



City of Attleboro, Massachusetts

PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET
ATTLEBORO, MASSACHUSETTS 02703
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AGENDA

SEPTEMBER 9, 2019

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 | 9/30/19 |
| 3A. SITE PLAN REVIEW PUBLIC HEARINGS: | <u>DEADLINE</u> |
| a. Sturdy Memorial Foundation, Inc. – O’Neil Boulevard – Major Site Plan Review | |
| | Deadline to Close Public Hearing → 9/9/19 |
| 3B. SITE PLAN REVIEW PUBLIC HEARINGS HELD OPEN: | <u>DEADLINE</u> |
| a. SOWA, LLC – 1 Highland Avenue/5 Route 1A – Major Site Plan Review | |
| | Deadline to Close Public Hearing → 9/15/19 |
| 4. PENDING APPLICATIONS/MATTERS: | <u>DEADLINE</u> |
| a. W.B. Construction & Development, Inc. – “BRIGHAM HILL ESTATES” | 9/30/19 |
| MGL Ch. 41 §81–W Definitive Subdivision Plan | |
| 5. FORM A PLANS: | <u>DEADLINE</u> |
| a. Nodnem Development, LLC – 0 Mendon Road | 9/9/19 |
| b. John DesVergnes – Tiffany Street, Guild Street, Perez Street, Totten Road | 9/9/19 |
| c. William B. Pitas, Jr. – Bishop Street | 9/13/19 |
| d. William & Kathleen Provost – 21 Tiffany Street | 9/16/19 |
| 6. APPOINTMENTS TO SPEAK: NONE SCHEDULED | |
| 7. STAFF REPORT: NO WRITTEN REPORT THIS MEETING | |
| 8. CORRESPONDENCE: | |
| a. Form P1 – Request to continue a public hearing to September 23, 2019, submitted by attorney Jack Jacobi on behalf of SOWA, LLC, received September 3, 2019, relative to the Major Site Plan Review for 1 Highland Avenue/5 Route 1A. (See Agenda item #3Ba) | |
| b. Letter and signage detail from Landscape Architect David McKinley of Kaestle Boos Associates, received August 27, 2019, to the Planning Board, regarding minor monument signage modifications to the approved Major Site Plan Review decision for 100 Rathbun Willard Drive. | |

- c. Letter and timeline from Mark Rioux of Marette & Sons, Inc., dated June 28, 2019, to the Planning Board, requesting an extension of time to May 31, 2020, relative to the "DEER RUN ESTATES" 81-W subdivision. **(previously distributed via email)**
- d. Letter from Steven J. Gietz of Lindsey Farms, LLC, dated July 23, 2019, to the Planning Board, requesting an extension of time to December 31, 2020, relative to infrastructure construction at the "STONE HAVEN" subdivision. **(previously distributed via email)**
- e. Letter received July 15, 2019, to the Planning Board, requesting a one year extension of time relative to the "CALVIN STREET EXTENSION" Street Extension plan. **(previously distributed via email)**
- f. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated August 27, 2019, to City Clerk Stephen Withers, granting an extension of time to December 31, 2019 relative to infrastructure completion at the "DALE COURT EXTENSION" subdivision.
- g. Certificate of Vote from Senior Land Use Planner Stephanie Davies, dated August 20, 2019, to the Municipal Council, recommending approval of the petition submitted by Sterry Street Auto Sales, Inc. to rezone 495 Collins Street from "Single Residence-B" and "Industrial" to "General Business."
- h. Certificate of Vote from Director of Planning and Development Gary Ayrassian, dated August 20, 2019, to the Municipal Council, recommending that the loan order for water main upgrades on Steere Street is consistent with the City's Comprehensive Plan.
- i. Certificate of Vote from Director of Planning and Development Gary Ayrassian, dated August 20, 2019, to the Municipal Council, recommending that the loan order for water main upgrades on Roy Avenue is consistent with the City's Comprehensive Plan.

9. PERFORMANCE BOND CORRESPONDENCE:

- a. Covenant Release Form submitted by Robert Catenacci of One Thirty One Pleasant St, LLC, received September 3, 2019, relative to the "STONE FIELD ESTATES II" subdivision.
- b. Letter from Planning Board Clerk Lauren Stamatis, dated August 26, 2019, to attorney Eliot T. Brais, providing an updated bond amount of \$15,214.53 relative to the "CALVIN STREET EXTENSION" Street Extension plan.

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 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.
- 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 "SHARPE PLAT" subdivision.
- 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:

12. PENDING MINUTES:

- a. June 17, 2019
- b. July 1, 2019
- c. July 16, 2019
- d. August 19, 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 scheduled for Monday, September 9, 2019 at 6:00 p.m. in the Council Chambers
 - b. Regular meeting scheduled for Monday, September 23, 2019 at 6:30 p.m. in the Council Chambers

15. **RECENTLY FILED APPLICATIONS/OTHER:**
 - a. Abbott Action, Inc. – 3 Venus Way – Major Site Plan Review (**copies for distribution**)