



City of Attleboro, Massachusetts

PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET

ATTLEBORO, MASSACHUSETTS 02703

TEL 508.223.2222 FAX 508.222.3046

RECEIVED
2019 NOV 19 PM 1:41
FC

AGENDA

NOVEMBER 18, 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 12/31/19
 - 3A. SITE PLAN REVIEW PUBLIC HEARINGS: DEADLINE
 - 3B. SITE PLAN REVIEW PUBLIC HEARINGS HELD OPEN: DEADLINE
 - a. Abbott Action, Inc. – 3 Venus Way – Major Site Plan Review
Deadline to Close Public Hearing → 11/18/19
 - b. SOWA, LLC – 1 Highland Avenue/5 Route 1A – Major Site Plan Review
Deadline to Close Public Hearing → 12/2/19
 4. PENDING APPLICATIONS/MATTERS: NONE SCHEDULED DEADLINE
 5. FORM A PLANS: DEADLINE
 - a. Nodnem Development, LLC – 0 Mendon Road 12/2/19
 - b. James R. Friedman – Ashton Road & Rounds Place 11/18/19
 - c. Atlantic-Attleboro Route 1, LLC – 463 & 643 Washington Street, 0 Summit Street 11/20/19
 - d. Margaret Philbrook – 36 Fisher Avenue 11/29/19
 6. APPOINTMENTS TO SPEAK: NONE SCHEDULED
 7. STAFF REPORT: NO WRITTEN REPORT
 8. CORRESPONDENCE:
 - a. Cover letter and revised plan submitted by Matthew Yanuskiewicz of RA Cataldo & Associates, Inc. on behalf of Abbott Action, Inc. received November 8, 2019, to Senior Land Use Planner Stephanie Davies, relative to the Major Site Plan Review application for 3 Venus Way. (See Agenda item #3Ba)
 - b. Notice from Planning Board Clerk Lauren Stamatis, dated September 30, 2019, to Bill Ward of W.B. Construction & Development, LLC, regarding the infrastructure deadline of October 3, 2019 relative to the “BRIGHAM HILL ESTATES, PHASE III” subdivision.
 - c. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated November 5, 2019, to City Clerk Stephen Withers, granting an extension of time to May 31, 2020 for the infrastructure construction at the “DEER RUN ESTATES” subdivision.

- d. Semi-annual ground water well analysis submitted by Wastewater Superintendent Thomas R. Hayes, received November 13, 2019, to Planning Board Chairman Paul Danesi, relative to the City's sludge landfill Phase II and III.

9. PERFORMANCE BOND CORRESPONDENCE:

- a. Covenant Release request submitted by Raymond Loughlin of SR Land Improvement, LLC, received November 5, 2019, relative to the "EDWARD SR. ESTATES" subdivision.
- b. Letter from Planning Board Clerk Lauren Stamatis, dated November 5, 2019, to Shawn A. Jorde, providing the final release in the amount of **\$124,683.73** from the subdivision bond associated with the "WINDWOOD ESTATES" subdivision.
- c. Letter from Planning Board Clerk Lauren Stamatis, dated November 5, 2019, to Raymond Loughlin of SR Land Improvement, LLC, providing an updated bond amount of **\$386,327.92** relative to the "EDWARD SR. ESTATES" 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.
- 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.
 - Letter from Kevin S. Freytag of Murphy Hesse Toomey & Lehane, LLP (City Solicitor's Office), dated August 13, 2019, to Thomas Fitzgerald, relative to the agreement to release funds 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.
 - 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 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.)
- d. Letter from Director of Planning and Development Gary G. Ayrassian, dated October 8, 2019, to Planning Board Chairman Paul Danesi and Zoning Board of Appeals Chairwoman Catherine Merkle, regarding proposed to changes to processes relative to public hearing legal advertisements.

11C. SITE PLAN REVIEW COMMITTEE:

- a. Subdivision bond release procedures

11D. SUBDIVISION COMMITTEE:

12. PENDING MINUTES:

- a. August 19, 2019
- b. November 4, 2019 (previously distributed)

13. SRPEDD DELEGATE’S REPORT:

- a. Report/update from Scott Jones

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

- a. Subdivision Committee scheduled for Monday, November 18, 2019 at 6:00 p.m. in the Council Meeting Room
- b. Regular meeting scheduled for Monday, December 2, 2019 in the Council Chambers
- c. Regular meeting scheduled for Monday, December 16, 2019 in the Council Chambers

15. RECENTLY FILED APPLICATIONS/OTHER: NONE