



City of Attleboro, Massachusetts

PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET

ATTLEBORO, MASSACHUSETTS 02703

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CITY OF ATTLEBORO
CITY CLERK

2021 APR 22 AM 10:36

AGENDA

APRIL 26, 2021

6:30 P.M.

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- | | |
|---|-----------------|
| 1A. JOINT PUBLIC HEARINGS: NONE SCHEDULED | <u>DEADLINE</u> |
| 1B. JOINT PUBLIC HEARINGS HELD OPEN: NONE SCHEDULED | <u>DEADLINE</u> |
| 2A. PUBLIC HEARINGS: NONE SCHEDULED | <u>DEADLINE</u> |
| 2B. PUBLIC HEARINGS HELD OPEN: LINK* | <u>DEADLINE</u> |
| a. One Thirty One Pleasant St, LLC – “STONE FIELD ESTATES III” Definitive Subdivision Plan | 5/31/21 |
| b. Pike Avenue Acquisitions, LLC, Robert Heroux, & Erin Pilling – “PIKE ESTATES” Definitive Subdivision Plan | 4/30/21 |
| 3A. SITE PLAN REVIEW PUBLIC HEARINGS: NONE SCHEDULED | <u>DEADLINE</u> |
| 3B. SITE PLAN REVIEW PUBLIC HEARINGS HELD OPEN: NONE SCHEDULED | <u>DEADLINE</u> |
| 4. PENDING APPLICATIONS/MATTERS: LINK* | <u>DEADLINE</u> |
| a. Petition of the City of Attleboro to discontinue a portion of Rathbun Willard Drive as shown on the site plan entitled “Street Discontinuance and Easement Plan of Land” | |
| b. John J. & Mary F. Donovan – “RAMBLER ROAD” Street Extension Plan | 4/30/21 |
| 5. FORM A PLANS: LINK* | <u>DEADLINE</u> |
| a. Ted Charron – Morse Avenue | 5/11/21 |
| 6. APPOINTMENTS TO SPEAK: | |
| a. Jennifer Cooke – 128 Smith Street | |
| 7. STAFF REPORT: REPORT TO BE EMAILED | |
| 8. CORRESPONDENCE: LINK* | |
| a. Memorandum from Public Works Superintendent Mike Tyler, dated April 7, 2021, to the Planning Board, providing comments on the revised plans relative to the proposed “STONE FIELD ESTATES III” subdivision. (See Agenda item #2Ba) | |
| b. Letter from John Spink, received April 9, 2021, to the Planning Board, detailing alterations to the site plan for the proposed “STONE FIELD ESTATES III” subdivision. (See Agenda item #2Ba) | |
| c. Revised site plans submitted by Dan Campbell of Level Design, received April 16, 2021, to Senior Land Use Planner Stephanie Davies, relative to the proposed “PIKE ESTATES” subdivision. (See Agenda item #2Bb) | |
| d. Form P2 – Request for an Extension of Time to April 21, 2021, submitted by W.B. Construction & Development, LLC, received April 13, 2021, relative to the proposed definitive subdivision, “BRIGHAM HILL ESTATES, PHASE IV”. | |

- e. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated April 8, 2021, to City Clerk Stephen Withers, regarding the extension of time to May 31, 2021 granted for the construction of the "COLMAN ESTATES" subdivision.
 - f. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated April 15, 2021, to City Clerk Stephen Withers, regarding the elimination of the fire alarm box relative to the "ROLLING HILL ESTATES, PHASE VI" subdivision.
9. **PERFORMANCE BOND CORRESPONDENCE: [LINK*](#)**
- a. Memorandum from Planning Board Clerk Lauren Stamatis, dated April 16, 2021, to Public Works Superintendent Michael Tyler, requesting a value be calculated for the portion of waived sidewalk in the "BRIGHAM HILL ESTATES, PHASE IV" subdivision.
 - b. Letter from Planning Board Clerk Lauren Stamatis, dated April 20, 2021, to Public Works Superintendent Michael Tyler, requesting that a bond amount be established relative to the "BRIGHAM HILL ESTATES, PHASE IV" subdivision.
 - c. Letter from Planning Board Clerk Lauren Stamatis, dated April 13, 2021, to Mark Rioux of Marette & Sons, Inc., approving a **FINAL** release of funds in the amount of \$208,377.54 from the tripartite agreement for the "ROLLING HILL ESTATES, PHASE VI" subdivision.
10. **MISCELLANEOUS PENDING CORRESPONDENCE: [LINK*](#)**
- 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.
 - Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated January 15, 2021, to 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 March 19, 2021, to City Clerk Stephen Withers, regarding the Board's action to perform on the subdivision security held by the City 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 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).
 - Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated January 15, 2021, 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.
 - **Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated March 19, 2021, to City Clerk Stephen Withers, regarding the Board's action to perform on the subdivision security held by the City for the "HIGHLAND ESTATES" subdivision.**
 - d. 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.

- Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated January 15, 2021, to Trustee David M. Wetterhahn of Milosh Realty Trust regarding the notice of default and demand to complete work at the "MILOSH ACRES" subdivision.
 - **Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated March 19, 2021, to City Clerk Stephen Withers, regarding the Board's action to perform on the subdivision security held by the City for the "MILOSH ACRES" subdivision.**
- e. 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.
 - Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated January 15, 2021, to Kevin J. Murphy of KJM Construction, Inc. regarding the notice of default and demand to complete work at the "RIVER'S EDGE" subdivision.
 - **Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated March 19, 2021, to City Clerk Stephen Withers, regarding the Board's action to perform on the subdivision security held by the City for the "RIVER'S EDGE" subdivision.**
- f. Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated January 15, 2021, to John Case III of Case Development, LLC regarding the notice of default and demand to complete work at the "Rhodes Street Extension" subdivision.
- g. Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated January 15, 2021, to John Case III of Case Development, LLC regarding the notice of default and demand to complete work at the "Hillcrest Avenue Extension I" subdivision.
- h. Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated January 15, 2021, to John Case III of Case Development, LLC regarding the notice of default and demand to complete work at the "Hillcrest Avenue Extension II" subdivision.
- i. Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated January 15, 2021, to John Case III of Case Development, LLC regarding the notice of default and demand to complete work at the "Bradford Estates" subdivision.
- j. **Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated March 5, 2021, to City Clerk Stephen Withers, regarding the vote to perform on the subdivision security for the "DALE COURT EXTENSION" subdivision.**

11. PLANNING BOARD COMMITTEES:

11A. COMPREHENSIVE PLAN COMMITTEE:

11B. ORDINANCE COMMITTEE:

- a. Discuss mechanism for amending approved Site Plan Review decisions
- b. Discuss Act Enabling Partnerships for Growth – new state zoning legislation

11C. SITE PLAN REVIEW COMMITTEE:

11D. SUBDIVISION COMMITTEE:

- a. Discuss Sidewalk fund

12. PENDING MINUTES:

- a. March 22, 2021 (previously distributed)
- b. April 6, 2021

13. SRPEDD DELEGATE'S REPORT:

14. PLANNING BOARD STUDY GROUP PROGRESS REPORT:

- a. Executive Summary: Trees
- b. Executive Summary: Sustainable Growth RFI
- c. Executive Summary: Stormwater Techniques - RFI

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

- a. Meeting Date: May 10, 2021 via Zoom
- b. Meeting Date: May 24, 2021 via Zoom

16. RECENTLY FILED APPLICATIONS/OTHER:

- a. Elections for Chairperson, Vice-Chairperson, Secretary, SRPEDD Delegate, and Clerk