



# City of Attleboro, Massachusetts

## PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET

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### AGENDA

MARCH 8, 2021

6:30 P.M.

Meeting Zoom Access link:

<https://us02web.zoom.us/j/82982768579>

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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: NONE SCHEDULED                                                                                                                                                                                                                                                        | <u>DEADLINE</u> |
| 2B. PUBLIC HEARINGS HELD OPEN: <a href="#">LINK*</a>                                                                                                                                                                                                                                       | <u>DEADLINE</u> |
| a. W.B. Construction & Development, Inc. – “BRIGHAM HILL ESTATES, PHASE IV”<br>Definitive Subdivision Plan                                                                                                                                                                                 | 4/8/21          |
| b. One Thirty One Pleasant St, LLC – “STONE FIELD ESTATES III” Definitive Subdivision Plan                                                                                                                                                                                                 | 3/31/21         |
| c. Pike Avenue Acquisitions, LLC, Robert Heroux, & Erin Pilling – “PIKE ESTATES”<br>Definitive Subdivision Plan                                                                                                                                                                            | 3/31/21         |
| 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. John J. & Mary F. Donovan – “RAMBLER ROAD” Street Extension Plan                                                                                                                                                                                                                        | 3/31/21         |
| 5. FORM A PLANS: <a href="#">LINK*</a>                                                                                                                                                                                                                                                     | <u>DEADLINE</u> |
| a. John DesVergnes for Solaris Homes, LLC – 728, 734, & 750 Pleasant Street                                                                                                                                                                                                                | 3/15/21         |
| b. W.B. Construction & Development, Inc. – Pass Farm Road                                                                                                                                                                                                                                  | 3/22/21         |
| 6. APPOINTMENTS TO SPEAK:                                                                                                                                                                                                                                                                  |                 |
| a. Cindy Amara, City Solicitor (see Agenda item #16b)                                                                                                                                                                                                                                      |                 |
| 7. STAFF REPORT: REPORT TO BE EMAILED                                                                                                                                                                                                                                                      |                 |
| 8. CORRESPONDENCE: <a href="#">LINK*</a>                                                                                                                                                                                                                                                   |                 |
| a. Second stormwater peer review report submitted by Janet Bernardo of Horsley Witten Group, dated March 1, 2021, to Planning Board Chairman Paul Danesi, relative to the proposed “BRIGHAM HILL ESTATES, PHASE IV” subdivision. (see Agenda item #2Ba)                                    |                 |
| b. Email from William Blais of OHI Engineering, Inc., received February 22, 2021, to Senior Land Use Planner Stephanie Davies, requesting a continuance to March 8, 2021, relative to the proposed “BRIGHAM HILL ESTATES, PHASE IV” subdivision. (see Agenda item #2Ba)                    |                 |
| c. Email from Pamela Quinn of the Fire Department, received February 25, 2021, to Director of Planning and Development Gary Ayrassian, indicating satisfaction with the hydrant flow test submitted relative to the proposed “STONE FIELD ESTATES III” subdivision. (see Agenda item #2Bb) |                 |

- d. Letter from Police Chief Kyle Heagney, dated March 1, 2021, to Planning Board Chairman Paul Danesi, providing comment on the revised boulevard design and proposal for the use of stop signs on Pike Avenue, relative to the proposed "PIKE ESTATES" subdivision. (see Agenda item #2Bc)
  - e. Email and letter from Jude Gauvin of Andrews Survey & Engineering, Inc., dated February 17, 2021, in response to the notice of default letter for Milosh Acres. (See Agenda item #16b)
  - f. Letter from John E Case III of the Case Companies, dated February 19, 2021, to the Planning Board, providing an update on the status of Rhodes Street Extension, Hillcrest Extensions I and II, and Bradford Estates. (See Agenda item #16b)
  - g. Memorandum from Gary Ayrassian, dated February 23, 2021, to Mayor Paul Heroux, relative to the request to hold a public hearing to accept Grace Lane and Simpson Avenue Extension.
  - h. Certificate of Vote from Lauren Stamatis, dated February 23, 2021, to the Municipal Council, recommending the adoption of the amendments to §17-3.0 WATER RESOURCES PROTECTION DISTRICT of the ZONING ORDINANCE.
9. **PERFORMANCE BOND CORRESPONDENCE:** [LINK\\*](#)
- a. Letter from Planning Board Clerk Lauren Stamatis, dated February 10, 2021, to Public Works Superintendent Mike Tyler, soliciting a recommendation relative to a FINAL release of funds for 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

**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. Discuss easements for subdivisions

**12. PENDING MINUTES:**

- a. February 22, 2021 (previously distributed)

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

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

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

- a. Meeting Date: March 22, 2021 via Zoom

- b. Meeting Date: April 12, 2021 via Zoom

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

- a. Discussion to take action on performance guarantees relative to the following subdivisions in default:
  - River's Edge
  - Milosh Estates
  - Highland Estates
  - Rhodes Street Extension
  - Hillcrest Avenue Extension I
  - Hillcrest Avenue Extension II
  - Bradford Estates
  - Burgess Estates
- b. VOTE to hold Public Hearing on March 22, 2021 relative to amendments to the Subdivision Regulations
- c. VOTE to hold Joint Public Hearing with the Municipal Council on April 6, 2021 relative to the Street Discontinuance Petition of the City of Attleboro to discontinue a portion of Rathbun Willard Drive (application previously distributed)
- d. Discuss Act Enabling Partnerships for Growth – new state zoning legislation

\*Digital access links are taken down 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.