



City of Attleboro, Massachusetts

PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET

ATTLEBORO, MASSACHUSETTS 02703

TEL 508.223.2222 FAX 508.222.3046

AGENDA

JANUARY 27, 2020

6:30 P.M.

RECEIVED
CITY OF ATTLEBORO
CITY CLERK
2020 JAN 23 PM 3:33
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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: | <u>DEADLINE</u> |
| a. John J. & Mary F. Donovan – “RAMBLER ROAD” Street Extension Plan | 3/27/20 |
| b. Pike Avenue Acquisitions, LLC – “PIKE ESTATES” Definitive Subdivision Plan | 2/28/20 |
| 3A. SITE PLAN REVIEW PUBLIC HEARINGS: NONE SCHEDULED | <u>DEADLINE</u> |
| 3B. SITE PLAN REVIEW PUBLIC HEARINGS HELD OPEN: | <u>DEADLINE</u> |
| a. SOWA, LLC – 1 Highland Avenue/5 Route 1A – Major Site Plan Review | |
| | Deadline to Close Public Hearing → 2/10/20 |
| 4. PENDING APPLICATIONS/MATTERS: NONE SCHEDULED | <u>DEADLINE</u> |
| 5. FORM A PLANS: | <u>DEADLINE</u> |
| a. Eamon McIntyre – 250 County Street | 2/13/20 |
| 6. APPOINTMENTS TO SPEAK: NONE SCHEDULED | |
| 7. STAFF REPORT: REPORT TO BE EMAILED | |
| 8. CORRESPONDENCE: | |
| a. Road profile, locus map, and waivers submitted via email by Dan Campbell of Level Design Group, LLC, received January 10, 2020, to Senior Land Use Planner Stephanie Davies, relative to the “RAMBLER ROAD” street extension plan. (previously distributed via email) (See Agenda item #2Ba) | |
| b. Email, sketch, and neighbor notifications submitted via email by Dan Campbell of Level Design Group, LLC, received January 8, 2020, to Senior Land Use Planner Stephanie Davies, relative to the “PIKE ESTATES” definitive subdivision plan. (previously distributed via email) (See Agenda item #2Bb) | |
| c. Letter from Robert J. Sweeney, dated January 9, 2020, to Planning Board Chairman Paul Danesi, requesting the case law provided by the City Solicitor to support the opinion that only one abutter signature is required on the Rambler Road Street Extension application. (previously distributed via email) (See Agenda item #2Bb) | |
| d. Certificate of Vote from Planning Board Clerk, dated January 7, 2020, to City Clerk Stephen Withers regarding the extension of time to May 11, 2020 to complete construction at the “COLMAN ESTATES” subdivision. | |
| e. Council Votes from January 9, 2020 (taken January 7, 2019) relative to a loan order in the amount of three million nine hundred thousand (\$3,900,000.00) dollars for the permitting, bidding, construction oversight and | |

construction costs associated with the remodeling, reconstructing and making of extraordinary repairs to the roofs and interior of both the Brenan Middle School and the Wamsutta Middle School.

- f. Council Votes from January 9, 2020 (taken January 7, 2019) relative to a loan order in the amount of six million, nine hundred thousand (\$6,900,000.00) dollars for the design, permitting, bidding, construction oversight and construction costs associated with the roof, HVAC, window and exterior repairs to the Attleboro Public Library Building.

9. PERFORMANCE BOND CORRESPONDENCE: NONE

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 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 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:

11D. SUBDIVISION COMMITTEE:

- a. Subdivision bond release procedures

12. PENDING MINUTES:

- a. January 6, 2020

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, February 10, 2020 in the Council Chambers
- b. Regular meeting scheduled for Monday, February 24, 2019 in the Council Chambers

15. RECENTLY FILED APPLICATIONS/OTHER: NONE