

APPROVED 4/24/2024

PLANNING BOARD
WEDNESDAY, FEBRUARY 14, 2024
RESOURCE ROOM

Attendance: Chair Jake Schultzberg, vice chair Meg, Schlesman, Aaron Socrat, Rich Preston, Mike Deroose, Mike Greco, Mike Zwicker, Matt Benoit Community Development Director

Absent: Ernest Marks (Excused)

Jake Schultzberg called the meeting to order at 7 pm.

1. (0:09 TS) ANR's: NONE
2. (1:13 TS) 7:00 PM Public Hearing: Travis Do Rosario – Application for Special Permit (SP-240108) Converting One-Family to Two-Family, 17 Depot Street – Possible votes
Travis Do Rosario, 6 Peter St, Uxbridge, she has architectural plans and a plot survey. There are other multi-family in the area and there will be no changes to the existing foundation, and she went over the rest of the plans provided to the Board. Mr. Benoit noted to the Board this is a pre-existing non-conforming lot since it has insufficient frontage. However, speaking to the Building Inspector since there is no change to the foundation and converting the use he doesn't see an issue. There is a deck that is going to be added onto the back but that does not encroach the setback, so it does not increase the non-conformity of the structure. Zoning wise Mr. Benoit sees no issues. Mr. Benoit does recommend that they submit an as built. The Board would have to make a finding that the nonconformity is not substantially more detrimental to the existing nonconformity use to the neighborhood. There was a discrepancy with the frontage on the plans and Ms. Do Rosario is going to get that clarified. Mark Mungeam 20 Depot St asked to see the plans and shared his concerns about the parking and if there will be enough room so the cars will not be parking on the road. Mr. Benoit believes that the requirement is one space per unit. The Board would like the plans to show the dimensions of the parking area. James Roland 15 Depot St just wanted to reinforce the parking issues and that it has been a safety concern in the past with cars parking on the road. Leslie B. 20 Depot St also stated the concern about parking spots and having sufficient space, so they won't have to park on the road, like the previous owner had done. Resident at 19 Depot St is an abutter to the property and feels that the changes to the parking area is encroaching to close to her property and it is still inadequate space and is very concerned about her privacy and the work taking away from her historic home. The Board requested that the engineer put on the plans how far away the extent of the work is going to be from the property line and show the proposed deck off the back. Kate Thompson 15 Depot St has no complaint but would just like to know what the proposal is on the north side of the house. Ms. Do Rosario responded that there are no changes on that side of the house, there is a dormer proposed for the other side.
(30:55 TS) Motion to continue the public hearing to February 28 at 7 pm made by Mike Zwicker, 2nd by Rich Preston. The vote passed unanimously.

Additional Business:

3. (33:30 TS) Blackstone Valley Logistics – Release of Performance Guarantee
The town got a bond put down for some signage for Blackstone Valley Logistics for \$27k, and the work ended up being paid out for \$26k and change. The Board needs to release a check back to them for the performance guarantee, and Bob Minarik confirmed that the work has been completed and is satisfactory to the town.

(34:30 TS) Motion to return the \$27k check made by Mike Zwicker, 2nd by Aaron Socrat. The vote passed unanimously. Bob Minarik wanted to comment that Scannell went above and beyond for the signage project at the North St and Gilboa St intersection and they paid for the three blinking signs totaling \$6,700.00 that was not included in the \$27k and wanted to thank Scannell for enhancing safety considerably. The vote passed unanimously.

4. (35:55 TS) 7:15 PM Public Hearing: Anthony & Megan Fierro – Application for Special Permit (AA-240117) Accessory Apartment, 134 Yew Street – Possible votes

Margaret Bacon with Civil Site Engineering with plans for a proposed in-law accessory apartment on a 6 acre almost 7-acre retreat lot. They are asking for a waiver of the 900 square feet for 1170 square feet detached, with extending the driveway. There is a letter of support from the neighbor, they went before the Conservation Commission because of some isolated wetlands, and she needs to do some minor tweaks with the erosion control. Upon approval Ms. Bacon will upgrade the existing septic and add another trench to accommodate that addition and they will share the existing well. The Board discussed the square footage and the proposed garage and distances and foundation. Ms. Fierro explained the reason for the requested 1170 square feet with what her mother needs for her disability that would require extra space. Mr. Zwicker just wanted to make sure everything was done in concurring time with the garage and the apartment construction. Dennis Drumheller 118 Yew St stated that he came to the first attempt that was withdrawn without prejudice and he has concerns with the excess of the 900 square foot by-law, and he thinks the plans are excessive. Mr. Drumheller stated that when he went to build a shed he was told no because of the by-laws, and he feels that it's an apartment and should have compliance with the 900 square foot by-law.

(1:00:25 TS) Motion to close the public hearing made by Rich Preston, 2nd by Mike Greco. The vote passed unanimously.

(1:01:30 TS) Motion on the waiver to accept the increased square footage being that it would not be more detrimental to the neighborhood made by Aaron Socrat, 2nd by Rich Preston. The vote passed unanimously.

The Board discussed the conditions of the special permit being the garage will need to be constructed before the apartment is occupied.

(1:04:15 TS) Motion to approve the special permit with standard conditions plus the condition that the garage attached to the house be fully constructed prior to occupancy of the accessory dwelling made by Mike Zwicker, 2nd by Mike DeRose. The vote passed unanimously.

Additional Business:

5. (1:05:45 TS) Master Plan – Matt Wojcik executed a contract with CMRPC to do the town's master plan and funding has to be requested at Town Meeting, as soon as funding is approved, CMRPC will get started administering the master plan. They are looking at a March 20th kick off date for the Master Plan meeting.
6. (1:07:10 TS) Town Meeting warrant – Possible votes
Mr. Benoit stated that per M.G.L they do have to hold another public hearing for the amendment to the by-law because it was outside of the 90 days. He is looking for a motion to send this to the BOS.
(1:07:45 TS) Motion to send this to the Board of Selectmen made by Mike Zwicker, 2nd by Meg Schlesman. The vote passed unanimously.

Ongoing Development:

7. (1:08:15 TS) The Cubes at Gilboa & McIntyre Loam, Inc. (SPR-220215)
There is an enforcement order through the Uxbridge Conservation Commission and the folks at the Cubes are remediating the site and they have removed the silt from the wetlands and are getting ready to administer the restoration plan that cannot start until Uxbridge approves it. Bob

Minarik, Economic Development Director, stated that there have been some breaches with the infiltration basins for the site plan the Board approved. They did not follow the slope stabilization procedures and it is being addressed by Douglas and Uxbridge

Staff Updates:

8. (1:15:00 TS) Correspondence – Mr. Benoit stated that they have some CPTC workshops and training and asked if any members are interested in registering for any training. The cost is \$200 per on demand event where they have them come to them. The Board has decided on some to set up and Mr. Benoit will set them up.

Ongoing Development:

9. (1:18:20 TS) BW Solar @ Oak St, (SPR-200203 & SR-200203) – Mr. Zwicker recused himself. Jason Smith with Blue Wave, Pat Mahan civil contractor with J Bates & Son and Mark Sylvia chief of staff at Blue Wave present to discuss the current issues with the Board. They are 80% to 85% complete with their remediation and spoke about the infiltration issues. They did soil testing originally for high metal and other items that came in below Mass standard for repeatables. They went over the engineer contractor updates:
 - The basin one site entrance redesign corrective actions – Jeff Murphy civil engineer with Beals and Thomas stated that they have been looking into solutions to try and formalize the two settlement basins that were put in place over the summer to capture water from the lower section of the driveway. He went over some options to help with the issues.
 - Development of a solution to address water seepage from the toe of the slope of the infiltration basin – Mr. Murphy understands is that it is possible there was an existing seep or spring in an area that was exposed when they were creating the outlet level spreader area for the basin outlet. He discussed what the plan and options are to resolve this issue.Mr. Benoit stated that he is still waiting for funds for the peer review for Haley Ward to keep them engaged in the contract. Mr. Smith responded that they would take care of that, and the Board wishes to have Doug Bush out there weekly for updates for the town. Ms. Schlesman asked if in the future they could provide the updates and information to the Board prior to the meeting so they have time to review and form questions. Lisa Mosczynski 60 Oak St, representing the Mosczynski Living Trust asked who from the Board was at the site walk, and they answered, Rich Preston, Aaron Socrat, and Meg Schlesman were present. Her concerns are that there is still water flowing onto abutter's properties and it is still bad, is looking for hard answers, and is very upset about them not paying for the peer review yet. Bill Rossi 41 Oak St stated that the berm that forms the wall of the swale adjacent to his property failed releasing all the water onto his property. Blue Wave stated that the issue has been rectified. Steve Kroll stated his concern about the leaking pipes and creating erosion on his property. Mr. Schultzberg asked Mr. Kroll to forward his concerns in an email because it was very difficult to hear and understand him over zoom. Mr. Zwicker would like to see a time frame of how long this has been an issue and how the abutters have been dealing with it.
10. (1:51:10 TS) Sutton/Douglas Development (DEF-220215)
Mr. Benoit stated that they were supposed to transfer the open space as part of their conditions by December 2023, and had not been so the town reached out and they are getting on that before they move forward with the project that they are looking to start this summer.
11. (1:51:55 TS) Gilboa Court Ext (DPX-201119)
Mr. Schultzberg asked if this project is still going on and Mr. Benoit responded that he would look into it and find that out.
12. (1:52:25 TS) Sleepy Hollow (DEF-160316)

Mr. Benoit expects Sleepy Hollow to be submitting a road acceptance prior to the October deadline for next Spring Town Meeting.

Respectfully submitted,
Stephenie Gosselin