sh/aivgqyth79f42o9/AAC-nwysSIFtjBWPoahp2y-La?dl=0>

The vice-chairman, Mr. Desruisseaux opened the public hearing by reading the Article into the record. He asked the Board if they had a chance to read DPW's comments and invited the DPW Director, Mr. Ben Sherman to speak. Mr. Sherman detailed the outstanding stormwater issues. Mr. O'Connell spoke on behalf of the project proponent. Discussion was had. Mr. Sherman concluded by saying as an agent of the Town, he was raising his concerns in order to get the issues resolved before the street and infrastructure were accepted by the Town. No one from the Board or the public had any comments.

MOTION I: to close the public hearing on Article 28, Citizen's Petition to accept Tucker Hill Road as a public way made by Mr. Laverdiere. Motion was seconded by Mr. Hauck.

Motion carried 4-0-0.

Mr. O'Connell stated that the Board should do a roll call vote for Zoom meetings.

Mr. Desruisseaux took a roll call vote; Barry Desruisseaux -aye, Eli Laverdiere -aye, Joe Leonardo -aye, Barry Hauck -aye.

MOTION II: for favorable action on Article 28 made by Mr. Laverdiere. Motion was seconded by Mr. Hauck -aye, Joe Leonardo -aye, Eli Laverdiere -aye, Barry Desruisseaux -aye. Motion carried 4-0-0.

Mr. Smith returned to the meeting.

4. **ARTICLE 29: CITIZEN'S PETITION: ACCEPT RIFLEMAN WAY & BRADY COURT AS PUBLIC WAYS**

To see if the Town will vote to accept as public ways the streets known as Rifleman Way and Brady Court as laid out by the Board of Selectmen, and further authorize the Board of Selectmen, in the name and behalf of the Town, to acquire by gift, easements, and appurtenant rights in and for said ways for the purpose for which public ways are used in the Town, or any action related thereto.

<https://www.dropbox.com/sh/zs0756pb5yy9a7f/AAAJAKmz0DRfoQPjpw1FLyma?dl=0>

Mr. Desruisseaux stated they had received a letter from the engineer stating that they wanted to pass over Article 29 and announced that they would not be discussing that Article.

Mr. Smith reiterated what Mr. Desruisseaux had stated.

Mr. Smith recused himself.

*Mr. Desruisseaux addressed Business item #1 next; ANR Application for 5 & 15 Baker Lane

5. **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.**

Note: the applicant had requested and was granted a postpone of the opening of the public hearing to March 25th, however, with the shut down due to COVID, the public hearing was not opened until tonight's meeting on June 3rd.

Representing the applicant, Mr. Mark Allen of Allen Engineering, addressed the Board stating that the proposed project was an expansion of the Rod & Gun Club's rifle range. He reviewed the timeline of events from submission of the application to the review done by Graves Engineering, COVID shutdown,



PLANNING BOARD MEETING MINUTES

June 3, 2020 continued

and the need for a separate stormwater permit which he stated required abutter notifications and a public hearing, and that he was hoping that could be done so they could close-out both applications together. He discussed his submission to the Conservation Commission and their comments regarding stormwater. Mr. Allen provided revised Plans to the Board.

Mr. Desruisseaux commented about the Covid situation slowing down the application process. Mr. Allen voiced his agreement and stated that would like to get a conditional approval of the earth removal permit process, subject to obtaining a stormwater permit, with earth removal being allowed for no more than 1 acre of new clearing being disturbed until the stormwater permit is obtained. He stated that of the approximately 8 acres of total earth work there would be approximately 3 1/2 of it to be cleared and new earth work. He remarked that they had received a ZBA permit for the expansion of use, an Order of Conditions from the Conservation Commissions, would be getting stormwater and gravel permits from the Planning Board, and that they would be getting a Federal NPDES to discharge for a construction zone greater than 1 acre.

Mr. Hauck asked how many permits remained for them to get. Mr. Allen replied that just the two approvals from the Planning Board remained. Mr. Laverdiere asked questions regarding the location, wetlands, the proposed length of the gun range, and the height of the impact berm. Mr. Allen reviewed the site plan with him and said the new range would be approximately 600' and the berm would be approximately 16' tall with targets; the berm being to catch any stray bullets.

Mr. Smith commented that most of the issues were addressed on the Plan with respect to the excavation permit.

No members of the public wished to speak. The Board discussed the next steps in the process with the engineer.

MOTION I: to continue to the next meeting, June 24th made by Mr. Desruisseaux. Motion was seconded by Mr. Leonardo. Motion carried by roll call vote 5-0-0; Joe Leonardo -aye, Barry Hauck -aye, Eli Laverdiere -aye, Barry Desruisseaux -aye, Jim Smith -aye.

III. BUSINESS

Mr. Smith was recused and returned after the ANR discussion

1. *ANR Application - 5 & 15 Baker Lane, Owners of Record, T.T.K. Real Estate, LLC, Plan by Andrews Survey, dated April 23, 2020.

Representing the applicant, Mr. Byron Andrews of Andrews Survey & Engineering addressed the Board and passed out copies of the site plan with the proposed division of land. He stated he was representing T.T.K. Real Estate which was looking to reconfigure the Lot lines. He explained that during construction as a result of site conditions, the foundation of the building was shifted slightly to the west and as a result it did not meet the setback requirement of the zone. He stated that the reconfiguration would provide the proper setback requirement and the swap of land proposed in the reconfiguration would not change the area of either Lot. The Board briefly reviewed the details and had no concerns/questions.

MOTION I: to endorse for the division of land for 5 & 15 Baker Lane, Uxbridge made by Mr. Laverdiere. Motion was seconded by Mr. Leonardo. Motion carried by roll call vote 4-0-0; Joe Leonardo -aye, Barry Hauck -aye, Eli Laverdiere -aye, Barry Desruisseaux -aye.

Mr. Smith returned to the meeting and moved on to Public Hearing#5, FY20-EP, 560 West St

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

General discussion was had regarding permitting of chickens, revisiting the Retreat Lot Bylaw in the future, and requiring construction sites of projects to post hours of operation.

Mr. Hauck suggested that if everyone had earphones on at the next meeting, it would eliminate the echoing.

V. MINUTES/MAIL/INVOICES

1. 05.20.20 Meeting Minutes

https://www.dropbox.com/sh/tf5tn651frup4e/AADd549H0EYLGu6ek4_eMbMCa?dl=0



PLANNING BOARD MEETING MINUTES
June 3, 2020 continued

MOTION I: to accept the Minutes of Wednesday, May 20, 2020 made by Mr. Desruisseaux. Motion was seconded by Mr. Laverdiere. Motion carried by roll call vote 5-0-0; Joe Leonardo -aye, Barry Hauck -aye, Eli Laverdiere -aye, Barry Desruisseaux -aye, Jim Smith -aye.

VI. ADJOURNMENT:

1. NEXT PLANNING BOARD MEETING:

Please Check Each Friday For the Planning Board's Agenda/Meeting Posting on the Town's Webpage and then click the "calendar" <https://www.uxbridge-ma.gov/> and look for the Planning Board Agenda.

MOTION I: to adjourn made by Mr. Desruisseaux. Motion was seconded by Mr. Laverdiere. Motion carried by roll call vote 5-0-0; Joe Leonardo -aye, Barry Hauck -aye, Eli Laverdiere -aye, Barry Desruisseaux -aye, Jim Smith -aye.


The meeting adjourned at approximately 8:35 p.m.




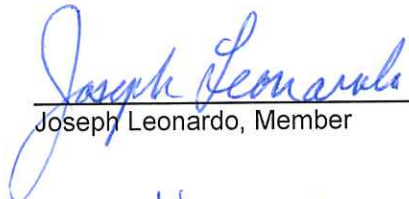
PLANNING BOARD MEETING MINUTES
June 3, 2020 continued

Planning Board Signatures


James Smith, Chairman *-Vice*


Barry Desruisseaux, Vice-Chair


Barry Hauck, Clerk


Joseph Leonardo, Member

Absent
Eli Laverdiere, Member

7/15/2020
Date