



City of Attleboro, Massachusetts

PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET

ATTLEBORO, MASSACHUSETTS 02703

TEL 508.223.2222 FAX 508.222.3046

RECEIVED
CITY OF ATTLEBORO
E.C. CITY CLERK
2021 JAN 20 PM 3:49

AGENDA

JANUARY 25, 2021

6:30 P.M.

- 1A. JOINT PUBLIC HEARINGS: NONE SCHEDULED DEADLINE
- 1B. JOINT PUBLIC HEARINGS HELD OPEN: NONE SCHEDULED DEADLINE
- 2A. PUBLIC HEARINGS: NONE SCHEDULED DEADLINE
- 2B. PUBLIC HEARINGS HELD OPEN: DEADLINE
 - a. W.B. Construction & Development, Inc. – “BRIGHAM HILL ESTATES, PHASE IV”
Definitive Subdivision Plan [LINK*](#) 4/8/21
 - b. One Thirty One Pleasant St, LLC – “STONE FIELD ESTATES III” Definitive Subdivision Plan [LINK*](#) 3/5/21
 - c. Pike Avenue Acquisitions, LLC, Robert Heroux, & Erin Pilling – “PIKE ESTATES”
Definitive Subdivision Plan [LINK*](#) 2/28/21
- 3A. SITE PLAN REVIEW PUBLIC HEARINGS: NONE SCHEDULED DEADLINE
- 3B. SITE PLAN REVIEW PUBLIC HEARINGS HELD OPEN: NONE SCHEDULED DEADLINE
4. PENDING APPLICATIONS/MATTERS: DEADLINE
 - a. Attleboro Park Street Realty Trust – 0 Park Street – Major Site Plan Review (See Agenda item #8b) 1/25/21 [LINK*](#)
 - b. Petition of Atlantic Golf Centers, LTD to rezone 754 Newport Avenue from
“Planned Highway Business” and “Single Residence-D” to “General Business” and “General Residence-A” [LINK*](#)
 - c. John J. & Mary F. Donovan – “RAMBLER ROAD” Street Extension Plan [LINK*](#) 1/31/21
5. FORM A PLANS: NONE DEADLINE
6. APPOINTMENTS TO SPEAK: NONE SCHEDULED
7. STAFF REPORT: STAFF REPORT TO BE EMAILED
8. CORRESPONDENCE:
 - a. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated January 12, 2021, to City Clerk Stephen Withers, approving an extension of time to March 5, 2021, relative to the proposed “STONE FIELD ESTATES III” subdivision. (See Agenda item #2Bb) [LINK*](#)
 - b. Form P2 – Request for an extension of time to February 9, 2021, submitted by attorney Jack Jacobi on January 12, 2021, relative to the Major Site Plan Review application of Attleboro Park Street Realty Trust for 0 Park Street. (See Agenda item #4a) [LINK*](#)
 - c. Municipal Council Certificate of Vote received January 12, 2021, relative to the proposed loan order in the amount of nine hundred forty three thousand (\$943,000.00) dollars for the replacement of the SCADA and RACO servers, and all necessary SCADA software, as well as upgrading all existing programmable logic controllers to the latest version and any necessary cabling to the Wastewater SCADA system, located at 27 Pond Street North. [LINK*](#)

- d. Municipal Council Certificate of Vote received January 12, 2021, relative to the proposed loan order in the amount of two hundred fifty five thousand (\$255,000.00) dollars for the baseline flow monitoring for infiltration and inflow to the City Attleboro Sewer System. [LINK*](#)
- e. Municipal Council Certificate of Vote received January 12, 2021, relative to the proposed loan order in the amount of three hundred seventy two thousand (\$372,000.00) dollars for the design, permitting, bidding, construction oversight, and construction costs associated with valve replacement to the City's South Attleboro Pumping Station located at 27 Pond Street North. [LINK*](#)
- f. Municipal Council Certificate of Vote received January 12, 2021, relative to the proposed loan order in the amount of five hundred five thousand dollars (\$505,000.00) dollars for the permitting, bidding, sub consultant, engineering, and testing associated with the Wading River Pilot Study, located at 250 Balcom Street, Mansfield. [LINK*](#)
- g. Notice from Planning Board Clerk Lauren Stamatis, dated October 14, 2020, to Mark Rioux of Marette & Sons, Inc., regarding the lapsed construction deadline for the "ROLLING HILLS, PHASE VI" 81-W subdivision. [LINK*](#)
- h. Letter from Brian Cave of Cave Corp., received December 4, 2020, to the Planning Board, requesting an extension of time to April 30, 2021 to complete the subdivision infrastructure at "DALE COURT EXTENSION". [LINK*](#)
- i. Email from Brian Cave of Cave Corp., received January 19, 2021, relative to granite curbing materials at "DALE COURT EXTENSION". [LINK*](#)

9. **PERFORMANCE BOND CORRESPONDENCE:**

- a. Letter from Planning Board Clerk Lauren Stamatis, dated December 22, 2020, to Public Works Superintendent Michael Tyler, soliciting a recommendation relative to the **PARTIAL** release of funds request for the "EDWARD SR. ESTATES" subdivision. [LINK*](#)
- b. Letter from Planning Board Clerk Lauren Stamatis, dated January 13, 2021, to John Case, III of County Street Realty Corp., approving a **FINAL** release of funds in the amount of \$2,012.04 plus associated interest, relative to the "SIMPSON AVENUE EXTENSION" street extension plan. [LINK*](#)
- c. Letter from Planning Board Clerk Lauren Stamatis, dated January 14, 2021, to Bob Catenacci of One Thirty One Pleasant St, LLC, approving a **PARTIAL** release of funds in the amount of \$230,511.64, relative to the "STONE FIELD ESTATES II" subdivision plan. [LINK*](#)
- d. Letter from Planning Board Clerk Lauren Stamatis, dated January 14, 2021, to John Cloud of Attleboro Realty Development, LLC, approving a **PARTIAL** release of funds in the amount of \$87,919.92, relative to the "COLMAN ESTATES" subdivision plan. [LINK*](#)

10. **MISCELLANEOUS PENDING CORRESPONDENCE:**

- a. Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated February 8, 2019, to Trustee Kathleen Lyons of CFDC Trust regarding the notice of default and demand to complete work at the "BURGESS ESTATES" subdivision.
 - Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated May 13, 2019, to City Clerk Stephen Withers, regarding the Board's decision to perform on the security for the "BURGESS ESTATES" subdivision.
 - Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated January 15, 2021, to Kathleen Lyons of CFDC Trust regarding the notice of default and demand to complete work at the "BURGESS ESTATES" subdivision. [LINK*](#)
- b. Notice of Default from Kevin Freytag of Murphy Hesse Toomey & Lehane, LLC (City Solicitor's Office), dated August 6, 2018, to Fred Bottomley relative to the "CAMERON WOODS" subdivision.
- c. Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated February 8, 2019, to President Peter J. Deibel and Treasurer Kevin M. Joyce of Cedar Ridge Developers, Inc. regarding the notice of default and demand to complete work at the "HIGHLAND ESTATES" subdivision.
 - Letter from Kevin S. Freytag of Murphy Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated April 1, 2019, to Peter Deibel of Deibel Builders, Inc regarding the notice of default and demand to complete work at the "HIGHLAND ESTATES" subdivision (letter re-sent to updated address).
 - Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated January 15, 2021, to President Peter J. Deibel and Treasurer Kevin M. Joyce of Cedar Ridge

Developers, Inc. regarding the notice of default and demand to complete work at the “HIGHLAND ESTATES” subdivision. [LINK*](#)

- d. Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor’s Office), dated February 8, 2019, to Trustee David M. Wetterhahn of Milosh Realty Trust regarding the notice of default and demand to complete work at the “MILOSH ACRES” subdivision.
 - Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor’s Office), dated January 15, 2021, to Trustee David M. Wetterhahn of Milosh Realty Trust regarding the notice of default and demand to complete work at the “MILOSH ACRES” subdivision. [LINK*](#)
- e. Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor’s Office), dated February 8, 2019, to Kevin J. Murphy of KJM Construction, Inc. regarding the notice of default and demand to complete work at the “RIVER’S EDGE” subdivision.
 - Letter received from President Kevin J. Murphy of KJM Construction, Inc., dated February 19, 2019 (received February 25, 2019), to the Planning Board, responding to the demand letter regarding completion of the “RIVER’S EDGE” subdivision.
 - Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor’s Office), dated April 1, 2019, to President Kevin J. Murphy of KJM Construction, Inc. seeking an updated response relative to the construction status for the “RIVER’S EDGE” subdivision.
 - Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor’s Office), dated January 15, 2021, to Kevin J. Murphy of KJM Construction, Inc. regarding the notice of default and demand to complete work at the “RIVER’S EDGE” subdivision. [LINK*](#)
- f. Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor’s Office), dated January 15, 2021, to John Case III of Case Development, LLC regarding the notice of default and demand to complete work at the “RHODES STREET EXTENSION” subdivision. [LINK*](#)
- g. Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor’s Office), dated January 15, 2021, to John Case III of Case Development, LLC regarding the notice of default and demand to complete work at the “HILLCREST AVENUE EXTENSION I” subdivision. [LINK*](#)
- h. Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor’s Office), dated January 15, 2021, to John Case III of Case Development, LLC regarding the notice of default and demand to complete work at the “HILLCREST AVENUE EXTENSION II” subdivision. [LINK*](#)
- i. Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor’s Office), dated January 15, 2021, to John Case III of Case Development, LLC regarding the notice of default and demand to complete work at the “BRADFORD ESTATES” subdivision. [LINK*](#)

11. PLANNING BOARD COMMITTEES:

11A. COMPREHENSIVE PLAN COMMITTEE:

11B. ORDINANCE COMMITTEE:

- a. §17-13.0 WATER RESOURCES PROTECTION DISTRICT
- b. Discuss mechanism for amending approved Site Plan Review decisions

11C. SITE PLAN REVIEW COMMITTEE:

11D. SUBDIVISION COMMITTEE:

- a. Discuss Sidewalk fund
- b. Discuss amendments to Subdivision Regulations (width of right-of-way, etc.)
- c. Mike Davis – New Business
- d. Mike Davis – Underground Utilities, Memo 2

12. **PENDING MINUTES:**
 - a. December 1, 2020 (Joint Hearing)
 - b. December 15, 2020 (Joint Hearing)
 - c. January 5, 2021 (Joint Hearing)
 - d. January 11, 2021

13. **SRPEDD DELEGATE'S REPORT:**

14. **UPCOMING PUBLIC HEARING, BUSINESS MEETING AND COMMITTEE MEETING SCHEDULE:**
 - a. **VOTE** to elect Planning Board delegate to SPREDD
 - b. Meeting Date: February 8, 2021 via Zoom
 - c. **VOTE** to hold Joint Public Hearing with the Municipal Council on February 16, 2021 via Zoom to discuss amendments to §17-13.0 WATER RESOURCES PROTECTION DISTRICT
 - d. Meeting Date: February 22, 2021 via Zoom

15. **RECENTLY FILED APPLICATIONS/OTHER: NONE**