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2021 APR 7 PM 4:11

TOWN OF UXBRIDGE

Meeting

Cancellation



Board or Commission: UXBRIDGE PLANNING BOARD AGENDA

Meeting Date: WEDNESDAY, APRIL 14, 2021 - 7:00 PM

Place: Remote Access Meeting via Zoom

Authorized Signature: 

Members of the public who wish to participate in the meeting may do so in the following manner: online at Join Zoom Meeting: Topic: Uxbridge Planning Board <https://uxbridge.zoom.us/j/8616203349> Meeting ID: 8616203349 or by phone at (646-558-8656). Participants will be able to send a comment or question to the Chair via the chat function. 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>.

I. PUBLIC HEARINGS:

1. **Continuation Public Hearing: Preliminary Subdivision Application 434 Elmwood Avenue:**
The owners of record, Gary DiPetrillo, submitted a Preliminary Subdivision Plan to subdivide the property into one frontage lot and four subdivision lots. The property is located at 434 Elmwood Avenue at Assessor's Map 49, Parcel 3998, Uxbridge, MA 01569.
2. **Continuation Public Hearing: 30 Lackey Dam Special Permit Application:**
Special Permit Application - The Owners of record, ABF Realty LLC are seeking a Special Permit for the demolition and rebuild of the existing 2,922 square foot food market convenience store, canopy structure, fuel islands and fuel tanks in the Industrial Zone. The Property is located at 20/ 30 Lackey Dam, Uxbridge, MA 01569. The property is shown on the Town of Uxbridge Assessor's Map 15, Parcel 655 & 684.
3. **Continuation Public Hearing: Preliminary Subdivision Application Crownshield Ave:**
Preliminary Subdivision Application – The owners of record, Uxbridge Multi-Family Realty LLC submitted a Preliminary Plan of Land proposed for a 5 Lot Subdivision, Lot G. The property is located at Crownshield Ave at Assessor's Map 29, Parcel 4745 & 4742.
4. **Continuation Public Hearing: 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 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.
Continuation Public Hearing: 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

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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. The project is located in Residence-C zone.

5. Public Hearing: Special Permit Application:

The Owners of record, Campanelli Uxbridge II LLC, are seeking a SPECIAL PERMIT to construct a 450,000 warehouse building with parking spaces, loading docks, and trailer storage.

Stormwater Application:

The Owners of record, Campanelli Uxbridge II LLC are seeking a Stormwater Permit. The total amount of proposed disturbance is 35.1 ac and the total area of impervious area is 26.6 acres.

Importation Permit:

The owners of record, Campanelli Uxbridge II LLC are seeking an Importation Permit. The properties are located on 100 & 139 Campanelli Drive, Uxbridge, MA. The properties are shown on the Town of Uxbridge Assessor's Map 28, Parcels 2075 & 2895. The titles to said land is recorded in the Worcester District Registry of Deeds Book 60079 Page 373. Properties are located in Industrial B Zone.

6. Public Hearing Warrant Articles:

ARTICLE 18: AMEND THE ZONING BYLAW LANGUAGE IN §400-23, NUMBER OF MARIJUANA ESTABLISHMENTS, AND MEDICAL MARIJUANA TREATMENTS CENTERS

To see if the Town will vote to amend §400-23 by removing the following section labeled Example A and replacing it with Example B.

SPONSOR: Board of Selectmen

Example A – Current as approved by AG (REMOVE THE FOLLOWING):

A. Number of Marijuana Establishments and Medical Marijuana Treatment Centers

1. The maximum number of marijuana retailers shall be no more twenty percent (20%) the total number of licenses which have been issued within Uxbridge for the retail of alcoholic beverages not to be drunk on the premises for the preceding fiscal year, or three in total, whichever the greater.
2. 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) shall be no more than twelve (12) in total.
3. The maximum number of medical marijuana treatment centers shall be no more than three (3).

B. Number of Marijuana Establishments and Medical Marijuana Treatment Centers

1. The Board of Selectman shall negotiate and execute a Host Community Agreement (HCA) with the proposed marijuana establishment or medical marijuana treatment center.
2. 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)

Example B – Corrected (REPLACE WITH):

A. Number of Marijuana Establishments and Medical Marijuana Treatment Centers

1. The maximum number of marijuana retailers shall be no more twenty percent (20%) the total number of licenses which have been issued within Uxbridge for the retail of alcoholic beverages not to be drunk on the premises for the preceding fiscal year, or three in total, whichever the greater.
2. 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)
3. The maximum number of medical marijuana treatment centers shall be no more than three (3).

MEETING POSTINGS:

Except in an emergency, a public body must post notice of a meeting at least 48 hours in advance, excluding Saturday's, Sunday's and legal holidays, except in emergencies. "Emergency" is a sudden, generally unexpected occurrence or set of circumstances demanding immediate action. In an emergency, a public body shall post notice as soon as reasonably possible prior to a meeting. Notice must include date, time and place of meeting. Must include listing of topics the chair reasonably anticipates will be discussed at the meeting. Topics must give enough specificity so that the public will understand what will be discussed at the meeting. Public bodies are encouraged to update the notice when aware of new topics within the 48-hour period before the meeting. Chairs should not post notices so far in advance that there is a high likelihood that new topics will arise, unless the chair updates the notice with any such new topics 48 hours in advance of the meeting.

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B. Location and Uses Marijuana establishments or medical marijuana treatment centers are prohibited in all zoning districts, except as otherwise permitted by these Bylaws, following the standards herein:

1. The Board of Selectman shall negotiate and execute a Host Community Agreement (HCA) with the proposed marijuana establishment or medical marijuana treatment center.
2. Any marijuana establishment or medical marijuana treatment center must be located within whichever district permissible under Appendix A, Table of Use Regulations.
, or take any other action related thereto.

ARTICLE 19: MARIJUANA DELIVERY LICENSE ADOPTION & AMEND SECTIONS OF THE ZONING BYLAWS

To see if the Town will vote to amend the Zoning Bylaw of the Town of Uxbridge by making the following changes thereto, by inserting the underlined text shown in § 400-23 A. Definitions as follows:

Marijuana Delivery Licensee - an entity that is authorized by the Cannabis Control Commission (CCC) to deliver Marijuana and Marijuana Products directly to Consumers, and as permitted by the CCC, Limited Delivery Licensee Marijuana Couriers to Patients and Caregivers. Included within this definition are Marijuana Delivery Operator and Marijuana Courier as those terms are defined by 935 CMR 500. Marijuana Delivery Licensees shall not be deemed Marijuana Retailers for the purpose of the maximum Marijuana Retailer limitations imposed under this bylaw.

Marijuana establishment - a marijuana cultivator, marijuana testing facility, marijuana research facility, marijuana product manufacturer, marijuana retailer, marijuana delivery licensee, or any other type of licensed marijuana-related business.

And further, to amend to amend the Zoning Bylaw of the Town of Uxbridge by making the following changes thereto, by inserting the underlined text shown in § 400-23 A. Number of Marijuana Establishments and Medical Marijuana Treatment Centers as follows:

2. There shall be no maximum on the number of marijuana cultivators, marijuana testing facilities, research facilities, marijuana product manufacturer, Marijuana Delivery Licensees, or any other type of licensed marijuana-related business (exclusive of marijuana retailers or marijuana treatment centers).

And further, to amend to amend the Zoning Bylaw of the Town of Uxbridge by making the following changes thereto, by inserting the underlined text shown in Table A Table of Use Regulations as follows:

Marijuana establishment (cultivation, production, <u>delivery</u>)	N	N	N	N	N	Y	Y	Y
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, or take any other action related thereto.

SPONSOR: Planning Board

ARTICLE 20: AMEND THE SECTIONS OF THE ZONING BYLAWS WHICH ESTABLISH THE MAXIMUM NUMBER OF RETAIL MARIJUANA ESTABLISHMENTS

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To see if the Town will vote to amend the Zoning Bylaw to increase the number of marijuana retail facilities (excluding growers and medical treatment centers) from three (3) to six (6) by amending the zoning bylaw §400-23, subsection A 1., Marijuana Establishments, and Medical Marijuana Treatment Centers as follows:

A. Number of Marijuana Establishments and Medical Marijuana Treatment Centers

1. The maximum number of marijuana retailers shall be no more than six (6) in total. ~~20 per cent the total number of licenses which have been issued within Uxbridge for the retail of alcoholic beverages not to be drunk on the premises for the preceding fiscal year, or three, whichever the greater.~~

, or take any other action related thereto.

SPONSOR: Board of Selectmen

ARTICLE 21: CITIZEN'S PETITION - REZONING OF SUMMERFIELD AT TAFT HILL

To see if the Town will vote to amend the zoning map incorporated into its zoning by-laws to Rezone Parcel 23 4435 from Residential/Agricultural to Residential. Summerfield at Taft Hill, a 55+ condominium community comprised of 130 Units, occupies this 63.04-acre parcel with approximately 25% of the parcel zoned Residential and the remainder zoned Agricultural. The Residents of Summerfield at Taft Hill would like to see the property be completely Residential.

ARTICLE 22: 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 Road 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 action relating thereto.

ARTICLE 23: CITIZEN'S PETITION - SELECT BOARD

To change the name of the Board of Selectman to "Select Board" or an equally inclusive term.

ARTICLE 24: CITIZEN'S PETITION - EXTEND AGE RESTRICTED OVERLAY DISTRICT

To amend Section 400-41 in Article VIII of the Zoning Bylaw as shown on the attached sheets.

II. BUSINESS:

- ANR Plan – Tea Party Drive /Crownshield Ave (Patriots Landing)
- Fafard Discussion

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

IV. MINUTES/MAIL/INVOICES

- March 24, 2021
- Minutes Blackstone Logistics

V. ADJOURNMENT

VI. NEXT PLANNING BOARD MEETING: April 28, 2021

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