



# City of Attleboro, Massachusetts

## PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET

ATTLEBORO, MASSACHUSETTS 02703

TEL 508.223.2222 FAX 508.222.3046

## AGENDA

APRIL 2, 2019

6:30 P.M.

2019 MAR 28 AM 11:51

CITY OF ATTLEBORO  
CITY ENGINEER

SR

- |   | <u>DEADLINE</u> |
|---|-----------------|
| <b>1A. JOINT PUBLIC HEARINGS:</b>   |                 |
| a. Petition of the Municipal Council to amend §17 ZONING ORDINANCE to change the Special Permit Granting authority for Marijuana Establishments from Special Permit Municipal Council (SMC) to Special Permit Zoning Board of Appeals (S)   |                 |
| <b>1B. JOINT PUBLIC HEARINGS HELD OPEN: NONE SCHEDULED</b>  | <u>DEADLINE</u> |
| <b>2A. PUBLIC HEARINGS: NONE SCHEDULED</b>  | <u>DEADLINE</u> |
| <b>2B. PUBLIC HEARINGS HELD OPEN:</b>   | <u>DEADLINE</u> |
| a. W.B. Construction & Development, Inc. – “BRIGHAM HILL ESTATES”<br>MGL Ch. 41 §81–W Definitive Subdivision Plan   | 5/22/19         |
| b. W.B. Construction & Development, Inc. – “BRIGHAM HILL ESTATES, PHASE II”<br>MGL Ch. 41 §81–W Definitive Subdivision Plan   | 5/22/19         |
| <b>3A. SITE PLAN REVIEW PUBLIC HEARINGS: NONE SCHEDULED</b>   | <u>DEADLINE</u> |
| <b>3B. SITE PLAN REVIEW PUBLIC HEARINGS HELD OPEN:</b>  | <u>DEADLINE</u> |
| a. Major Site Plan Review application of UHS of Fuller, Inc., 200 May Street<br>Deadline to Close Public Hearing  | 4/15/19         |
| b. Major Site Plan Review application of City of Attleboro, 100 Rathbun Willard Drive<br>Deadline to Close Public Hearing   | 4/22/19         |
| <b>4. PENDING APPLICATIONS/MATTERS: NONE SCHEDULED</b>  | <u>DEADLINE</u> |
| <b>5. FORM A PLANS: NONE</b>  | <u>DEADLINE</u> |
| <b>6. APPOINTMENTS TO SPEAK: NONE</b>   |                 |
| <b>7. STAFF REPORT: NO WRITTEN REPORT</b>   |                 |
| <b>8. CORRESPONDENCE:</b>   |                 |
| a. Letter from Inspector GS Pion, Jr. of the Attleboro Fire Department, dated March 22, 2019, to Director Gary Ayrassian of Planning and Development, providing comment on the “PIKE ESTATES” definitive subdivision plan.<br><pre>(previously distributed via email) (See Agenda item #15a)</pre>    |                 |
| b. Letter from Mark Rioux of Marette & Sons, Inc., dated March 21, 2019, to the Planning Board, requesting a one (1) year extension of time relative to the WRPD special permit issued for the “DEER RUN ESTATES” subdivision.<br><pre>(previously distributed via email) (See Agenda item #8d)</pre> |                 |

- c. Letter from Mark Rioux of Marette & Sons, Inc., dated March 21, 2019, to the Planning Board, requesting a one (1) year extension of time relative to the WRPD special permit issued for the "ROLLING HILLS, VI" subdivision. **(previously distributed via email) (See Agenda item #8d)**
- d. Letter from Planning Board Clerk Lauren Stamatis, dated March 26, 2019, to Mark Rioux of Marette & Sons, Inc., providing notification that the WRPD special permits for the "DEER RUN ESTATES" and "ROLLING HILLS, VI" subdivisions are still active and no extension is required. **(previously distributed via email)**
- e. Community Outreach Public Notice from the Cannabis Control Commission, received March 27, 2019, to the Planning Board, relative to a meeting scheduled for April 4, 2019, regarding a proposed Marijuana Establishment at 0 and 31 Chartier Street. **(previously distributed via email)**
- f. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated March 19, 2019, to City Clerk Stephen Withers, regarding the dismissal of a request for an extension of time relative to the WRPD special permit issued for 162 Kennedy Drive, builder's lot #48.
- g. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated March 19, 2019, to City Clerk Stephen Withers, regarding the dismissal of a request for an extension of time relative to the WRPD special permit issued for 3 Colonial Way, builder's lot #29.
- h. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated March 19, 2019, to City Clerk Stephen Withers, regarding a one year extension of time granted to the WRPD special permit issued for 6 Colonial Way, builder's lot #92.
- i. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated March 19, 2019, to City Clerk Stephen Withers, regarding a one year extension of time granted to the WRPD special permit issued for 7 Colonial Way, builder's lot #105.
- j. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated March 19, 2019, to City Clerk Stephen Withers, regarding a one year extension of time granted to the WRPD special permit issued for 13 Colonial Way, builder's lot #104.

9. **PERFORMANCE BOND CORRESPONDENCE:**

- a. Letter from Senior Land Use Planner Stephanie Davies, dated March 19, 2019, to Scott Brown, calling for the request for a **FINAL** release of funds to be submitted relative to the "SHARPE PLAT" subdivision.
- b. Letter from Senior Land Use Planner Stephanie Davies, dated March 19, 2019, to Scott Brown, calling for the request for a **FINAL** release of funds to be submitted relative to the "ST. DON (AKA HILLCREST) & WOODSIDE STREET EXTENSION" street extension.
- c. Letter from Senior Land Use Planner Stephanie Davies, dated March 19, 2019, to Theodore Trowbridge, calling for the request for a **FINAL** release of funds to be submitted relative to the "HITCHCOCK LANE" subdivision.
- d. Letter from Planning Board Clerk Lauren Stamatis, dated March 20, 2019, to attorney Christopher Sherwood, providing the approved updated bond amount of \$115,864.92 relative to the "DALE COURT EXTENSION" subdivision.
- e. Letter from Planning Board Clerk Lauren Stamatis, dated March 19, 2019, to John E. Case, III of County Street Realty, regarding the **FINAL** release of funds in the amount of \$47,539.37 from the subdivision bond relative to the "PARK STREET ESTATES" subdivision.
- f. Letter from Planning Board Clerk Lauren Stamatis, dated March 21, 2019, to Thomas Walsh of Walsh Contracting, regarding the **FINAL** release of funds in the amount of \$119,051.77 from the subdivision bond relative to the "MY LADY'S LANDING" 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 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.
- h. 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. March 18, 2019

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

- a. Report/update from Scott Jones

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

- a. Joint Public Hearing scheduled for Tuesday, April 2, 2019 at 7:00 p.m. in the Council Chambers
- b. Regular meeting scheduled for Monday, April 22, 2019 at 6:30 p.m. in the Annex Room

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

- a. Pike Avenue Acquisitions – “PIKE ESTATES” Definitive Subdivision Plan (copies for distribution)**
- b. Jessica Realty Trust – 30 Lathrop Road – WRPD Special Permit (copies for distribution)**