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2019 OCT 3 PM 4:38

TOWN OF UXBRIDGE

Meeting

Cancellation

Board or Commission: UXBRIDGE PLANNING BOARD AGENDA

Meeting Date: WEDNESDAY, October 9, 2019 - 7:00 PM

Place: Board of Selectmen Meeting Room

Authorized Signature: _____

Lynn Marchand

I. CALL TO ORDER

II. BUSINESS

1. Tucker Hill Estates

- a. As-Built Plan
- b. Road Acceptance Plan
- c. DPW comments
- d. Graves comments
- e. Determination of Completeness Review

III. PUBLIC HEARINGS

1. **FY20-03TH, Scenic Road Authorization Application** – The Owner of record, **TOWN OF UXBRIDGE**, and Applicant of record, **NATIONAL GRID**, in conjunction with **UXBRIDGE DPW**, are seeking approval for the **removal of 53 Town-owned trees, pruning of 8 Town-owned trees, pruning of limbs less than 8' in diameter extending inside the 8' clearance zone ground to sky of main power lines, and flat cutting and/or removal of tall-growing brush or tree species up to 8' in trunk diameter at chest height that are in the clearance zone 8' from either side of lines**, on designated Scenic Roads, **Henry Street & Chapin Street**, located in multiple zones. Any objections to this work must be submitted in writing to the Planning Board and Tree Warden/DPW, prior to or during the hearing. All comments shall be sent to: Tree Warden c/o Uxbridge Planning Board, 21 South Main Street, Uxbridge, MA 01569, Room 205.
2. The Uxbridge Planning Board pursuant, to MGL, Chapter 40A Section 5, will hold a Public Hearing on **Wednesday, October 9, 2019 at 7:00pm** in the Board of Selectmen's Room, Uxbridge Town Hall, 21 South Main Street, Uxbridge, MA to review and vote their recommendations on the following Warrant Articles for the Fall Annual Town Meeting of October 22, 2019. Full text of all Articles are available in the Town Manager's Office & the Town Clerk's Office.
 - a. **ARTICLE 2: DISPOSITION OF SURPLUS TOWN OWNED PROPERTY – MCCLOSKEY SCHOOL**

To see if the Town will vote to:

 - (a) Authorize the School Committee to transfer some or all of the parcels that comprise the McCloskey School property located at 62 Capron Street to the Board of Selectmen, said parcels being depicted on a certain plan of land on file with the Town Clerk; and to further authorize the School Department, Board of Selectmen, and Town Manager to execute any and all instruments necessary to obtain approval of said plan; and
 - (b) Authorize the Town, acting by and through the Board of Selectmen, to convey any or all of the resulting parcels as shown on such plan; and to further authorize the Selectmen and

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Town Manager to execute any and all deeds, easements, and other instruments to effectuate such conveyances.

Or take any actions related thereto.

SPONSOR: Board of Selectmen

b. ARTICLE 4: AUTHORIZING THE BOARD OF SELECTMEN TO SELL, EXCHANGE, OR TRANSFER A PARCEL OF LAND ON SOUTH MAIN STREET KNOWN AS TOWN OF UXBRIDGE ASSESSORS MAP 30 LOT 4543 ON MILLVILLE ROAD

To see if the Town will transfer the care, custody, and control of Town of Uxbridge Assessors Map 30 Lot 4543 consisting of 9.95 acres of land on Millville Road to the Board of Selectmen for general municipal purposes including the sale thereof; and further that the Town authorizes the Board of Selectmen, Town Manager, or other agents of the Town to sell, exchange, or transfer said parcel of land for such minimum price and under the conditions and circumstances that the Board of Selectmen and Town Manager feel are in the best interests of the Town,

Or take any actions related thereto.

SPONSOR: Town Manager

c. ARTICLE 11: AMEND THE SECTIONS OF THE ZONING BYLAWS WHICH ESTABLISH THE MAXIMUM NUMBER OF RETAIL MARIJUANA ESTABLISHMENTS

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 B 1., Marijuana Establishments, and Medical Marijuana Treatment Centers as follows:

B. 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 actions related thereto.

SPONSOR: Board of Selectmen

d. ARTICLE 12: 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. 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 actions related thereto.

SPONSOR: Board of Selectmen

MEETING POSTINGS:

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e. ARTICLE 14; ADOPTION OF WETLANDS BYLAW

To see if the Town will vote to approve the following Wetland Protection Bylaw

Section I. Purpose

The purpose of this Wetland Protection Bylaw (herein after "the Bylaw") is to conserve and protect for the common good all wetlands, streams, rivers, ponds, flood prone areas and adjoining upland areas in the Town of Uxbridge by controlling activities deemed by the Conservation Commission likely to have a significant or cumulative effect on resource area values.

Or take any actions related thereto.

SPONSOR: Conservation Commission

f. ARTICLE 15: 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 actions related thereto.

SPONSOR: Citizen's Petition

Full text available in the Town Manager's Office & the Town Clerk's Office

Continued from September 25, 2019, PH opened on 9/12/18.

- 3. 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.**

a. Continued to 11/13/19

Continued from September 25, 2019

- 4. 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.**

a. Continued to 11/13/19

- 5. FY20-01, Definitive Subdivision Application - The Owner and applicant of record, Lars Kiessling, is seeking approval of a Definitive Subdivision Plan to create 4 Residential Building Lots, and the creation of a roadway, Kiessling Road. Property is located on 85 Chestnut Street, Uxbridge, MA. The property is shown on the Town of Uxbridge Assessor's Map 44, Parcel 494. The title to said land is recorded in the Worcester District Registry of Deeds Book 60149 Page 231 and is free of encumbrances. Property is located in an Agricultural Zone.**

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6. **FY20-02, Definitive Subdivision Application** - The Owner and applicant of record, **Uxbridge Woods Realty Trust/Mark Foss**, is seeking approval of a **Definitive Subdivision Plan** to create **7 family residential building Lots**, and widening the existing unimproved portion of **Eber Taft Road** which will have a total centerline length of approximately 1,700± linear feet. The proposed stormwater system will consist of roadside swales and culverts on both sides of the street. Dwellings will be served by private individual wells and on-site subsurface sewage disposal systems. Property is located on **Eber Taft Road, Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 33, Parcel 3073. The title to said land is recorded in the Worcester District Registry of Deeds Books 35868, 35868, 34773, & 34773 Pages 250, 252, 7, & 9; also Judgement recorded at Book 58339 Page 153. Property is located in an Agricultural Zone.

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

PH opened on 7/24/19; Public Hearing closed on September 25, 2019

1. **FY19-31, Special Permit Application** - The Owner and applicant of record, **Lackey Dam Nominee Trust/Thomas P. Berkowitz, Trustee**, is seeking a **Special Permit** to **expand existing use for a recycling/processing yard to be graded to enhance Stormwater management inclusive of a non-potable well, truck weigh scale, trailer, and glass processing equipment for the purpose of asphalt, brick, & concrete rubble (ABC) sorting and processing for re-use**. Property is located **off Old Lackey Dam Road, Uxbridge, MA**. The property is shown on the Town of Uxbridge Assessor's Map 15, Parcel 3153. The title to said land is recorded in the Worcester District Registry of Deeds Book 22590 Page 392 and is free of encumbrances. Property is located in Industrial Zone B.
- a. Decision Draft

V. MINUTES/MAIL/INVOICES

1. 08.28.19 Meeting Minutes
2. 09.11.19 Meeting Minutes
3. 09.25.19 Meeting Minutes
4. 09.30.19 Meeting Minutes
5. Invoices (over \$600)

VI. ADJOURNMENT:

1. **NEXT PLANNING BOARD MEETINGS:**
 - o **WEDNESDAY, October 16, 2019 for Special Town Meeting Article review/recommendations.**
 - o **WEDNESDAY, October 23, 2019; Regularly scheduled Meeting**

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