



# City of Attleboro, Massachusetts

## PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET

ATTLEBORO, MASSACHUSETTS 02703

TEL 508.223.2222 FAX 508.222.3046

2019 JUN 13 PM 3:10  
CITY OF ATTLEBORO  
CITY CLERK  
SR

### AGENDA JUNE 17, 2019 6:30 P.M.

- |  |                 |
|--|-----------------|
| 1A. JOINT PUBLIC HEARINGS:   | <u>DEADLINE</u> |
| 1B. JOINT PUBLIC HEARINGS HELD OPEN: NONE SCHEDULED  | <u>DEADLINE</u> |
| 2A. PUBLIC HEARINGS:   | <u>DEADLINE</u> |
| 2B. PUBLIC HEARINGS HELD OPEN:   | <u>DEADLINE</u> |
| a. Desvergues Supplemental Needs Trust – WRPD Special Permit – 45 Pasture Brook Road   |                 |
| b. Pike Avenue Acquisitions, LLC – “PIKE ESTATES” Definitive Subdivision Plan  | 6/18/19         |
| c. W.B. Construction & Development, Inc. – “BRIGHAM HILL ESTATES”<br>MGL Ch. 41 §81-W Definitive Subdivision Plan  | 6/30/19         |
| 3A. SITE PLAN REVIEW PUBLIC HEARINGS: NONE   | <u>DEADLINE</u> |
| 3B. SITE PLAN REVIEW PUBLIC HEARINGS HELD OPEN:  | <u>DEADLINE</u> |
| a. Major Site Plan Review application of the City of Attleboro, Berwick Road   |                 |
| Deadline to Close Public Hearing   | 6/17/19         |
| 4. PENDING APPLICATIONS/MATTERS: NONE  | <u>DEADLINE</u> |
| 5. FORM A PLANS:   | <u>DEADLINE</u> |
| a. Nodnem Development, LLC – 0 Mendon Road   | 6/24/19         |
| b. G&K Realty Group, LLC – 574 Newport Avenue  | 7/4/19          |
| 6. APPOINTMENTS TO SPEAK: NONE   |                 |
| 7. STAFF REPORT: TO WRITTEN REPORT THIS MEETING  |                 |
| 8. CORRESPONDENCE:   |                 |
| a. Response comments and revised site plans from Dan Campbell of Level Design Group, received June 7, 2019, to the Planning Board, relative to the “PIKE ESTATES” definitive subdivision application. (previously distributed via email; hard copies for distribution) (See Agenda item #2Bb)                                      |                 |
| b. Form P2 – Request for an Extension of Time to July 17, 2019, from Pike Avenue Acquisitions, LLC, received June 7, 2019, relative to the “PIKE ESTATES” definitive subdivision application. (See Agenda item #2Bb)   |                 |
| c. Revised plans and stormwater management calculations submitted by Scott Rolfe of Andrews Survey & Engineering, Inc., received June 7, 2019, to the Planning Board, relative to the “BRIGHAM HILL ESTATES” 81-W subdivision application. (previously distributed via email; hard copies for distribution) (See Agenda item #2Bc) |                 |
| d. 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. (previously distributed via email)  |                 |

- e. Letter from Mark Rioux of Marette & Sons, Inc., dated February 1, 2019 (received June 6, 2019) to the Planning Board, requesting an extension of time for the water resource protection district permit issued for 46 Pheasant Hill Road, builder's lot #82.
- f. Letter from Mark Rioux of Marette & Sons, Inc., dated June 13, 2019, to the Planning Board, requesting an extension of time to September 30, 2019 relative to the completion of Colonial Way and Pheasant Hill Road.
- g. Memorandum from Senior Land Use Planner Stephanie Davies, dated June 10, 2019, to Planning Board Chairman Paul Danesi, soliciting comment on the flood plan special permit application of Crugnale Properties, LLC for 95 South Main Street.
- h. Recommendation from Planning Board Clerk Lauren Stamatis, dated June 4, 2019, to the Municipal Council, in support of discontinuing a portion of Frank Mossberg Drive as described in the application submitted by Morin's, Inc.

**9. PERFORMANCE BOND CORRESPONDENCE:**

- a. Letter from Planning Board Clerk Lauren Stamatis, dated June 3, 2019, to Public Works Superintendent Michael Tyler, soliciting a recommendation relative to the request for a **PARTIAL** release of funds for the "STONE FIELD ESTATES" subdivision.
- b. Letter from Planning Board Clerk Lauren Stamatis, dated June 3, 2019, to Public Works Superintendent Michael Tyler, soliciting a recommendation regarding an updated bond amount for the "COOPER FARM" subdivision.
- c. Letter from Planning Board Clerk Lauren Stamatis, dated June 4, 2019, to Robert Catenacci of One Thirty One Pleasant St, LLC, providing approval of an updated bond in the amount of **\$371,587.52** for the "STONE FIELD ESTATES II" subdivision.
- d. Letter from Planning Board Clerk Lauren Stamatis, dated June 4, 2019, to John E. Case, III of County Street Realty Corp., providing approval of a **PARTIAL** release of funds in the amount of \$14,475.21 for the "SIMPSON AVENUE EXTENSION" street extension.

**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.
- 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.
  - Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated May 9, 2019, to City Clerk Stephen Withers, regarding the Board's decision to perform on the security for 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.
  - 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.
- 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.
  - 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).
- 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.
  - 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.
- 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.
  - Email received from Shawn Jorde of Dezotell Excavating, received April 8, 2019, to Senior Land Use Planner Stephanie Davies, regarding completion status of the "WINDWOOD ESTATES" subdivision.
- i. 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.
- j. 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.
- k. 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.

**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. April 22, 2019
- b. May 6, 2019
- c. May 21, 2019
- d. June 3, 2019

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

- a. Report/update from Scott Jones

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

- a. Vote to hold a Joint Public Hearing on Tuesday, July 16, 2019 at 6:30 p.m. for the Rezoning Petition of Sterry Street Auto for 495 Collins Street from Single Residence-B and Industrial to General Business

- b. Regular meeting scheduled for Tuesday, July 16, 2019 at 6:30 p.m. in the Council Chambers
- c. Regular meeting scheduled for Monday, August 19, 2019 at 6:30 p.m. in the Council Chambers

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

- a. Hansen Associates, Inc. – WRPD Special Permit – 430 Lindsey Street (**copies for distribution**)
- b. June 3, 2019 Legal Advertisement