



City of Attleboro, Massachusetts

PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET

ATTLEBORO, MASSACHUSETTS 02703

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2019 AUG 14 PM 3:26
ECC

AGENDA

AUGUST 19, 2019

6:30 P.M.



- 1A. JOINT PUBLIC HEARINGS: NONE SCHEDULED DEADLINE
- 1B. JOINT PUBLIC HEARINGS HELD OPEN: NONE SCHEDULED DEADLINE
- 2A. PUBLIC HEARINGS: NONE SCHEDULED DEADLINE
- 2B. PUBLIC HEARINGS HELD OPEN: DEADLINE
 - a. Pike Avenue Acquisitions, LLC – “PIKE ESTATES” Definitive Subdivision Plan 8/20/19
 - b. W.B. Construction & Development, Inc. – “BRIGHAM HILL ESTATES” 8/19/19
MGL Ch. 41 §81-W Definitive Subdivision Plan
- 3A. SITE PLAN REVIEW PUBLIC HEARINGS: DEADLINE
 - a. New England Power Company DBA National Grid – Robinson Avenue – Major Site Plan Review
Deadline to Close Public Hearing → 9/9/19
 - b. Sturdy Memorial Foundation, Inc. – O’Neil Boulevard – Major Site Plan Review
Deadline to Close Public Hearing → 9/9/19
- 3B. SITE PLAN REVIEW PUBLIC HEARINGS HELD OPEN: DEADLINE
 - a. SOWA, LLC – 1 Highland Avenue/5 Route 1A – Major Site Plan Review
Deadline to Close Public Hearing → 9/15/19
- 4. PENDING APPLICATIONS/MATTERS: DEADLINE
 - a. Petition of Sterry Street Auto to rezone 495 Collins Street from “Single Residence-B” and “Industrial” to “General Business”
- 5. FORM A PLANS: DEADLINE
 - a. Nodnem Development, LLC – 0 Mendon Road 8/31/19
 - b. John DesVergnes – Tiffany Street, Guild Street, Perez Street, Totten Road 8/19/19
 - c. W.B. Construction & Development, Inc. – 212 Highland Avenue 8/19/19
 - d. Olde Town, LLC – Northerly side of Old West Street 8/9/19
 - e. David A. Reposa – 48 Carleton Street 8/30/19
- 6. APPOINTMENTS TO SPEAK:
 - a. Public Works Superintendent Michael Tyler – Bond Releases
- 7. STAFF REPORT: REPORT TO BE E-MAILED

8. **CORRESPONDENCE:**

- a. Revised site plan and response comments from Senior Project Manager William Blais of Andrews Survey & Engineering, Inc., received August 2, 2019, to Chairman Paul Danesi, relative to the "BRIGHAM HILL ESTATES" §81-W subdivision plan. **(previously distributed via mail) (See Agenda item #2Bb)**
- b. Memorandum from Water Superintendent Kourtney J. Wunschel, dated August 12, 2019, to the Planning Board, providing comment on the Major Site Plan Review application of National Grid for 0 Robinson Avenue. **(previously distributed via email) (See Agenda item #3Aa)**
- c. Memorandum from Wastewater Superintendent Thomas Hayes, dated August 14, 2019, to Planning Board Clerk Lauren Stamatis, providing comment on the Major Site Plan Review application of National Grid for 0 Robinson Avenue. **(previously distributed via email) (See Agenda item #3Aa)**
- d. Memorandum from Water Superintendent Kourtney J. Wunschel, dated August 12, 2019, to the Planning Board, providing comment on the Major Site Plan Review application of Sturdy Memorial Foundation, Inc. for 0 O'Neil Boulevard. **(previously distributed via email) (See Agenda item #3Ab)**
- e. Memorandum from Wastewater Superintendent Thomas Hayes, dated August 14, 2019, to Planning Board Clerk Lauren Stamatis, providing comment on the Major Site Plan Review application of Sturdy Memorial Foundation, Inc. for 0 O'Neil Boulevard. **(previously distributed via email) (See Agenda item #3Ab)**
- f. Form P1 – Request to continue a public hearing to September 9, 2019, submitted by attorney Jack Jacobi on behalf of SOWA, LLC, received August 9, 2019, relative to the Major Site Plan Review application for 1 Highland Avenue and 5 Route 1A. **(See Agenda item #3Ba)**
- g. Email from Scott Winkler, received July 17, 2019, to Senior Land Use Planner Stephanie Davies, and Director of Planning and Development Gary Ayrassian, relative to the Major Site Plan Review application of SOWA, LLC for 1 Highland Avenue and 5 Route 1A. **(previously distributed via email) (See Agenda item #3Ba)**
- h. Form P2 – Request for an extension of time to August 19, 2019, submitted by Risser Engineering Company on behalf of Olde Town, LLC, received July 19, 2019, relative to the Form A plan for Old West Street. **(See Agenda item #5d)**
- i. Letter and timeline from Mark Rioux of Marette & Sons, Inc., dated June 28, 2019, to the Planning Board, requesting an extension of time to May 31, 2020, relative to the "DEER RUN ESTATES" 81-W subdivision. **(previously distributed via email)**
- j. Notice from Planning Board Clerk Lauren Stamatis, dated June 20, 2019, to Brian Cave of Cave Corporation, regarding the upcoming infrastructure completion deadline for the "DALE COURT EXTENSION" subdivision on August 30, 2019. **(See Agenda item #8k)**
- k. Letter via email from Christopher B. Sherwood, Esq. on behalf of Cave Corporation, received July 10, 2019, to the Planning Board, requesting an extension of time to December 31, 2019 relative to completion of the infrastructure at the "DALE COURT EXTENSION" subdivision. **(previously distributed via email)**
- l. Notice from Planning Board Clerk Lauren Stamatis, dated June 20, 2019, to Steven Gietz of Lindsey Farms, LLC, regarding the upcoming infrastructure completion deadline for the "STONE HAVEN" subdivision on August 31, 2019. **(See Agenda item #8m)**
- m. Letter from Steven J. Gietz of Lindsey Farms, LLC, dated July 23, 2019, to the Planning Board, requesting an extension of time to December 31, 2020, relative to infrastructure construction at the "STONE HAVEN" subdivision. **(previously distributed via email)**
- n. Letter received July 15, 2019, to the Planning Board, requesting a one year extension of time relative to the "CALVIN STREET EXTENSION" Street Extension plan. **(previously distributed via email)**
- o. Council Votes from July 18, 2019 (taken July 16, 2019) relative to a loan order in the amount of five hundred thousand (\$500,000.00) dollars for the permitting, bidding, construction oversight and construction costs associated with the repair of a water main leak off of Roy Avenue.
- p. Council Votes from July 22, 2019 (taken July 18, 2019), relative to a loan order in the amount of one million, seven hundred thousand (\$1,700,000.00) dollars for the permitting, bidding, construction oversight and construction costs associated with the replacement of approximately 5,200 linear feet of water mains, including the road restoration, on Steere Street.

9. PERFORMANCE BOND CORRESPONDENCE:

- a. Letter from attorney Eliot T. Brais, dated July 23, 2019 (received July 26, 2019), to Senior Land Use Planner Stephanie Davies, requesting an updated bond amount for the "CALVIN STREET EXTENSION" street extension plan. (See Agenda item #9b)
- b. Letter from Planning Board Clerk Lauren Stamatis, dated July 26, 2019, to Public Works Superintendent Michael Tyler, requesting an updated bond amount for the "CALVIN STREET EXTENSION" street extension plan.

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 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.
- f. 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).
- g. 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.
- h. 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.
- i. 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.
- 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 “SHARPE PLAT” subdivision.
- k. 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.
- l. 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. May 6, 2019 (previously distributed)
- b. May 21, 2019 (previously distributed)
- c. June 3, 2019 (previously distributed)
- d. June 17, 2019
- e. July 1, 2019
- f. July 16, 2019

13. SRPEDD DELEGATE’S REPORT:

- a. Report/update from Scott Jones

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

- a. Regular meeting scheduled for Monday, September 9, 2019 at 6:30 p.m. in the Council Chambers
- b. Regular meeting scheduled for Monday, September 23, 2019 at 6:30 p.m. in the Council Chambers

15. RECENTLY FILED APPLICATIONS/OTHER: NONE