



# City of Attleboro, Massachusetts

## PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET  
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CITY OF ATTLEBORO  
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2021 APR -1 PM 1:14

### AGENDA

APRIL 6, 2021

7:30 P.M.

Zoom meeting access:

<https://us02web.zoom.us/j/88116798537>

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- |  |                 |
|--|-----------------|
| 1A. JOINT PUBLIC HEARINGS: NONE SCHEDULED  | <u>DEADLINE</u> |
| 1B. JOINT PUBLIC HEARINGS HELD OPEN: NONE SCHEDULED  | <u>DEADLINE</u> |
| 2A. PUBLIC HEARINGS:   | <u>DEADLINE</u> |
| 2B. PUBLIC HEARINGS HELD OPEN: <a href="#">LINK*</a>   | <u>DEADLINE</u> |
| a. One Thirty One Pleasant St, LLC – “STONE FIELD ESTATES III” Definitive Subdivision Plan   | 5/31/21         |
| b. Pike Avenue Acquisitions, LLC, Robert Heroux, & Erin Pilling – “PIKE ESTATES” Definitive Subdivision Plan   | 4/30/21         |
| 3A. SITE PLAN REVIEW PUBLIC HEARINGS: NONE SCHEDULED   | <u>DEADLINE</u> |
| 3B. SITE PLAN REVIEW PUBLIC HEARINGS HELD OPEN: NONE SCHEDULED   | <u>DEADLINE</u> |
| 4. PENDING APPLICATIONS/MATTERS: <a href="#">LINK*</a>   | <u>DEADLINE</u> |
| a. Amendments to <u>§6.4 FIRE ALARM SYSTEM, §6.4 CLUSTER MAILBOXES, §2.0 DEFINITIONS, §5.5(G) REQUIREMENTS FOR CONSTRUCTION PLANS AND PROFILES – UTILITY PLAN, §6.2(A), (B), AND (C) STREET WIDTH, §7.3(D) AND (G) ROAD CONSTRUCTION, §7.7(A), (B), (C), AND (E) SIDEWALKS, and §8.6 FEE SCHEDULE</u> of the Planning Board’s <u>RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND</u> |                 |
| b. W.B. Construction & Development, Inc. – “Brigham Hill Estates, Phase IV” Definitive Subdivision Plan  | 4/8/21          |
| c. John J. & Mary F. Donovan – “RAMBLER ROAD” Street Extension Plan  | 4/30/21         |
| 5. FORM A PLANS: <a href="#">LINK*</a>   | <u>DEADLINE</u> |
| a. William & Joanne Allard – Southerly side of Evergreen Road  | 4/15/21         |
| 6. APPOINTMENTS TO SPEAK: NONE SCHEDULED   |                 |
| 7. STAFF REPORT: REPORT TO BE EMAILED  |                 |
| 8. CORRESPONDENCE: <a href="#">LINK*</a>   |                 |
| a. Letter from Ed Casey of Coogan Smith, LLP, received March 29, 2021, to Chairman Paul Danesi, requesting a waiver from the Planning Board’s <u>RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND</u> relative to <u>§6.1(i) STREET LOCATION AND ALIGNMENT FEE SCHEDULE – DEAD END STREETS.</u>   |                 |
| b. Letter received via email from John Cloud of Attleboro Realty Development, LLC, dated March 8, 2021, to the Planning Board, requesting an extension of time to June 24, 2021 relative to infrastructure construction at the “COLMAN ESTATES” subdivision.   |                 |

- c. Letter received via email from John Cloud of Attleboro Realty Development, LLC, dated March 31, 2021, to the Planning Board, providing a status update and justification for an extension of time relative to construction at the "COLMAN ESTATES" subdivision.
- d. Letter and plan from Bob Catenacci of One Thirty One Pleasant St, LLC, received March 8, 2021, to Director of Planning and Development Gary Ayrassian, relative to the drainage repair plans for the "STONE FIELD ESTATES II" subdivision.
- e. Letter from Bob Catenacci of One Thirty One Pleasant St, LLC, received March 8, 2021, to Director of Planning and Development Gary Ayrassian, providing a breakdown for the remaining subdivision bond for "STONE FIELD ESTATES II".
- f. Letter from Paulette Rioux of Marette & Sons, Inc., dated March 31, 2021, to the Planning Board, requesting a waiver for the fire alarm boxes required in the "ROLLING HILL ESTATES, VI" subdivision.
- g. Letter from Jude Gauvin of Andrews Survey & Engineering, Inc., dated March 19, 2021, to the Planning Board, providing an update on the status of the "MILOSH ACRES" subdivision construction.
- h. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated March 19, 2021, to City Clerk Stephen Withers, regarding the Board's action to perform on the subdivision security held by the City for the "MILOSH ACRES" subdivision.
- i. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated March 19, 2021, to City Clerk Stephen Withers, regarding the Board's action to perform on the subdivision security held by the City for the "BURGESS ESTATES" subdivision.
- j. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated March 19, 2021, to City Clerk Stephen Withers, regarding the Board's action to perform on the subdivision security held by the City for the "HIGHLAND ESTATES" subdivision.
- k. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated March 19, 2021, to City Clerk Stephen Withers, regarding the Board's action to perform on the subdivision security held by the City for the "RIVER'S EDGE" subdivision.
- l. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated March 5, 2021, to City Clerk Stephen Withers, regarding the vote to perform on the subdivision security for the "DALE COURT EXTENSION" subdivision.
- m. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated March 23, 2021, to City Clerk Stephen Withers, regarding the vote to grant an extension of time to May 31, 2022 for the "DEER RUN ESTATES" subdivision.
- n. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated March 30, 2021, to City Clerk Stephen Withers, regarding the rescission of the vote to perform on the subdivision security for the "ROLLING HILLS, PHASE VI" subdivision.
- o. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated March 23, 2021, to City Clerk Stephen Withers, regarding the vote to allow John DesVergnes for Solaris Homes, LLC to withdraw his Form A application for 728, 734, & 750 Pleasant Street.

9. **PERFORMANCE BOND CORRESPONDENCE:** [LINK\\*](#)

- a. Letter from Planning Board Clerk Lauren Stamatis, dated March 11, 2021, to Public Works Superintendent Michael Tyler, soliciting a recommendation relative to the **FINAL** release of funds request for the "ROLLING HILLS, VI" subdivision.
- b. Memorandum from Public Works Superintendent Michael R. Tyler, dated March 23, 2021, to the Planning Board, recommending denial of the **FINAL** release of funds relative to the "ROLLING HILLS, VI" subdivision.
- c. Letter from Paulette Rioux of Marette & Sons, Inc., dated March 30, 2021, to the Planning Board, requesting a **FINAL** release of funds relative to the "ROLLING HILLS, VI" subdivision.
- d. Letter from Planning Board Clerk Lauren Stamatis, dated March 31, 2021, to Public Works Superintendent Michael Tyler, soliciting a recommendation relative to the **FINAL** release of funds request for the "ROLLING HILLS, VI" subdivision.
- e. Letter from Planning Board Clerk Lauren Stamatis, dated March 23, 2021, to Steven Gietz of Lindsey Farms, LLC, regarding the Board's action to **DENY** his request for a **FINAL** release of funds relative to the "STONE HAVEN" subdivision.

10. MISCELLANEOUS PENDING CORRESPONDENCE: [LINK\\*](#)

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.

**11. PLANNING BOARD COMMITTEES:**

**11A. COMPREHENSIVE PLAN COMMITTEE:**

**11B. ORDINANCE COMMITTEE:**

- a. Discuss mechanism for amending approved Site Plan Review decisions
- b. Discuss Act Enabling Partnerships for Growth – new state zoning legislation

**11C. SITE PLAN REVIEW COMMITTEE:**

**11D. SUBDIVISION COMMITTEE:**

- a. Discuss Sidewalk fund
- b. Discuss easements for subdivisions

**12. PENDING MINUTES:**

- a. March 8, 2021 (previously distributed)
- b. March 22, 2021

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

**14. PLANNING BOARD STUDY GROUP PROGRESS REPORT:**

- a. Executive Summary: Trees

**15. UPCOMING PUBLIC HEARING, BUSINESS MEETING AND COMMITTEE MEETING SCHEDULE:**

- a. Meeting Date: April 26, 2021 via Zoom
- b. Meeting Date: May 10, 2021 via Zoom

**16. RECENTLY FILED APPLICATIONS/OTHER:**

- a. Elections for Chairperson, Vice-Chairperson, Secretary, SRPEDD Delegate, and Clerk

**\*Digital access links are taken down as soon as the day after the meeting. For access after that time, please make a request by emailing [planning@cityofattleboro.us](mailto:planning@cityofattleboro.us) or stopping by the Office of Planning and Development during normal business hours.**