



Town of Uxbridge  
**Planning Board**  
21 So. Main St.  
Uxbridge, MA 01569  
(508) 278.6487

**AGENDA**

**Planning Board Meeting**  
**Wednesday, October 28, 2009 at 7:00 P.M.**  
**Board of Selectmen's Meeting Room**  
**Town Hall, 21 So. Main St., Uxbridge, MA**

**PUBLIC HEARINGS:**

**CITIZEN PETITION FOR THE ACCEPTANCE OF ARBOR ROAD**

Accept as a public way the street known as Arbor 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 purposes for which other public ways are used in the Town; or to take any other action relating thereto. Said plans recorded at the Worcester County Registry of Deeds as Plan Book 786, Page 71 and Plan Book 872, Plan 70. (Warrant Article 12)

**CITIZEN PETITION FOR THE ACCEPTANCE OF DUNNY COVE LANE AND CONNOR PASS**

Accept as public ways the streets known as Dunny Cove Lane and Connor Pass 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 purposes for which other public ways are used in the Town; or to take any other action relating thereto. Said plans recorded at the Worcester County Registry of Deeds as Plan Book 754, Page 61 and Plan Book 768, Page 17. (Warrant Article 13)

**CITIZEN PETITION FOR THE ACCEPTANCE OF CROWN AND EAGLE ROAD**

To see if the Town will accept as public way the street known as Crown and Eagle Road as laid out by the Board of Selectmen, in the name and behalf of the Town, to acquire by fee simple and appurtenant rights in and for said way for the purposes for which other public ways are used in the Town; or to take any other action relating thereto. Said plans recorded at the Worcester County Registry of Deeds as Plan Book 660, Page 56. (Warrant Article 17)

**CITIZEN PETITION FOR THE ACCEPTANCE OF EASY STREET**

To see if the Town will accept as public way the street known as Easy Street 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 way for the purposes for which public ways are used in the Town; or to take any other action relating thereto. Said plans recorded at the Worcester County Registry of Deeds as Plan Book 703, Page 80; Plan Book 726, Page 97; Plan Book 729, Page 56 and Plan Book 738, Page 40. (Warrant Article 19)

**CITIZEN PETITION FOR THE ACCEPTANCE OF BUTTERMILK WAY**

To see if the Town will accept as public way the street known as Buttermilk Way 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 way for the purposes for

which public ways are used in the Town; or to take any other action relating thereto. Said plans recorded at the Worcester County Registry of Deeds as Plan Book 22807, Page 193. (Warrant Article 20)

**ARTICLE 21: CITIZEN PETITION TO AMEND SECTION 400-39 BERNAT MILL HISTORIC OVERLAY DISTRICT – Cont’d**

Amend Section 400-39 Bernat Mill Historic Overlay District Subsection C of the Town of Uxbridge Zoning By-Laws by adding the following additional uses; 7.Hospitals, medical institutions, and medical office buildings.

**ARTICLE 22: CITIZEN PETITION TO AMEND BOARD OF HEALTH REGULATIONS AND ZONING BYLAWS – Cont’d**

Amend the Town of Uxbridge Board of Health Regulations and Bylaws by adding Life Science Technology guidelines as described below. Also to see if the Town will vote to amend the Table of Use Regulations of the Zoning Bylaw, Appendix A by adding Life Science Technology to be an allowed use in the Industrial and Business Zones. See below.

Life Science Technology

- a) NIH Guidelines. Life Science Technology in the Town of Uxbridge shall be undertaken only in strict conformity with all applicable provisions of the Town of Uxbridge Bylaws, and the guidelines of the National Institute of Health (NIH), as set forth in the Federal Register of May 7, 1986, or any amendment thereof, or as may be established from time to time by the NIH, by any other federal agency or by an Act of Congress, and in conformity also with such other health regulations as the Board of Health of the Town of Uxbridge may from time to time promulgate provided however, that no changed in the Town health regulations shall apply to work in progress or previously contracted for by an institution unless the Board of health shall first hold a Public Hearing on such change giving written notice to institutions in Uxbridge carrying out Life Science Technology work, and by advertisement in a newspaper of general circulation within the city at least once 10 days in advance.
- b) Manual. Individuals, associations, organization, corporations, educational institutions or medical facilities (all hereinafter referred to as “institutions”) proposing Life Science Technology, as defined and regulated by the NIH guidelines, shall prepare a manual, which contains all procedures included in the NIH guidelines, to regulate said uses at all levels of containment in use at the institution. Training in appropriate safeguards and procedures for minimizing potential accidents shall be mandatory for all laboratory personnel. Said manual, and all amendments thereto, shall be submitted in a timely manner to the Town of Uxbridge Board of Health.
- c) Permits. Life Science Technology in the Town of Uxbridge shall be undertaken only in the following zoning districts; Industrial and Business zones. No institution may employ Life Science Technology in the Town of Uxbridge without a permit from the Town of Uxbridge Board of Health.

**ARTICLE 24: CITIZEN PETITION TO AMEND THE ZONING BYLAWS – Cont’d**

Amend the Zoning Bylaws to add the following: (1) in zones R-A, R-B, R-C the “retreat lots” shall at a minimum have twice.

Article VIII

Subsection 400. xxx Retreat lots.

For the purpose of creating reasonable use of backland for residential uses, there may be established so-called retreat lots, pork chop lots of hammer head lots, the building upon which may be authorized by the issuance of a special permit by the Zoning Board of Appeals as special permit granting authority, subject to the following requirements:

- A. Said lot shall be entirely within a residential zoning district (R-A, R-B, R-C and the Agricultural Zone).
- B. Said lot has a minimum street frontage of not less than 40 feet and a width of not less than 40 feet at all points between the street and the nearest part of the principal building.
- C. The area of said lot to be at least twice the minimum lot size as would be required.
- D. Said lot shall otherwise be in compliance with all requirements of the Zoning Bylaws applicable to the zoning district in which said lot is located.
- E. Said lot shall not have contiguous frontage with any other lot which has been granted a special permit pursuant to this section.
- F. At the time of the application for a special permit is submitted, all other lots contiguous to said lot shall conform to the requirements of the zoning district in which it is located. Contiguous lots that were created prior to the establishment in Zoning in the Town of Uxbridge do not apply.
- G. No permit shall be issued, pursuant to this chapter, unless said lot is situated on a public way accepted by the Town of Uxbridge.
- H. Said lot shall be in harmony with the general purpose and intent of the Zoning Bylaws of the Town of Uxbridge.

**ARTICLE 26: AMEND THE ZONING BYLAWS, SECTIONS IX, SECTION 400-B, SECTION 400-50E, ARTICLE X DEFINITIONS AND REVISE APPENDIX A TABLE OF USE REGULATIONS – Cont’d**

To see if the Town will vote to amend the Zoning By-laws of November 2008 as follows:

- 1) Change Article IX, Section 400-B Powers to read: “The Board of Appeals Powers are as follows:
  - a. to hear and decide appeals to zoning decisions;
  - b. to hear and decide petitions for variances
  - c. to hear and decide appeals from decisions of the Planning Board or Building Inspector.
- 2) Change Article IX, Section 400-50A Special Permit Granting Authority to read: “Unless specifically designated otherwise, the Planning Board shall act as the Special Permit Granting Authority”.
- 3) Change Article IX, Section 400-50E Plans by deleting the first paragraph and substituting “Projects on sites that are 45,000 square feet or less may be submitted as simple schematics unless there are clear complicating factors that require formal engineering design work. In cases where the site exceeds 45,000 square feet the Special Permit Granting Authority may require plans to 24-inch by 36-inch sheets prepared by a Registered Professional Engineer, Registered Land Surveyor, Architect, or Landscape Architect as appropriate. Dimensions and scales shall be adequate to make a complete analysis and evaluation of the proposal. All plans shall have a minimum scale of 1” by 20’.
- 4) Change Article X Definitions, by adding the following definitions in their appropriate alphabetical order as the section is now organized:
  - Business Use:** Any wholesale or retail store, personal service establishments
  - Industrial Use:** Any lawful retail trade or shop for custom work or manufacture including any manufacturing, processing operation, assembly, or warehousing which is not detrimental to the community or neighborhood by reason of the emission of dust, odors, gas, smoke, vibrations, noise, light, or other environmental contaminants.
- 5) Revise Appendix A Table of Use Regulations.

**Waucantuck Place –Special Permit/Site Plan Modification Application – Cont’d** The applicant/owner of record Uxbridge Associates, LLC/Robert Josephs is seeking a Modification of a Special Permit And Site Plan Review for the construction of 176 residential housing units (consisting of one 3-story and four 4-story structures) on land of the former Waucantuck Mill, 325 Mendon Street, Uxbridge, MA and shown on the Town of Uxbridge Assessor’s Map 20, Parcels 919, 1749, 2546 and recorded in the Worcester County District Registry of Deeds Book 37229, Page 81 and Book 5757, Page 346.

**OLD/NEW BUSINESS:**

- **Stanley Woolen Mill**
- **Down East** – Re-endorse mylar plans
- **Minutes/Mail/Invoices**
- **Any other business which may lawfully come before the Board.**

**Executive Session MGL C.39, Subsection 23B #3** – To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the governmental body.

**Respectfully submitted,  
Town of Uxbridge Planning Board**