



City of Attleboro, Massachusetts

PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET

ATTLEBORO, MASSACHUSETTS 02703

TEL. 508.223.2222 FAX 508.222.3046

AGENDA

JULY 13, 2020

6:30 P.M.

2020 JUL - 9 P 12:2

RECEIVED
CITY OF ATTLEBORO

- 1A. JOINT PUBLIC HEARINGS: NONE SCHEDULED DEADLINE
- 1B. JOINT PUBLIC HEARINGS HELD OPEN: NONE SCHEDULED DEADLINE
- 2A. PUBLIC HEARINGS: DEADLINE*
- a. Murette & Sons, Inc. -- WRPD Special Permit - 50 Colts Way
 - b. Murette & Sons, Inc. -- WRPD Special Permit - 58 Colts Way
 - c. Murette & Sons, Inc. -- WRPD Special Permit - 66 Colts Way
 - d. Murette & Sons, Inc. -- WRPD Special Permit - 74 Colts Way
 - e. Murette & Sons, Inc. -- WRPD Special Permit - 82 Colts Way
 - f. Murette & Sons, Inc. -- WRPD Special Permit - 90 Colts Way
 - g. Murette & Sons, Inc. -- WRPD Special Permit - 98 Colts Way
 - h. Murette & Sons, Inc. -- WRPD Special Permit - 106 Colts Way
 - i. Murette & Sons, Inc. -- WRPD Special Permit - 114 Colts Way
 - j. Murette & Sons, Inc. -- WRPD Special Permit - 122 Colts Way
 - k. Murette & Sons, Inc. -- WRPD Special Permit - 130 Colts Way
 - l. Murette & Sons, Inc. -- WRPD Special Permit - 138 Colts Way
 - m. Murette & Sons, Inc. -- WRPD Special Permit - 146 Colts Way
 - n. Murette & Sons, Inc. -- WRPD Special Permit - 154 Colts Way
 - o. Murette & Sons, Inc. -- WRPD Special Permit - 162 Colts Way
 - p. Murette & Sons, Inc. -- WRPD Special Permit - 170 Colts Way
 - q. Murette & Sons, Inc. -- WRPD Special Permit - 178 Colts Way
 - r. Murette & Sons, Inc. -- WRPD Special Permit - 186 Colts Way
 - s. Murette & Sons, Inc. -- WRPD Special Permit - 139 Colts Way
 - t. Murette & Sons, Inc. -- WRPD Special Permit - 131 Colts Way
 - u. Murette & Sons, Inc. -- WRPD Special Permit - 123 Colts Way
 - v. Murette & Sons, Inc. -- WRPD Special Permit - 115 Colts Way
 - w. Murette & Sons, Inc. -- WRPD Special Permit - 107 Colts Way
 - x. Murette & Sons, Inc. -- WRPD Special Permit - 99 Colts Way
 - y. Murette & Sons, Inc. -- WRPD Special Permit - 91 Colts Way
 - z. Murette & Sons, Inc. -- WRPD Special Permit - 83 Colts Way
 - aa. Murette & Sons, Inc. -- WRPD Special Permit - 75 Colts Way
 - bb. Murette & Sons, Inc. -- WRPD Special Permit - 67 Colts Way
- 2B. PUBLIC HEARINGS HELD OPEN: DEADLINE*
- a. Pike Avenue Acquisitions, LLC -- "PIKE ESTATES" Definitive Subdivision Plan

- 3A. **SITE PLAN REVIEW PUBLIC HEARINGS: NONE SCHEDULED** DEADLINE
- 3B. **SITE PLAN REVIEW PUBLIC HEARINGS HELD OPEN:** DEADLINE*
- a. Tian Ann Jih Der Shen Daw Yuan Temple – 61 Thurber Avenue – Major Site Plan Review
4. **PENDING APPLICATIONS/MATTERS:** DEADLINE*
- a. Petition of the Planning Board to amend §5.10 PERFORMANCE GUARANTEES and §7.1 TIME REQUIREMENT of the Planning Board's RULES AND REGULATIONS GOVERNING
- b. John J. & Mary F. Donovan – “RAMBLER ROAD” Street Extension Plan
5. **FORM A PLANS:** DEADLINE*
- a. John Quinn & Deirdre Mullins/Eileen Wilbur – 16 Glen Street & 22 Campus Road (See agenda item #6a)
- b. Audrey A. Friedman – 863 West Street
6. **APPOINTMENTS TO SPEAK:**
- a. Attorney Tim McGahan – Form A for 16 Glen Street & 22 Campus Road (See agenda item #5a)
7. **STAFF REPORT: STAFF REPORT TO BE E-MAILED**
8. **CORRESPONDENCE:**
- a. Revised site plans submitted via email by Steve Kohm of Prime Engineering, received July 8, 2020, to Senior Land Use Planner Stephanie Davies, relative to the Major Site Plan Review application submitted by Tian Ann Jih Der Shen Daw Yuan Temple for 61 Thurber Avenue. (previously distributed via email) (see agenda item #3Ba)
- b. Letter from Steven J. Gietz, dated June 17, 2020, to the Planning Board, seeking permission to pave over the approved center cul-de-sac island at the “STONE HAVEN” subdivision. (previously distributed via email)
- c. Letter from Timothy J. Caponigro of Woodlark Development Corp., dated June 28, 2020, to the Planning Board, requesting a one (1) year extension of time to complete the “COOPER’S FARM” subdivision. (previously distributed via email)
- d. Mayor’s Communication received June 17, 2020, relative to the proposed loan order in the amount of five hundred twenty six thousand (\$526,000.00) dollars for the cost of the removal and replacement of the gymnasium floors and Environmental Hygienist monitoring at Hyman Fine Elementary School and the Hill Roberts Elementary School.
- e. Letter from Mark Rioux of Marette & Sons, Inc., received July 2, 2020, to the Planning Board, providing information on the work completed and remaining in the “DEER RUN ESTATES” subdivision to support his extension of time request. (previously distributed via email) (See agenda item #8f)
- f. Letter from Mark Rioux of Marette & Sons, Inc., received April 7, 2020, requesting a 24-month extension of time relative to the “DEER RUN ESTATES” definitive subdivision. (carried over from June 15, 2020 agenda) (See agenda item #8e)
- g. Letter from Mark Rioux of Marette & Sons, Inc., received June 4, 2020, to the Planning Board, requesting to waive the need for sidewalks on the westerly side of Colts Way in the “DEER RUN ESTATES” definitive subdivision. (carried over from June 15, 2020 agenda)
- h. Letter from Robert W. Catenacci of One Thirty One Pleasant St, LLC, dated June 10, 2020, to the Planning Board, requesting an extension of time to October 31, 2020 relative to the “STONE FIELD ESTATES II” subdivision. (carried over from June 15, 2020 agenda)
- i. Email from Robert W. Catenacci of Stone Field Realty, received June 10, 2020, to Planning Board Clerk Lauren Stamatis, requesting to donate to the City \$8,500.00 in lieu of installing the fire alarm box in the Stone Field Estates subdivision. (carried over from June 15, 2020 agenda)
- j. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated June 16, 2020, to the Municipal Council, recommending the Loan Order in the amount of three hundred fifty-seven thousand (\$357,000.00) dollars for the purchasing of vehicles for the Police Department.

- k. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated June 16, 2020, to the Municipal Council, recommending the Loan Order in the amount of six million nine hundred (\$6,900,000.00) for the design, permitting, bid services, construction oversight service, and construction associated with remodeling, reconstruction and extraordinary repairs to the roof, HVAC system upgrades, window repairs, and elevator improvements to the Attleboro Public Library.

9. **PERFORMANCE BOND CORRESPONDENCE:**

- a. Letter from Planning Board Clerk Lauren Stamatis, dated June 10, 2020, to Public Works Superintendent Michael Tyler, soliciting a recommendation relative to the request for a **PARTIAL** release of funds for the "DALE COURT EXTENSION" subdivision.

10. **MISCELLANEOUS PENDING CORRESPONDENCE:**

- 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.
- 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 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.
- d. 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).
- e. 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.
- f. 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.
- g. 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.

- h. 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. March 2, 2020 (previously distributed)
- b. May 13, 2020 (previously distributed)
- c. June 15, 2020

13. SRPEDD DELEGATE'S REPORT:

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

- a. Meeting date: August 17, 2020

15. RECENTLY FILED APPLICATIONS/OTHER:

- a. Ryan Sheehan – WRPD Special Permit Old Farm Lane