



City of Attleboro, Massachusetts

PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET

ATTLEBORO, MASSACHUSETTS 02703

TEL. 508.223.2222 FAX 508.223.3046

2019 MAY -2 PM 3:24
MAY 6 2019
CITY OF ATTLEBORO
EC

AGENDA

MAY 6, 2019

6:30 P.M.

- | | |
|--|-----------------|
| 1A. JOINT PUBLIC HEARINGS: | <u>DEADLINE</u> |
| 1B. JOINT PUBLIC HEARINGS HELD OPEN: NONE SCHEDULED | <u>DEADLINE</u> |
| 2A. PUBLIC HEARINGS: | <u>DEADLINE</u> |
| a. Donald Desvergnés – WRPD Special Permit – 63 Pasture Brook Road | |
| 2B. PUBLIC HEARINGS HELD OPEN: | <u>DEADLINE</u> |
| a. Pike Avenue Acquisitions, LLC – “PIKE ESTATES” Definitive Subdivision Plan | 6/18/19 |
| b. W.B. Construction & Development, Inc. – “BRIGHAM HILL ESTATES”
MGL Ch. 41 §81-W Definitive Subdivision Plan | 5/22/19 |
| c. W.B. Construction & Development, Inc. – “BRIGHAM HILL ESTATES, PHASE II”
MGL Ch. 41 §81-W Definitive Subdivision Plan | 5/22/19 |
| 3A. SITE PLAN REVIEW PUBLIC HEARINGS: NONE | <u>DEADLINE</u> |
| 3B. SITE PLAN REVIEW PUBLIC HEARINGS HELD OPEN: | <u>DEADLINE</u> |
| a. Major Site Plan Review application of the City of Attleboro, Berwick Road | |
| Deadline to Close Public Hearing | 5/13/19 |
| 4. PENDING APPLICATIONS/MATTERS: | <u>DEADLINE</u> |
| a. Major Site Plan Review application of City of Attleboro, 100 Rathbun Willard Drive | 5/13/19 |
| 5. FORM A PLANS: NONE | <u>DEADLINE</u> |
| 6. APPOINTMENTS TO SPEAK: NONE | |
| 7. STAFF REPORT: REPORT TO BE E-MAILED | |
| 8. CORRESPONDENCE: | |
| a. Memorandum from Public Works Superintendent Michael R. Tyler, dated April 22, 2019, to the Planning Board, providing comment on the Major Site Plan Review application for Berwick Road. (See Agenda item #3Ba) | |
| 9. PERFORMANCE BOND CORRESPONDENCE: | |
| a. Letter from Planning Board Clerk Lauren Stamatis, dated April 22, 2019, to Public Works Superintendent Michael Tyler, soliciting a recommendation relative to the request for a FINAL release of funds for the “AVALON ESTATES” subdivision. | |
| b. Letter from attorney Edward Casey on behalf of Viridian Development, LLC, dated April 23, 2019, to Planning Board Chairman Paul Danesi, requesting an updated bond amount for the “VIRIDIAN MEADOWS, PHASE II” subdivision. (See Agenda item #9c) | |

- c. Letter from Planning Board Clerk Lauren Stamatis, dated April 25, 2019, to Public Works Superintendent Michael Tyler, soliciting an updated bond amount for the work completed under covenant on the "VIRIDIAN MEADOWS, PHASE II" subdivision.
- d. Letter from John G. Walsh III of Walsh Contracting Corp, dated April 29, 2019, to the Planning Board, requesting a **FINAL** release of funds for the "TENNANT CIRCLE" subdivision. (See Agenda item #9e)
- e. Letter from Planning Board Clerk Lauren Stamatis, dated April 29, 2019, to Public Works Superintendent Michael Tyler, soliciting a recommendation relative to the request for a **FINAL** release of funds for the "TENNANT CIRCLE" 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.
- 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.
- 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 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).
- f. 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.
- g. 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.
- h. 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.
- 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 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.
- 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.)

11C. SITE PLAN REVIEW COMMITTEE:

- a. City of Attleboro – Major Site Plan Review, 100 Rathbun Willard Drive

11D. SUBDIVISION COMMITTEE:

12. PENDING MINUTES:

- a. April 22, 2019

13. SRPEDD DELEGATE’S REPORT:

- a. Report/update from Scott Jones

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

- a. Vote to hold Joint Public Hearing with the Municipal Council on Tuesday, May 21, 2019 at 7:00 p.m. in the Council Chambers
- b. Regular meeting scheduled for Tuesday, May 21, 2019 at 6:30 p.m. in the Annex Room
- c. Regular meeting scheduled for Monday, June 3, 2019 at 6:30 p.m. in the Council Chambers

15. RECENTLY FILED APPLICATIONS/OTHER:

- a. Sign 81-Q Letters
- b. Ryan Sheehan – WRPD Special Permit – 52 Ashden Court (copies for distribution)
- c. Morin’s Inc. – Frank Mossberg Drive – Discontinuance (copies for distribution)
- d. Vote to perform on Beech Tree Estates performance guaranty
- e. Vote to perform on Burgess Estates performance guaranty