



City of Attleboro, Massachusetts

PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET

ATTLEBORO, MASSACHUSETTS 02703

TEL 508.223.2222 FAX 508.222.3046

AGENDA

NOVEMBER 16, 2020

6:30 P.M.

RECEIVED
CITY OF ATTLEBORO
2020 NOV 10 P 4:15

- 1A. JOINT PUBLIC HEARINGS: NONE SCHEDULED DEADLINE
 - 1B. JOINT PUBLIC HEARINGS HELD OPEN: NONE SCHEDULED DEADLINE
 - 2A. PUBLIC HEARINGS: DEADLINE*
 - a. Shawn Jorde – WRPD Special Permit – Lathrop Road, Builder’s Lot #1
 - b. Shawn Jorde – WRPD Special Permit – Lathrop Road, Builder’s Lot #2
 - c. Built 2 Last Homes, LLC – WRPD Special Permit – 180 Kennedy Drive
 - d. Pike Avenue Acquisitions, LLC, Robert Heroux, & Erin Pilling – “PIKE ESTATES” Definitive Subdivision Plan
 - e. Pacifico Energy North America, LLC – Repetitive Petition – 0 Richardson Avenue & 0 Richardson Avenue Rear
 - 2B. PUBLIC HEARINGS HELD OPEN: DEADLINE*
 - a. One Thirty One Pleasant St, LLC – “STONE FIELD ESTATES III” Definitive Subdivision Plan
 - b. Pike Avenue Acquisitions, LLC – “PIKE ESTATES” Definitive Subdivision Plan
 - 3A. SITE PLAN REVIEW PUBLIC HEARINGS: NONE SCHEDULED DEADLINE
 - 3B. SITE PLAN REVIEW PUBLIC HEARINGS HELD OPEN: DEADLINE*
 - a. Attleboro Park Street Realty Trust – 0 Park Street – Major Site Plan Review
 4. PENDING APPLICATIONS/MATTERS: DEADLINE*
 - a. John J. & Mary F. Donovan – “RAMBLER ROAD” Street Extension Plan
 5. FORM A PLANS: DEADLINE*
 - a. Daniel Grinnell, Attleboro Realty Development, LLC – 323 Tiffany Street
- *Pursuant to Ch. 53a of the Acts of 2020
6. APPOINTMENTS TO SPEAK: NONE
 7. STAFF REPORT: STAFF REPORT TO BE E-MAILED
 8. CORRESPONDENCE:
 - a. Letter via email submitted by Water Department Superintendent Kourtney J. Wunschel, dated October 8, 2020, to the Planning Board, providing comment on the revised design for the proposed “PIKE ESTATES” subdivision. (See Agenda item #2Ad)
 - b. Email from Wastewater Superintendent Thomas Hayes, received October 28, 2020, to Senior Land Use Planner Stephanie Davies, providing comment on the revised “PIKE ESTATES” subdivision plan. (See Agenda item #2Ad)
 - c. Letter from Police Chief Kyle Heagney, received October 28, 2020, to the Planning Board, providing comment on the revised “PIKE ESTATES” subdivision plan. (See Agenda item #2Ad)

- d. E-mail, letter, revised plan, and photographs from Daniel Hazen of Guerriere & Halnon, Inc., received October 28, 2020, to Senior Land Use Planner Stephanie Davies, relative to proposed modifications to the "CALVIN STREET EXTENSION" street extension plan.
 - e. Notice from Planning Board Clerk Lauren Stamatis, dated October 14, 2020, to John Case, III of County Street Realty Corp., regarding the lapsed construction deadline for the "SIMPSON AVENUE EXTENSION" street extension. (See Agenda item #8f)
 - f. Letter from Ashley Glode of Case Corporation, dated November 3, 2020, to the Planning Board, requesting a 60 day extension of time to complete the infrastructure construction at the "SIMPSON AVENUE EXTENSION" street extension.
 - g. Letter from Bill Ward of W.B. Construction & Development, Inc., dated October 24, 2020 (received October 29, 2020), providing an update on the "BRIGHAM HILL ESTATES", "BRIGHAM HILL ESTATES, PHASE II", and "BRIGHAM HILL ESTATES, PHASE III" subdivisions.
 - h. 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.
 - i. Notice from Planning Board Clerk Lauren Stamatis, dated October 14, 2020, to Brian Cave of Cave Corp, regarding the lapsed construction deadline for the "DALE COURT EXTENSION" subdivision.
 - j. Municipal Council Votes taken November 3, 2020, relative to the proposed loan order in the amount of three million nine hundred thousand (\$3,900,000.00) dollars for the repairs associated with the Brennan/Wamsutta School roofs and Hyman Fine and Hill Roberts Elementary School gymnasium floors.
 - k. Municipal Council Votes taken November 3, 2020, relative to the proposed loan order in the amount of six million, nine hundred thousand (\$6,900,000.00) dollars for the permitting, bidding, construction oversight and construction costs associated with the roof, HVAC, elevator improvements, window and exterior repairs to the Attleboro Public Library.
 - l. Municipal Council Votes taken November 3, 2020, in favor of holding a Public Hearing on December, 15, 2020 regarding a rezoning petition for 754 Newport Avenue. (See Agenda item #15b)
 - m. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated November 3, 2020, to City Clerk Stephen Withers, granting an extension of time to December 4, 2020, relative to the infrastructure construction at the "STONE FIELD ESTATES II" subdivision.
 - n. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated November 3, 2020, to City Clerk Stephen Withers, granting an extension of time to March 1, 2021, relative to the infrastructure construction at the "COLMAN ESTATES" subdivision.
 - o. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated November 3, 2020, to City Clerk Stephen Withers, granting an extension of time to June 15, 2021, relative to the infrastructure construction at the "VIRIDIAN MEADOWS" subdivision.
 - p. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated November 3, 2020, to City Clerk Stephen Withers, granting an extension of time to June 15, 2021, relative to the infrastructure construction at the "VIRIDIAN MEADOWS, PHASE II" subdivision.
 - q. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated November 3, 2020, to City Clerk Stephen Withers, granting an extension of time to January 30, 2021, relative to the infrastructure construction at the "CALVIN STREET EXTENSION" street extension.
9. **PERFORMANCE BOND CORRESPONDENCE:**
- a. Memorandum from Public Works Superintendent Michael Tyler, received October 26, 2020, to the Planning Board, recommending a FINAL release of funds in the amount of \$13,711.49 plus interest, relative to the "STONE FIELD ESTATES" subdivision.
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.

- 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 attorney Edward J. Casey of Casey Law Offices, P.C. on behalf of the Walsh Perry Partnership, dated June 3, 2019, to Planning Board Chairman Paul Danesi, regarding the status of completing the "HARDT ESTATES" subdivision.
- d. 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).
- e. 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.
- f. 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.

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
- c. Discuss amendments to Subdivision Regulations (width of right-of-way, etc.)

11C. SITE PLAN REVIEW COMMITTEE:

11D. SUBDIVISION COMMITTEE:

- a. Discuss Sidewalk fund

12. PENDING MINUTES:

- a. November 2, 2020

13. SRPEDD DELEGATE'S REPORT:

14. UPCOMING PUBLIC HEARING, BUSINESS MEETING AND COMMITTEE MEETING SCHEDULE:

- a. Remote Joint Public Hearing with Municipal Council on November 17, 2020 relative to the City's petition to discontinue Crown Street
- b. Meeting Date: December 7, 2020
- c. Meeting Date: December 21, 2020

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

- a. **VOTE to hold remote Joint Public Hearing** with Municipal Council on December 15, 2020 relative to the 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”