



City of Attleboro, Massachusetts

PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET

ATTLEBORO, MASSACHUSETTS 02703

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AGENDA

FEBRUARY 10, 2020

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: | <u>DEADLINE</u> |
| a. John J. & Mary F. Donovan – “RAMBLER ROAD” Street Extension Plan (See Agenda item #8a) | 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 (See Agenda item #8b) | |
| | 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. Attleboro Land Trust, Inc. – 0 Pike Avenue | 2/25/20 |
| 6. APPOINTMENTS TO SPEAK: NONE SCHEDULED | |
| 7. STAFF REPORT: NO WRITTEN REPORT | |
| 8. CORRESPONDENCE: | |
| a. 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 #2Ba) | |
| b. Form P1 – Request to continue a public hearing to March 16, 2020, submitted by attorney Jack Jacobi of Coogan Smith, LLP on behalf of SOWA, LLC, relative to the Major Site Plan Review application for 1 Highland Avenue and 5 Route 1A. (See Agenda item #3Ba) | |
| c. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated January 28, 2020, to the Municipal Council, providing a recommendation that the \$3,900,000.00 loan order relative to repairs to Brennan and Wamsutta Middle Schools is consistent with the City’s Comprehensive Plan. | |
| d. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated January 28, 2020, to the Municipal Council, providing a recommendation that the \$6,900,000.00 loan order relative to repairs to the Attleboro Public Library is consistent with the Comprehensive Plan. | |

9. **PERFORMANCE BOND CORRESPONDENCE:**

- a. Letter from Raymond C. Loughlin of SR Land Improvement, LLC, dated February 5, 2020, to the Planning Board, requesting a **PARTIAL** release of funds relative to the infrastructure work completed at the "EDWARD SR. ESTATES" subdivision. (See Agenda item #9b)
- b. Letter from Planning Board Clerk Lauren Stamatis, dated February 5, 2020, to Public Works Superintendent Michael Tyler, soliciting a recommendation on the request for a **PARTIAL** release of funds relative to the infrastructure work completed at the "EDWARD SR. ESTATES" subdivision. (See Agenda item #9a)

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 changes to processes relative to public hearing legal advertisements.

11C. SITE PLAN REVIEW COMMITTEE:

11D. SUBDIVISION COMMITTEE:

- a. Pike Avenue Acquisitions, LLC – "PIKE ESTATES" Definitive Subdivision Plan
- b. Subdivision bond release procedures

12. PENDING MINUTES:

- a. January 6, 2020
- b. January 27, 2020

13. SRPEDD DELEGATE'S REPORT:

- a. Report/update from Scott Jones

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

- a. Subdivision Committee meeting schedule for Monday, February 10, 2020 in the Council Meeting Room
- b. Regular meeting scheduled for Monday, February 24, 2020 in the Council Chambers
- c. Regular meeting scheduled for Monday, March 2, 2020 in the Council Chambers
- d. Regular meeting scheduled for Monday, March 23, 2020 in the Council Chambers

15. RECENTLY FILED APPLICATIONS/OTHER:

- a. Major Site Plan Review – Tian Ann Jih Der Shen Daw Yuan Temple - 61 Thurber Avenue (copies for distribution)