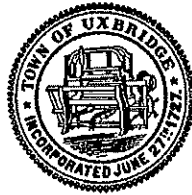


James Smith, Chairman
Barry Desruisseaux, Vice Chairman
Eli Laverdiere, Clerk
Joseph Leonardo, Member
Barry Hauck, Member



Uxbridge Town Hall
21 South Main Street, Room 205
Uxbridge, MA 01569
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508-278-0709 f

**PLANNING BOARD MEETING MINUTES
WEDNESDAY
June 26, 2019**

REC'D UXB TOWN CLERK
2019 AUG 15 AM 9:45

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

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

I. CALL TO ORDER

1. 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 Chairman, who led the Pledge of Allegiance.

2. PUBLIC HEARINGS

Continued from May 22, 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.**

**See Motion under Public Hearing #2*

Continued from May 22, 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.**

MOTION I: to continue Public Hearing 1 & 2, Elmdale Estates, to July 24th, made by Mr. Laverdiere. Motion was seconded by Mr. Leonardo. Motion carried 5-0-0.



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Mr. Desruisseaux recused himself. He did not return to the meeting.

PH opened on 6/26/19

3. **FY19-27 Preliminary Subdivision Application - The Owner and applicant of record, O'Keefe Properties, LLC, is seeking approval of a Preliminary Subdivision Plan to create an Industrial Subdivision, Veteran's Industrial Park, comprised of 13 Lots and Parcel A. Property is located on 726 Quaker Highway, Uxbridge, MA. The property is shown on the Town of Uxbridge Assessor's Map 51, Parcel 126. The title to said land is recorded in the Worcester District Registry of Deeds Book 60081 Page 72 and is free of encumbrances. Property is located in Industrial Zone B.**

Representing the applicant, Mr. Ron Tubman of Guerriere & Halnon, reviewed the recent property history with the Board. He stated that the property had gone before Town Meeting for a zoning change and that the Board had made a recommendation of favorable action. He described the property as having approximately 31 1/3 acres, near a river, has wetlands, and near a highway. He said there would be no work inside the resource areas other than work on the existing barn and Parcel A, the residential piece, but that it would be outside the 100' riverfront area. Proposed street name will be Albert E. Jones Way.

He stated the preliminary subdivision application was for the industrial park roadway as shown the plan with 133' of roadway and 15 Lots (increase from the original 13 proposed plus Parcel A). He stated it was a formal graveled area. The site is serviced by gas only. He said all Lots would be on well and septic systems.

Mr. Hauck asked about the flood zone area in relation to the proposed development. Mr. Tubman stated the work would be outside of that area. Mr. Laverdiere asked about stormwater. Mr. Tubman stated half way down the road there they had a drainage basin. Mr. Leonardo reviewed Lot size in relation to having to have wells and septic on each Lot. Mr. Smith stated that the requirements for Title V were different for industrial in comparison to residential. Mr. Tubman stated that the roadway conforms to the standard of the Town.

The Board opened the floor to the public. A representative of the Blackstone Heritage Corridor team spoke to the Board and applicant regarding the proposed industrial subdivision and a possible easement for the bike path. The Board stated it was outside of their purview and that he would have to address it with the property owner.

MOTION I: to continue to the next meeting made by Mr. Laverdiere. Motion was seconded by Mr. Hauck. Motion carried 5-0-0.

PH opened on 6/26/19

4. **Stormwater Regulations** –In accordance with Uxbridge General Bylaw §290, which was adopted under the authority granted by the Home Rule Amendment of the Massachusetts Constitution, and pursuant to the regulations of the Federal Clean Water Act, and as authorized by the residents of the Town of Uxbridge at Town Meeting, dated November 5, 2015, the Planning Board is seeking to adopt Stormwater regulations relating to the terms, conditions, definitions, enforcement, fees, procedures, and administration of the Storm Water Bylaw.

- a. Input from the Stormwater Committee
- b. Review, revise, and/or adopt the Stormwater Regulations or take any action thereto

DPW Engineer and Stormwater Committee Member, Mr. Paul Hutnak reviewed the process for adoption of the Stormwater Regulations. He highlighted the details of the new regs and stated the purpose of stormwater management is to protect the waters of the United States. The PB has been the Stormwater Authority since 2015. Any disturbance of an acre or more requires a stormwater permit. He said the regulations would allow the Town of Uxbridge to come into compliance as part of the MS4 (Municipal Separate Sewer System) permit by the EPA that is granted to the Town (Town followed a Notice of Intent). Last October the Town received authorization to discharge and as part of that permit the Town has to adopt regulations that would allow the Town to enforce erosion



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control on sites and to be able to enforce certain site plan review processes and intensify stormwater management. He said they are similar in scope and detail to surrounding Towns. He said the Committee put the regulations together as quickly as possible to be in compliance with having them in place by June 30th.

It was stated that the Stormwater Committee would be creating an application and the Permit template to be used. The fee structure was said to be nominal. The exceptions to the (Stormwater) Bylaw was referenced in the regulations but not listed. Mr. Hutnak stated that the legal authority was under the Bylaw and could not be changed in the regulations. It was also stated that this was a Federally-driven mandate and that it was possible that it could open up grant opportunities.

Mr. Leonardo raised the concern that there may be high ground that during heavy rains floods down to the river and there would be no issue/no action that would need to be taken, however if someone goes to develop the land, erosion controls would be required despite a problem that was already in existence and it's possible no amount of erosion controls would be adequate when exceeding 100-year type-storm related rainfalls. Mr. Hutnak stated inspections as part of the process should prevent erosion controls from falling into disrepair. Mr. Leonardo said his concern would be extreme rainfall and storms where the whole State could be having flooding issues but only the developer would be "in trouble" over it. Mr. Hutnak said well-maintained erosion controls would make a make that much better of a chance to contain the storm runoff.

No one from the public wished to speak to the application.

MOTION I: to close the public hearing made by Mr. Laverdiere. Motion was seconded by Mr. Hauck. Motion carried 4-0-0.

MOTION II: recommend that the Town of Uxbridge regulations governing stormwater management be accepted by the Planning Board made by Mr. Leonardo. Motion was seconded by Mr. Laverdiere. Motion carried 4-0-0.

II. BUSINESS

PH opened on April 10, 2019; PH closed on May 22, 2019

1. **FY19-22, Definitive Subdivision Application** - The Owners of record, **Gerald W. Baker Jr. & Robert S. Baker** are seeking a **Definitive Subdivision Approval** to construct a two (2) lot subdivision on a private 40' right-of-way road with the proposed street name of Colonel Baker Lane. The two (2) lots on the subdivision roadway will total approximately 2.76 acres. Property is located on **111 Rivulet Street, Uxbridge MA** and is shown on the Town of Uxbridge Assessor's Map 12C, Parcel 2524. The title to said land is recorded in the Worcester Registry of Deeds Book 11000 Page 48; Property is located in the Residence C zone.

The Board reviewed the Decision language. Mr. O'Connell recapped previous meeting discussions and outlined everything that had been addressed as a result of comments received and asked the Board to approve the Definitive Subdivision. He stated that the street name would be changed to Baker Lane as there was already a Colonel Lane in Town.

Mr. O'Connell stated he had worked with the abutting neighbors to get the exact species of vegetation that they would like planted as a privacy screening.

The Board stated they wanted to see the Decision draft before voting on the waiver list.

Mr. Smith recused himself.

2. **Tucker Hill Estates**

- a. 5/31/19 Graves Engineering Revised Construction Estimate
- b. Surety reduction request



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c. Revised Triparty Agreement

The Board reviewed the documents. Mr. Laverdiere stated to the Board that the applicant was providing surety above what was recommended by Graves Engineering.

MOTION I: to accept the revised total of \$90,000 for Tucker Hill to complete the construction made by Mr. Leonardo. Motion was seconded by Mr. Hauck. Motion carried 3-0-0.

Mr. Smith returned to the meeting.

3. FY19-29, Buffum Road –ANR Application

Representing the applicant, Mr. Richard Gosselin of Spatial Data & Design, stated to the Board that he had gone back to Douglas with the Mylars to have the (Douglas) Planning Board date them.

The Board reviewed and signed the Mylar plans.

MOTION I: to accept the ANR of Buffum Road dated April 9, 2019 (date that Douglas signed the Mylars) made by Mr. Laverdiere. Motion was seconded by Mr. Leonardo. Motion carried 4-0-0.

4. Campanelli Business Park 612 & 626 Douglas St. & 600 High Street
a. 5/7/19 Graves Engineering Construction Estimate/Bond

The Board reviewed the construction estimate and original bond from Campanelli for the full amount recommended by Graves Engineering. Representing the applicant, Mr. David Mackwell of Kelly Engineering review Phase II of the project with the Board.

MOTION I: to accept the Bond for Campanelli made by Mr. Leonardo. Motion was seconded by Mr. Laverdiere. Motion carried 4-0-0.

5. Campanelli Business Park 612 & 626 Douglas St. & 600 High Street
a. Covenant/Lot Release; Lot 2, 100 Campanelli Drive
b. Covenant/Lot Release; Lot 3, 139 Campanelli Drive
c. Surety/Bond Agreement

With surety having been provided, the Board moved forward with a vote to release the Lots.

MOTION I: to accept the Bond for Campanelli made by Mr. Leonardo. Motion was seconded by Mr. Laverdiere. Motion carried 4-0-0.

The Chair advised the applicant that they could pick up the Lot Release after it had been notarized.

6. ANR APPLICATION, FY19-32, 100 Campanelli Drive
a. Lot 2, divided into 2 Lots (2A & 2B)

MOTION I: to accept the ANR application for Lot 2 to divide it into two Lots, Lot 2A and 2B on 100 Campanelli Drive made by Mr. Laverdiere. Motion was seconded by Mr. Hauck. Motion carried 4-0-0.

The Chair called a short recess.

7. 300 Mendon St.

- a. Informal discussion of new proposed use/future application, changing from self-storage facility (FY19-08, Special Permit approved 1/23/19) to townhouses**

Representing the applicant, Mr. Stephen O'Connell of Andrews Engineering stated the previous approved project may not happen. He stated that the property may be developed as a residential



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pursuant to the WMAROD bylaw which allows a density of 15 units per gross acre which would allow over 90 units on this property. The concept plan presented proposed 64 duplex units, 32 buildings, with access off River Road, 2 & 3 bedroom units, 36' x 64' size units, 15' building separation, 24' pavement width, screened, landscaped, recreational area in the center, serviced by Town water and sewer, grading and stormwater.

Mr. O'Connell stated there was an approved DEP clean-up protocol of the site. He said additional soil testing would be needed to ensure stormwater would work the way it was designed.

Concern was expressed regarding the financial impact of increases in families with school aged children. The Chair commented that the final design would dictate whether or not it would work and if it addressed issues like fitting houses on the steep slope, wall design, etc. Mr. O'Connell concurred and added that additional soil testing might be necessary, stormwater working as designed,

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

1. Planning Board Meeting Schedule

The Board reviewed the scheduled and had no issue with the dates as listed. The Chair had reviewed and provided input on the schedule.

2. Fiscal Year 2020 CMRPC delegate –Mr. Laverdiere said he would continue on as the PB delegate. Mr. Hauck stated he would be a co-delegate.

3. Reorganization discussion

MOTION I: to nominate Mr. Smith as Chairman made by Mr. Leonardo. Motion was seconded by Mr. Hauck. Motion carried 3-0-1. (Mr. Smith did not vote)

MOTION II: to nominate Mr. Desruisseaux as Vice-Chairman made by Mr. Leonardo. Motion was seconded by Mr. Laverdiere. Motion carried 4-0-0.

MOTION III: to nominate Mr. Hauck as Clerk made by Mr. Laverdiere. Motion was seconded by Mr. Leonardo. Motion carried 3-0-1. (Mr. Hauck did not vote)

Mr. Laverdiere stated they had nominated Mr. Hauck as the Clerk on the Stormwater Committee, that he is an excellent writer, and did an amazing job drafting the regulations. Mr. Leonardo said he was very impressed.

IV. MINUTES/MAIL/INVOICES

- 1. 03/13/19 Meeting Minutes –passed over**
- 2. 04/10/19 Meeting Minutes –passed over**

3. 04/24/19 Meeting Minutes

MOTION I: to accept the Minutes of April 24th made by Mr. Smith. Motion was seconded by Mr. Leonardo. Motion carried 4-0-0.

4. 05/08/19 Meeting Minutes

MOTION I: to accept the Minutes of May 8, 2019 made by Mr. Leonardo. Motion was seconded by Mr. Hauck. Motion carried 4-0-0.

5. 05/22/19 Meeting Minutes

MOTION I: to accept the Minutes of May 22, 2019 made by Mr. Leonardo. Motion was seconded by Mr. Laverdiere. Motion carried 4-0-0.



June 26, 2019 continued

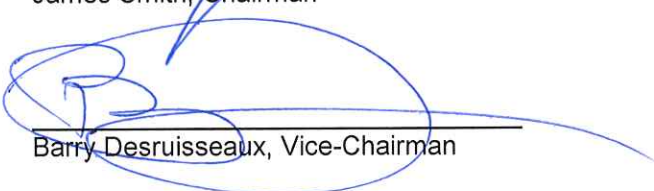
6. Multiple Invoices (over \$600)

- V. **ADJOURNMENT: NEXT PLANNING BOARD MEETING, WEDNESDAY, July 10, 2019**
MOTION I: to adjourn made by Mr. Leonardo. Motion was seconded by Mr. Hauck.
Motion carried 4-0-0. The Meeting adjourned at approximately 8:50 p.m.


Planning Board Signatures




James Smith, Chairman



Barry Desruisseaux, Vice-Chairman



Barry Hauck, Clerk



Joseph Leonardo, Member



Eli Laverdiere, Member

August 14, 2019

Date