



City of Attleboro, Massachusetts

PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET
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2020 APR 30 P 1:17

AGENDA

MAY 13, 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. Pike Avenue Acquisitions, LLC – “PIKE ESTATES” Definitive Subdivision Plan | |
| 3A. SITE PLAN REVIEW PUBLIC HEARINGS: NONE SCHEDULED | <u>DEADLINE</u> |
| 3B. SITE PLAN REVIEW PUBLIC HEARINGS HELD OPEN: | <u>DEADLINE*</u> |
| a. Tian Ann Jih Der Shen Daw Yuan Temple – 61 Thurber Avenue – Major Site Plan Review | |
| b. SOWA, LLC – 1 Highland Avenue/5 Route 1A – Major Site Plan Review | |
| 4. PENDING APPLICATIONS/MATTERS: | <u>DEADLINE*</u> |
| a. John J. & Mary F. Donovan – “RAMBLER ROAD” Street Extension Plan | |
| 5. FORM A PLANS: | <u>DEADLINE*</u> |
| a. Atlantic-Attleboro Route 1, LLC – 463 Washington Street, 643 Washington Street, 0 Summit Street | |
| 6. APPOINTMENTS TO SPEAK: NONE | |
| 7. STAFF REPORT: NO REPORT THIS MEETING, SEE FEBRUARY 24, 2020 REPORT | |
| 8. CORRESPONDENCE: | |
| a. Letter from attorney Jack Jacobi of Coogan Smith, LLP, received March 12, 2020, requesting to withdraw without prejudice the Major Site Plan Review application of SOWA, LLC for 1 Highland Avenue/5 Route 1A. (see Agenda item #3Bb) | |
| b. Form P2 Application – Request for An Extension of Time to a date uncertain, received March 16, 2020, relative to the Form A application of Atlantic-Attleboro Route 1, LLC. (see agenda item #5a) | |
| c. Letter from Mark Rioux of Marette & Sons, Inc., received April 7, 2020, requesting a 24-month extension of time relative to the DEER RUN ESTATES definitive subdivision. | |
| d. Mayor’s Communication, dated April 28, 2020, to the Municipal Council, requesting approval of a loan order in the amount of nine hundred forty six thousand (\$946,000.00) dollars relative to the permitting, bidding, construction oversight and construction costs associated with the replacement of the water main, including the road restoration on Deanville Road. | |
| e. Letter from Tim Caponigro of Woodlark Development Corp., received March 13, 2020, providing comment on the proposed amendments to the Zoning Ordinance relative to performance guarantee. (see Agenda item #15a) | |

9. PERFORMANCE BOND CORRESPONDENCE: NONE

10. MISCELLANEOUS PENDING CORRESPONDENCE:

- a. 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.
- b. 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.
- c. 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.
- d. 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.
- 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 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.
 - i. 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:**
 - 11D. SUBDIVISION COMMITTEE:**
 - a. “PIKE ESTATES” Definitive Subdivision
 - b. “RAMBLER ROAD” Street Extension
- 12. PENDING MINUTES:**
- a. February 24, 2020 (previously distributed)
 - b. March 2, 2020
- 13. SRPEDD DELEGATE’S REPORT:**
- 14. UPCOMING PUBLIC HEARING, BUSINESS MEETING AND COMMITTEE MEETING SCHEDULE:**
- a. Tentative Meeting date: June 15, 2020
- 15. RECENTLY FILED APPLICATIONS/OTHER:**
- a. Petition of the Planning Board to amend §5.10 PERFORMANCE GUARANTEES and §7.1 TIME REQUIREMENT of the Planning Board’s RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND
 - b. Shawn Jorde – WRPD Special Permit - 0 Lathrop Road, Lot 1
 - c. Shawn Jorde – WRPD Special Permit - 0 Lathrop Road, Lot 2