



City of Attleboro, Massachusetts

PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET

ATTLEBORO, MASSACHUSETTS 02703

TEL. 508.223.2222 FAX 508.222.3046

AGENDA

MARCH 4, 2019

6:30 P.M.

2019 FEB 28 AM 10:42

CITY OF ATTLEBORO
CITY CLERK

SR

- | | |
|--|-----------------|
| 1A. JOINT PUBLIC HEARINGS: NONE SCHEDULED | <u>DEADLINE</u> |
| 1B. JOINT PUBLIC HEARINGS HELD OPEN: NONE SCHEDULED | <u>DEADLINE</u> |
| 2A. PUBLIC HEARINGS: NONE SCHEDULED | <u>DEADLINE</u> |
| 2B. PUBLIC HEARINGS HELD OPEN: | <u>DEADLINE</u> |
| a. W.B. Construction & Development, Inc. – “BRIGHAM HILL ESTATES”
MGL Ch. 41 §81–W Definitive Subdivision Plan | 5/22/19 |
| b. W.B. Construction & Development, Inc. – “BRIGHAM HILL ESTATES, PHASE II”
MGL Ch. 41 §81–W Definitive Subdivision Plan | 5/22/19 |
| 3A. SITE PLAN REVIEW PUBLIC HEARINGS: NONE SCHEDULED | <u>DEADLINE</u> |
| 3B. SITE PLAN REVIEW PUBLIC HEARINGS HELD OPEN: | <u>DEADLINE</u> |
| a. Major Site Plan Review application of UHS of Fuller, Inc., 200 May Street
Deadline to Close Public Hearing | 3/18/19 |
| b. Major Site Plan Review application of City of Attleboro, 100 Rathbun Willard Drive
Deadline to Close Public Hearing | 3/4/19 |
| 4. PENDING APPLICATIONS/MATTERS: NONE SCHEDULED | <u>DEADLINE</u> |
| 5. FORM A PLANS: NONE FILED | <u>DEADLINE</u> |
| 6. APPOINTMENTS TO SPEAK: NONE SCHEDULED | |
| 7. STAFF REPORT: NO WRITTEN REPORT | |
| 8. CORRESPONDENCE: | |
| a. Form P1 – Request to continue a public hearing to March 18, 2019, submitted by Jack Jacobi on behalf of the City of Attleboro, relative to the Major Site Plan Review application for 100 Rathbun Willard Drive. (See Agenda item #3Bb) | |
| b. Letter from Mark Rioux of Marette & Sons, Inc., dated February 1, 2019, requesting an extension of time for Water Resource Protection District special permits for: 3 Colonial Way (Lot 29), 162 Kennedy Drive (Lot 48), 6 Colonial Way (Lot 92), 13 Colonial Way (Lot 104), and 7 Colonial Way (Lot 105). (previously distributed via email) | |
| c. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated February 26, 2019, to City Clerk Stephen Withers, regarding approval of a plan revision for the Orr’s Pond Water Resource Protection District special permit for 0 South Avenue. | |

9. PERFORMANCE BOND CORRESPONDENCE:

- a. Letter from Ashley Glode on behalf of John E. Case, III of County Street Realty, dated February 26, 2019, to the Planning Board, requesting a **FINAL** release of funds relative to the "PARK STREET ESTATES" subdivision.
- b. Letter from Planning Board Clerk Lauren Stamatis, dated February 27, 2019, to Public Works Superintendent Michael Tyler, forwarding the request for a **FINAL** release of funds from John E. Case, III of County Street Realty, Corp. for the "PARK STREET ESTATES" subdivision.

10. MISCELLANEOUS PENDING CORRESPONDENCE:

- a. Email from Public Works Superintendent Michael Tyler, dated January 28, 2019, to Planning Board Chairman Paul Danesi addressing questions from the Board relative to bond releases in lieu of his presence at the meeting. **(previously distributed via email)**
- b. Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated February 8, 2019, to Thomas Fitzgerald regarding the notice of default and demand to complete work at the "BEECH TREE ESTATES" subdivision.
- c. 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.
- d. 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.
- e. 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.
- f. 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.
- g. Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated February 8, 2019, to John G. Walsh, III of Walsh Contracting Corp. regarding the notice of default and demand to complete work at the "MY LADY'S LANDING" subdivision.
 - Letter from attorney Timothy McGahan, dated February 20, 2019, to attorney Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office) regarding the City's notice of default and demand to complete work issued to John G. Walsh, III of Walsh Contracting Corp. relative to the "MY LADY'S LANDING" subdivision.
- h. 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.
- i. Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated February 8, 2019, to Shawn A. Jorde, regarding the notice of default and demand to complete work at the "WINDWOOD ESTATES" subdivision.
 - Email received from Shawn Jorde of Dezotell Excavating, received February 16, 2019, to Senior Land Use Planner Stephanie Davies, responding to the demand letter regarding completion of the "WINDWOOD ESTATES" 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:**

- 12. **PENDING MINUTES:**
 - a. February 25, 2019

- 13. **SRPEDD DELEGATE'S REPORT:**
 - a. Report/update from Scott Jones

- 14. **UPCOMING PUBLIC HEARING, BUSINESS MEETING AND COMMITTEE MEETING SCHEDULE:**
 - a. Regular meeting scheduled for Monday, March 18, 2019 at 6:30 p.m. in the Council Chambers
 - b. Regular meeting scheduled for Monday, April 8, 2019 at 6:30 p.m. in the Council Chambers

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