



City of Attleboro, Massachusetts

PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET

ATTLEBORO, MASSACHUSETTS 02703

TEL. 508.223.2222 FAX 508.222.3046

2019 MAY 30 AM 9:07
EC

AGENDA

JUNE 3, 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	
b. Desvergnés Supplemental Needs Trust – WRPD Special Permit – 45 Pasture Brook Road	
c. Desvergnés Supplemental Needs Trust – WRPD Special Permit – 51 Pasture Brook Road	
d. Desvergnés Supplemental Needs Trust – WRPD Special Permit – 168 Kennedy Drive	
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	6/30/19
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	6/3/19
4. PENDING APPLICATIONS/MATTERS:	<u>DEADLINE</u>
a. Petition of Morin’s Inc. to discontinue a portion of Frank Mossberg Drive as shown on the site plan entitled “Street Discontinuance Plan of Land in Attleboro, MA”	
5. FORM A PLANS: NONE	<u>DEADLINE</u>
6. APPOINTMENTS TO SPEAK: NONE	
7. STAFF REPORT: REPORT TO BE E-MAILED	
8. CORRESPONDENCE:	
a. Form P1 Request to Continue a Public Hearing to June 17, 2019, submitted by Jack Jacobi on May 29, 2019, relative to the Major Site Plan Review application of the City of Attleboro for Berwick Road. (See Agenda item #3Ba)	
b. Municipal Council votes taken May 21, 2019, proposing a Loan Order in the amount of ONE MILLION, FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000.00) for the permitting, bidding, construction oversight, and construction costs associated with plant upgrades to the City’s Wastewater Treatment Facility located at 27 Pond Street (North) Attleboro.	
c. Municipal Council vote from May 21, 2019, proposing a Loan Order in the amount of TWO MILLION, SEVEN HUNDRED THOUSAND DOLLARS (\$2,700,000.00) for the permitting, bidding, construction oversight and	

construction costs associated with the replacement of approximately 8,800 linear feet of water mains, including road restoration, on Read Street, Attleboro.

9. PERFORMANCE BOND CORRESPONDENCE:

- a. Letter from Planning Board Clerk Lauren Stamatis, dated May 15, 2019, to Public Works Superintendent Michael Tyler, soliciting a recommendation relative to the request for a **PARTIAL** release of funds for the "SIMPSON AVENUE EXTENSION" street extension plan.
- b. Letter from Planning Board Clerk Lauren Stamatis, dated May 21, 2019, to Public Works Superintendent Michael Tyler, soliciting a recommendation relative to the request for an updated bond amount for the "STONE FIELD ESTATES II" subdivision.
- c. Letter from Planning Board Clerk Lauren Stamatis, dated May 29, 2019, to Anthony Marinella of Maddi North Street Development, LLC, approving a **FINAL** release of funds in the amount of \$58,546.09 plus interest relative to the "AVALON ESTATES" subdivision.
- d. Memorandum from Planning Administrator Lauren Stamatis, dated May 30, 2019, to the file, relative to the dismissal of the Department of Public Works recommendation for a **FINAL** release of funds in the amount of \$142,186.79 for the "AVALON ESTATES" 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.
 - 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.
- 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 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:

11D. SUBDIVISION COMMITTEE:

- a. Pike Avenue Acquisitions, LLC - PIKE ESTATES

12. PENDING MINUTES:

- a. April 22, 2019
- b. May 6, 2019
- c. May 21, 2019

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 scheduled for Monday, June 3, 2019 at 5:30 p.m. in the Annex Room
- b. Regular meeting scheduled for Monday, June 17, 2019 at 6:30 p.m. in the Council Chambers
- c. Regular meeting scheduled for Monday, July 15, 2019 at 6:30 p.m. in the Council Chambers

15. RECENTLY FILED APPLICATIONS/OTHER:

- e. Sign 81-Q Letters
- f. Sign Notary Book (for Viridian Meadows II Covenant Release)