



City of Attleboro, Massachusetts

PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET

ATTLEBORO, MASSACHUSETTS 02703

TEL 508.223.2222 FAX 508.222.3046

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CITY OF ATTLEBORO
CITY CLERK

EC

2021 MAY -3 AM 11:25

AGENDA

MAY 10, 2021

6:30 P.M.

Zoom Access Link:

<https://us02web.zoom.us/j/86005713114>

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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 | 5/31/21 |
| 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. John J. & Mary F. Donovan – “RAMBLER ROAD” Street Extension Plan | 5/31/21 |
| 5. FORM A PLANS: LINK* | <u>DEADLINE</u> |
| a. Ronald Proulx – Revere Terrace & Commonwealth Avenue | 5/19/21 |
| 6. APPOINTMENTS TO SPEAK: | |
| 7. STAFF REPORT: NO WRITTEN REPORT | |
| 8. CORRESPONDENCE: LINK* | |
| a. Letter from Health Agent Jessica Horsman, dated April 30, 2021, to Bill Ward of W.B. Construction & Development, Inc., relative to complaints regarding odor, dust, and noise adjacent 60 Teaberry Lane in association with construction of the “BRIGHAM HILL ESTATES, PHASE III” subdivision. | |
| b. Memorandum from Public Works Assistant Superintendent Robert Araujo, dated April 29, 2021, to the Planning Board, approving the proposed changes to the guardrail in the “HILLCREST AVENUE EXTENSION” street extension plan. | |
| c. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated April 27, 2021, to the Municipal Council, recommending approval of the petition to discontinue a portion of Rathbun Willard Drive. | |
| d. Letter from Scott Rolfe and James Borrebach of OHI Engineering, Inc., received April 30, 2021 via e-mail, to Mr. Steven Gietz, providing a status update relative to the punchlist items remaining in the construction of the STONE HAVEN subdivision. | |

9. **PERFORMANCE BOND CORRESPONDENCE: [LINK*](#)**
- a. Letter from Planning Board Clerk Lauren Stamatis, dated April 27, 2021, to Bill Ward of W.B. Construction & Development, Inc., providing the approved value of \$5,150.00 for the sidewalks waived in the "BRIGHAM HILL ESTATES, PHASE IV" subdivision.
 - b. Letter from Planning Board Clerk Lauren Stamatis, dated April 27, 2021, to Bill Ward of W.B. Construction & Development, Inc., providing the approved bond amount of \$407,431.15 relative to the "BRIGHAM HILL ESTATES, PHASE IV" subdivision.
 - c. Letter from Planning Board Clerk Lauren Stamatis, dated April 26, 2021, to Public Works Superintendent Mike Tyler, requesting a recommendation regarding a **FINAL** release of funds relative to the "STONE FIELD ESTATES II" 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. **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. April 6, 2021 (previously distributed)
 - b. April 26, 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. Fire Alarm Box Waiver Deposits