



# City of Attleboro, Massachusetts

## PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET

ATTLEBORO, MASSACHUSETTS 02703

TEL 508.223.2222 FAX 508.222.3046

### AGENDA

NOVEMBER 2, 2020

6:30 P.M.

RECEIVED  
CITY OF ATTLEBORO  
2020 OCT 29 P 3:45  
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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. One Thirty One Pleasant St, LLC – “STONE FIELD ESTATES III” Definitive Subdivision Plan  |                  |
| b. 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. Attleboro Park Street Realty Trust – 0 Park Street – Major Site Plan Review  |                  |
| b. Tian Ann Jih Der Shen Daw Yuan Temple – 61 Thurber Avenue – 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. Attleboro Park Street Realty Trust – Park Street   |                  |
| b. W.B. Construction & Development, Inc. – 7 Pass Farm Road   |                  |
| *Pursuant to Ch. 53a of the Acts of 2020  |                  |
| 6. APPOINTMENTS TO SPEAK: NONE  |                  |
| 7. STAFF REPORT: STAFF REPORT TO BE E-MAILED  |                  |
| 8. CORRESPONDENCE:  |                  |
| a. Stormwater peer review report from Janet Bernardo of Horsley Witten Group, Inc., received October 8, 2020, to Planning Board Chairman Paul Danesi, relative to the first review for the “STONE FIELD ESTATES III” subdivision. (See Agenda item #2Ba)                          |                  |
| b. Cover letter and revised site plans submitted by Steve Kohm of Prime Engineering, Inc., received October 26, 2020, to the Planning Board, relative to Tian Ann Jih Der Shen Daw Yuan Temple’s Major Site Plan Review application for 61 Thurber Avenue. (See Agenda item #3Bb) |                  |
| c. Letter via email submitted by Water Department Superintendent Kourtney J. Wunschel, dated October 8, 2020, to the Planning Board, providing comment on the revised design for the proposed “PIKE ESTATES” subdivision. (See agenda item #15d)                                  |                  |

- d. Letter from Planning Board Clerk Lauren Stamatis, dated October 15, 2020, to Pike Avenue Acquisitions, LLC, soliciting the fourth stormwater management peer review fee of \$1,600.00 relative to the "PIKE ESTATES" subdivision. (See agenda item #15d)
- e. Letter from Planning Board Clerk Lauren Stamatis, dated October 27, 2020, to Pike Avenue Acquisitions, LLC, soliciting the traffic study peer review fee of \$5,700.00 relative to the "PIKE ESTATES" subdivision. (See agenda item #15d)
- f. Email from Wastewater Superintendent Thomas Hayes, received October 28, 2020, to Senior Land Use Planner Stephanie Davies, providing comment on the revised "PIKE ESTATES" subdivision plans. (See agenda item #15d)
- g. Letter from Police Chief Kyle Heagney, received October 28, 2020, to the Planning Board, providing comment on the revised "PIKE ESTATES" subdivision plans. (See agenda item #15d)
- h. Email from Director of Planning and Development Gary Ayrassian, dated August 18, 2020, to attorney Jack Jacobi of Coogan Smith, LLP, following up on the Board's request regarding clean-up of the "Shops on Washington" plaza. (See agenda item #8i)
- i. Letter and photos from attorney Jack Jacobi of Coogan Smith, LLP, received October 26, 2020, to the Planning Board, verifying completion of the clean-up of the "Shops on Washington" plaza.
- j. Notice from Senior Land Use Planner Stephanie Davies, sent October 20, 2020, to Rich Hayes of Hayes Excavating, regarding the lapsed construction deadline for the "CALVIN STREET EXTENSION" street extension.
- k. E-mail, letter, revised plan, and photographs from Daniel Hazen, Guerriere & Halnon, Inc., received October 28, 2020, to Senior Land Use Planner Stephanie Davies, relative to proposed modifications to the "CALVIN STREET" street extension plan.
- l. Notice from Planning Board Clerk Lauren Stamatis, dated October 14, 2020, to Edward Casey of Viridian Development, LLC, regarding the lapsed construction deadline for the "VIRIDIAN MEADOWS" subdivision.
- m. Notice from Planning Board Clerk Lauren Stamatis, dated October 14, 2020, to Edward Casey of Viridian Development, LLC, regarding the lapsed construction deadline for the "VIRIDIAN MEADOWS, PHASE II" subdivision.
- n. Notice from Planning Board Clerk Lauren Stamatis, dated October 14, 2020, to John Case, III of County Street Realty Corp., regarding the lapsed construction deadline for the "SIMPSON AVENUE EXTENSION" street extension.
- o. Notice from Planning Board Clerk Lauren Stamatis, dated October 14, 2020, to Mark Rioux of Marette & Sons, Inc., regarding the lapsed construction deadline for the "ROLLING HILLS, PHASE VI" 81-W subdivision.
- p. Notice from Planning Board Clerk Lauren Stamatis, dated October 14, 2020, to Brian Cave of Cave Corp, regarding the lapsed construction deadline for the "DALE COURT EXTENSION" subdivision.
- q. Notice from Planning Board Clerk Lauren Stamatis, dated October 14, 2020, to Dan Grinnell of Attleboro Realty Development, Co., regarding the lapsed construction deadline for the "COLMAN ESTATES" subdivision.
- r. Notice from Planning Board Clerk Lauren Stamatis, dated October 14, 2020, to Bill Ward of W.B. Construction & Development, Inc., regarding the impending construction deadline for the "BRIGHAM HILL ESTATES, PHASE III" subdivision. (See agenda item #8r)
- s. Letter from Bill Ward of W.B. Construction & Development, Inc., dated October 24, 2020 (received October 29, 2020), providing an update on the "BRIGHAM HILLS", "BRIGHAM HILLS PHASE II", and "BRIGHAM HILLS PHASE III" subdivisions.
- t. Notice from Planning Board Clerk Lauren Stamatis, dated October 14, 2020, to Robert Catenacci of One Thirty One Pleasant St, LLC, regarding the impending construction deadline for the "STONE FIELD ESTATES II" subdivision. (See agenda item #8t)
- u. Letter received via email from Robert W. Catenacci of One Thirty One Pleasant St, LLC, to the Planning Board, providing an update and requesting an extension of time to December 4, 2020, in order to complete infrastructure construction at the "STONE FIELD ESTATES II" subdivision.
- v. Memorandum from Director of Planning and Development Gary Ayrassian, dated October 27, 2020, to Mayor Paul Heroux, requesting the Municipal Council consider the following streets for acceptance, Palm Street (extension), Raymond Drive, and Angeline Street (alignment).
- w. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated October 8, 2020, to City Clerk Stephen Withers, approving the elimination of the fire alarm box in the "STONE FIELD ESTATES" subdivision.

9. **PERFORMANCE BOND CORRESPONDENCE:**

- a. Letter received via email from Robert W. Catenacci of One Thirty One Pleasant St, LLC, to the Planning Board, requesting a **FINAL** release of funds relative to the "STONE FIELD ESTATES" subdivision. (See agenda item #9b)
- b. Letter from Planning Board Clerk Lauren Stamatis, dated October 15, 2020, to Public Works Superintendent Michael Tyler, soliciting a recommendation on the letter requesting a **FINAL** release of funds relative to the "STONE FIELD ESTATES" subdivision. (See agenda item #9c)
- c. Memorandum from Public Works Superintendent Michael Tyler, received October 26, 2020, to the Planning Board, recommending a **FINAL** release of funds in the amount of \$13,711.49 plus interest, relative to the "STONE FIELD ESTATES" subdivision.
- d. Email correspondence between Senior Land Use Planner Stephanie Davies and City Treasurer Laura Gignac, dated October 8, 2020, relative to final releases for the "SHARPE PLAT" and "HITCHCOCK ESTATES" subdivisions. (See agenda items #15b & 15c)

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 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.
- 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 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.
- d. 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).
- e. 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.
- f. 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.
- g. 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.
- h. 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. Discuss Sidewalk fund
12. **PENDING MINUTES:**
  - a. September 28, 2020 (previously distributed)
  - b. October 5, 2020 (previously distributed)
13. **SRPEDD DELEGATE'S REPORT:**
14. **UPCOMING PUBLIC HEARING, BUSINESS MEETING AND COMMITTEE MEETING SCHEDULE:**
  - a. Meeting Date: November 16, 2020
  - b. Meeting Date: December 7, 2020
  - c. Meeting Date: December 21, 2020
15. **RECENTLY FILED APPLICATIONS/OTHER:**
  - a. **VOTE to hold remote Joint Public Hearing** with Municipal Council on November 17, 2020 relative to the City's petition to discontinue Crown Street
  - b. Final Release for Sharpe Plat (See Agenda item #9c, 10g)
  - c. Final Release for Hitchcock Estates (See Agenda item #9c, 10h)
  - d. Pike Avenue Acquisitions – Definitive subdivision plan – “PIKE ESTATES”
  - e. Pacifico Energy, NA – Repetitive petition – 0 Richardson Avenue & 0 Richardson Avenue Rear
  - f. Shawn Jorde – WRPD Special Permit – Lathrop Road, Builder's Lot #1
  - g. Shawn Jorde – WRPD Special Permit – Lathrop Road, Builder's Lot #2
  - h. Built 2 Last Homes, LLC – WRPD Special Permit – 180 Kennedy Drive