



City of Attleboro, Massachusetts

PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET

ATTLEBORO, MASSACHUSETTS 02703

TEL 508.223.2222 FAX 508.222.3046

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2021 MAR 16 PM 3:44

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AGENDA

MARCH 22, 2021

Zoom Access Link:

6:30 P.M.

<https://us02web.zoom.us/j/83954349631>

- | | |
|--|-----------------|
| 1A. JOINT PUBLIC HEARINGS: NONE SCHEDULED | <u>DEADLINE</u> |
| 1B. JOINT PUBLIC HEARINGS HELD OPEN: NONE SCHEDULED | <u>DEADLINE</u> |
| 2A. PUBLIC HEARINGS: LINK* | <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> | |
| 2B. PUBLIC HEARINGS HELD OPEN: LINK* | <u>DEADLINE</u> |
| a. W.B. Construction & Development, Inc. – “BRIGHAM HILL ESTATES, PHASE IV”
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”
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: LINK* | <u>DEADLINE</u> |
| a. John J. & Mary F. Donovan – “RAMBLER ROAD” Street Extension Plan | 3/31/21 |
| 5. FORM A PLANS: LINK* | <u>DEADLINE</u> |
| a. John DesVergnes for Solaris Homes, LLC – 728, 734, & 750 Pleasant Street | 3/24/21 |
| b. John W. Lepper, Inc. – 103 & 105 Maple Street | 4/1/21 |
| 6. APPOINTMENTS TO SPEAK: NONE SCHEDULED | |
| 7. STAFF REPORT: NO WRITTEN REPORT THIS MEETING | |
| 8. CORRESPONDENCE: LINK* | |
| a. 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. | |
| b. Letter from attorney Edward Casey of Coogan Smith, LLP, dated March 5, 2021, to Planning Board Chairman Paul Danesi, requesting a waiver relative to the proposed “PIKE ESTATES” subdivision. (see agenda item #2Bc) | |

- c. Letter and plans from Daniel Campbell of Level Design Group, received March 8, 2021, to Director of Planning and Development Gary Ayrassian, relative to the proposed "PIKE ESTATES" subdivision. (see agenda item #2Bc)
- 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. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated March 5, 2021, to City Clerk Stephen Withers, regarding the vote to deny an extension of time to April 30, 2021, relative to the "DALE COURT EXTENSION" subdivision.
- g. 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.
- h. 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 "ROLLING HILLS, PHASE VI" subdivision.

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 request for the "STONE HAVEN" subdivision.
- b. Memorandum from Public Works Superintendent Michael Tyler, dated March 8, 2021, to the Planning Board, recommending denial of the **FINAL** release of funds relative to the "STONE HAVEN" subdivision.
- c. Letter from Mark Rioux of Marette & Sons, Inc., dated March 9, 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 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.

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
13. **SRPEDD DELEGATE'S REPORT:**
14. **PLANNING BOARD STUDY GROUP PROGRESS REPORT:**
15. **UPCOMING PUBLIC HEARING, BUSINESS MEETING AND COMMITTEE MEETING SCHEDULE:**
 - a. Joint Public Hearing with the Municipal Council: April 6, 2021 via Zoom
 - b. Meeting Date: April 6, 2021 via Zoom
 - c. Meeting Date: April 26, 2021 via Zoom
16. **RECENTLY FILED APPLICATIONS/OTHER:**
 - a. Schedule 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 or stopping by the Office of Planning and Development during normal business hours.**