



City Of Attleboro, Massachusetts

PLANNING BOARD

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MINUTES

APRIL 22, 2019

In accordance with the provisions of the Massachusetts General Laws Ch. 40A and Ch. 41, as amended, the Planning Board held public hearings on Monday, April 22, 2019 at 6:30 p.m. in the Council Chambers , City Hall, 77 Park Street, relative to the following :

Planning Board Members Present: Chairman Paul Danesi, Vice Chairman Jason Gittle, Secretary Bert Buckley, Sheryl Guglielmo, Scott Jones, Melinda Kwart, Jim Lewis, and Sean McNamara

Planning Board Members Absent: None

The Board held a meeting with the Mayor to discuss subdivision policy.

Chairman Danesi requested direction for the Board regarding Mayor Heroux's vision for development within the City.

Mayor Heroux stated that a major concern that has been brought to his attention by residents is the loss of trees and incoming housing developments. He stated that he would like to see the City retain more green space and avoid a grid-like look common to cities like Pawtucket. He stated that he has fielded a lot of concerns regarding development off of Slater Street and Bishop Street. He suggested that the Board review the City's Ordinances to address this, as once green space is developed into homes, there's no way to get it back. He noted that the public was pleased with the City's purchase of the Highland Country Club for this very reason as it will ensure that land is preserved.

Jim Lewis stated that subdivision control law in Attleboro has been in effect since 1952 and that the Board is obligated to approve a project if it meets the rules and regulations. He stated that twice in the past they have worked with the Municipal Council to alter lot sizes or subdivision yield to limit development. He stated that both times, landowners were outraged and opposed it in force. He noted his understanding that the number of units allowed per acre has been reduced quite a bit over the years. He stated that the Board has already started discussions regarding amendments to the subdivision rules and regulations. He agreed that he would like to see more trees retained. He noted that the Health Department has a rule that requires that each lot pass a percolation test to be deemed buildable and that such work requires excavators and equipment that often requires taking down trees. He stated that relief from that rule could help prevent lots from being completely disturbed.

Chairman Danesi stated that the Board has been discussing proposed changes for the stormwater management systems and noted that as the remaining land open for development becomes more and more complicated, the stormwater systems become larger and more sophisticated. He explained that current regulations don't specify the location where such features can be placed. He stated that the Board would like to include regulations that would prohibit the placement of these features directly adjacent to an abutter's property, but rather keep them insulated within the development. He noted that there are also concerns that many of the old through streets don't meet the current stormwater standards and dimensional requirements, which fail to meet public safety standards. He stated that the assistance of the Municipal Council will be necessary to make these changes.

Mayor Heroux reviewed some of the priorities for road repairs and ambitions for sidewalk expansions.

Director of Planning and Development Gary Ayrassian noted that the Board may also want to address traffic calming techniques and sight distances and what jurisdiction the Board has outside of the input of the Municipal Council.

Chairman Danesi noted that regulations were developed to encourage lower density projects including small house lots with open space, cluster developments, and attached dwellings, but that those initiatives have not attracted much developer interest. He stated that further action should be taken to better encourage the use of those options. He noted that there is an increasing number of homes owned by single or aging couples and that there should be further mechanisms to provide affordable senior housing. He stated that the new construction of homes is not meeting current demands, so incentives could be put in place to encourage developers to revitalize the existing housing stock. He noted that the Attleboro Land Trust has done a great job of acquiring market value land to preserve future open space and suggested that the Community Preservation Act could be utilized to that end by the City.

Mr. Ayrassian noted that there is an entire chapter dedicated the Community Preservation Act at the end of the Open Space and Recreation Plan. He stated that a public opinion survey had been performed at the time of the report's development and that there appears to be public support.

Chairman Danesi suggested that more public dialogue could be encouraged.

Mayor Heroux questioned what the Board can do to encourage development in the downtown.

Scott Jones stated that he was excited to hear what ideas the City's new Economic Development Director has for downtown development.

Chairman Danesi stated that the Board works with the ARA and that Renaissance Station South is currently being reviewed, which has great potential to revitalize the downtown. He stated that such goals are not necessarily within the direct purview of the Planning Board, but that the Board participates in the development of the Master Plan and the Comprehensive Plan, which helps guide future development.

Mayor Heroux stated his belief that Boards and Commissions serve in an advisory capacity and would like to keep the conversation about redevelopment in the downtown and preservation of green space in more rural areas going. He urged the Board to submit amendments for the Municipal Council to aid in revising the Ordinances. He encouraged the Board to make any changes within their power towards these ends.

Chairman Danesi noted that the Board was involved with the development of the Transit Oriented Development zoning district several years ago, but it hasn't been particularly helpful in attracting developers. He cited that things are a work in progress.

Mr. Ayrassian stated that things are moving along and that there are some upcoming plans that cannot be discussed for confidentiality reasons.

Scott Jones noted that the City's website has some really great resources that he reviewed in anticipation of this meeting, including historical land use. He noted that there has already been a very stark decrease in single family home developments from 2006-2019 versus 1990-2006.

Mr. Heroux agreed that condos have become more popular. He stated his desire to see follow-through to implement amendments towards the goals discussed.

The Board heard the application of Jessica Realty Trust for a special permit pursuant to §17-9.0 SPECIAL PERMITS and §17-13.0 WATER RESOURCE PROTECTION DISTRICT to construct a single family dwelling with associated driveway, utilities, septic system, and grading within the Orr's Pond Water

Resource Protection District, said premises being located at 30 Lathrop Road, more specifically Assessor's plat #81A, lot #8B, located in the Single Residence -B zoning district.

Speaking in favor of the application was Robert Meisterman on behalf of the owner, Thomas Faust. He stated that he is requesting a special permit to construct a single family home within the Orr's Pond Water Resource Protection District.

Chairman Danesi questioned the distance of the lot from the pond.

Jason Gittle noted that the plan indicated a distance of 3,500-feet.

Chairman Danesi questioned the nearest sewer connection.

Senior Land Use Planner Stephanie Davies speculated on South Avenue.

Mr. Meisterman stated that they have received approval for wetland permitting through the Conservation Commission. He stated the intent to heat the house with propane gas and not oil.

Mr. Ayrassian asked whether the necessary preclusions have been spelled out.

Mr. Meisterman stated his understanding about the conditions that accompany the permit and that they will be passed along to whoever purchases the house.

Jim Lewis sought to confirm that it is Mr. Meisterman's professional opinion that the construction of this single family home and its associated septic and propane gas will not have an adverse impact on the Water Resource Protection District.

Mr. Meisterman replied in the affirmative.

There being no one else to speak, Jason Gittle made a motion to close the public hearing. Bert Buckley seconded the motion and all voted in favor.

The Board heard the application of Pike Avenue Acquisitions, LLC for the proposed forty-nine (49) lot definitive subdivision plan entitled "PIKE ESTATES," located at 419 Pike Avenue, more specifically Assessor's plat #130, lot #81, located in the Single Residence-D zoning district, engineered by Daniel R. Campbell, R.P.E. of Level Design Group, 249 South Street, Unit 1, Plainville, MA 02762.

Speaking in favor was Dan Campbell of Level Design Group who explained that the preliminary subdivision plan had been approved several months prior and that they are proposing a 41 acre open space definitive subdivision with multiple, smaller stormwater basins. He stated that one large open space area is proposed between the main house lots and around the end of the cul-de-sac and a secondary smaller open space parcel is adjacent to the lots off Nash Avenue. He stated that 20.39 acres of open space are proposed, which meets the 50% requirement. He stated that the smallest house lot proposed is 10,000 square feet and the largest is 15,000 square feet. He stated that two access points to the subdivision are proposed, off of Pike Avenue and off of Rambler Road. He stated that four waivers are being requested to calm traffic and reduce impervious area. He stated that they are seeking to reduce the widths of both the Rambler Road extension and Paisley Way from 31-feet of pavement to 28-feet. He stated that this was the result of discussions during the preliminary process where an originally proposed

traffic island was eliminated. He noted that there is enough width to be able to pass a parked car. He stated that they are considering the installation of a traffic hump as you enter the subdivision from Rambler Lane. He stated that they are also requesting a waiver to reduce the curb radii at the T-intersections within the subdivision from 30-feet to 15-feet. He suggested that this change would force vehicles to slow down when make the turns. He stated that they are seeking a waiver to install sidewalks on only one side of the roadways.

Jason Gittle questioned the rationale for the sidewalk waiver.

Mr. Campbell replied that it will reduce the amount of pavement, which in turn, reduces issues with run-off. He stated that previous discussions were held regarding providing sidewalks along the existing portion of Rambler Road and that as the City is now proposing to install sidewalks along Bishop Street, the applicant would be in favor of that plan.

Sheryl Guglielmo questioned the width of Rambler Road as it approaches the subdivision.

Mr. Campbell replied that on average it is 26- to 28-feet wide and that it tapers as it passes Nash Lane. He stated their plan to widen the end of Rambler Road to 28-feet to match up with the new road.

Jim Lewis questioned the future of the proposed open space. He asked whether it will remain with the subdivision or will be deeded over to the City.

Mr. Campbell replied that he felt that decision was up to the Planning Board. He noted that the site borders an open space parcel associated with the neighboring condominiums which may link up to these if both controlled by the City.

Jim Lewis asked whether most of the open space is upland.

Dan Campbell replied yes, the majority.

Jim Lewis asked if it is heavily treed.

Mr. Campbell replied yes and that there are existing walking paths throughout.

Jim Lewis questioned whether the residents had been approached about the proposed widening of Rambler Road and addition of sidewalks. He speculated that it may require the removal of resident's landscaping or mail boxes that may be in the right of way.

Mr. Campbell replied that there may be some shrubs that are displaced. He stated that there is room to install the sidewalk without major disruption to the driveways and mailboxes.

Jason Gittle questioned whether the stormwater system parcels are included in the open space calculations.

Mr. Campbell replied no, that the two major open space parcels total the required acreage for an open space subdivision, 20.38 acres.

Bert Buckley noted that the regulations require that the open space be one parcel, rather than two.

Mr. Campbell agreed that a waiver had been requested. He stated that his intent is to give all of the residents of the subdivision access to the open space without enlarging the infrastructure like roads and utilities. He stated that three additional open space parcels will be conveyed to the City containing the stormwater management systems.

Mr. Ayrassian disputed his statement, explaining that the stormwater parcels have a function outside of open space, but that as long as Mr. Campbell is not claiming credit for them as open space there isn't an issue.

Mr. Campbell replied that his interpretation of open space was the land being conveyed to the City, rather than providing access via easements. He stated that since the City will maintain the basins, he has separated them out on their own parcels to ease access and streamline deeding them to the City.

Scott Jones noted that the open space creates a buffer for people living on Rambler Road, Nash Avenue, and Pike Avenue.

Mr. Ayrassian noted that the purpose of open space under the Zoning Ordinances is not to serve as a buffer. He suggested the Board hold a Subdivision Committee meeting soon to discuss the project. He argued that the location of the open space is meant to allow enjoyment by the entire community, not just the inhabitants of the subdivision. He stated that there are three options for disposition to be decided by the Board, either homeowner's association, conveying to the Conservation Commission, or conveying directly to the City.

Jim Lewis sought to confirm that the provisions of the open space specifications can be waived.

Mr. Ayrassian agreed.

Mr. Campbell agreed that the open space does not technically serve as a buffer. He noted that access to the land has been added from Nash Street.

Jason Gittle sought to confirm that both open space parcels are publically accessible.

Mr. Campbell answered yes.

Speaking in opposition was Kevin Fuoco of 56 Nash Lane who expressed concern with the proposed stormwater basin located about 300-feet from his property. He stated his need for assurances that displaced water will not end up in his basement. He also disputed narrowing a road as a means for reducing traffic speeds and expressed concern for the seniors and children in his neighborhood. He argued that a speed hump leading into the subdivision will not do anything for the existing neighborhood. He stated that he didn't feel a stop sign would be enforced. He stated that he currently sees about 30 cars per day and this project will increase that number to at least 50-100. He stated that he purchased his home in this neighborhood 15 years ago because he liked how quiet it is. He argued that the neighborhood has operated without issue to this point without sidewalks, so he doesn't see a lot of value in installing them now. He stated he has concerns for the area's infrastructure, as well. He stated that there have been at least three water main breaks on Bishop Street in his time there and he is concerned with the possibility of adding 50 more houses on such a compromised system. He argued that he felt his interests as a long-standing tax payer in the City of Attleboro should be served before those of new residents

coming in. He added that with the new high school recently approved, the numbers of school children are likely to increase. He suggested for future meetings that a second easel be provided to allow the abutters to see what is being presented.

Mr. Ayrassian questioned why Mr. Fuoco wouldn't want sidewalks installed.

Mr. Fuoco argued that the sidewalks are being sold to the community as an upgrade that is resulting from this subdivision. He argued that without the proposed subdivision, the sidewalks are unnecessary. He requested that the Board visit his neighborhood to see the impacts it will have.

Melinda Kwart noted that the point is that if traffic increases occur on account of development, the sidewalks will give your daughter somewhere to ride her bike.

Mr. Fuoco stated that long straight roads encourage speeding, especially at night.

Sheryl Guglielmo questioned the layout of the existing road and noted that many neighbor's fences may be disrupted.

Mr. Campbell replied that the right of way for Rambler Road is 40-feet wide. He pointed out a sheet in the plans that shows the existing conditions and the intrusions within the right-of-way.

Mr. Ayrassian noted that the sidewalk will not be on private property, it would be installed within the right-of-way.

Mr. Fuoco stated that the sidewalk is the least of his concerns and he is more worried about motorists speeding.

Chairman Danesi questioned Mr. Fuoco's recommendation on how to reduce speeds.

Mr. Fuoco replied that another way to access the lot could be found. He suggested speed humps along the existing portion of Rambler Road may be helpful.

Sean McNamara sought to confirm that stormwater runoff will not be anywhere near this resident's home.

Mr. Campbell replied that with existing conditions there is an area where ponding already occurs and then travels behind Mr. Fuoco's house. He stated that they are proposing the installation of catch basins at the end of Rambler Road to capture that run off and pull it back into the development to be discharged to the wetlands that are downgrade of Mr. Fuoco's property. He noted that when the peer reviewer completes their analysis, it will show a decrease in the flow to that area.

Mr. Fuoco stated that that fact allays some of his concerns.

Speaking in opposition was John Donovan of 64 Nash Lane who stated that he has a fence that has been there for 50 years that runs along his side yard and protects his in-ground pool. He expressed concern with which side of Rambler Road is slated for sidewalk installation. He noted that one side contains all of the existing utility poles and that there is not much on the opposite side.

Mr. Ayrassian stated that decision would be up to the Planning Board to decide.

Mr. Donovan stated that he has a number of grandchildren that play from Nash Lane down to the woods and there are currently no issues with traffic. He asserted that he had been told that the entrance from Rambler Road was slated to be gated and only for emergency use. He stated that the original plan appears to have changed.

Mr. Ayrassian noted that private property owners have the right to request approval for development as best suits their purposes.

Speaking in opposition was Carol Connolly of 27 Rambler Road who submitted a letter signed by herself and twenty other neighbors regarding concerns surrounding this development. She stated that she has nothing but respect for the developer going in with an open space design. She stated, however, that she moved to this neighborhood five years ago from Pleasant Street to purposefully be on a double dead-end, so this proposal is very disappointing. She stated that she understands that the adjacent property belongs to someone and that they have every right to develop it. She countered that she is an Attleboro resident, however, and pays taxes too, so feels her concerns should be addressed. She noted that without this development, sidewalks are not necessary in their community. She stated that she appreciated the ongoing review of the proposed drainage as there are many wetlands in the area and she is concerned with the potential of the water table rising on account of development. She stated that she installed two sump pumps when she moved in to her property and that they run all the time, even in the winter. She noted that her property also has French drains to control the water. She called attention to the other two subdivisions also in the process of development just in Ward 4. She stated that the greater infrastructure for the City, including school capacity needs to be reviewed to better steer development.

Mr. Ayrassian replied that the City has a Comprehensive Plan which addresses infrastructure in relation to development of the City.

Ms. Connolly noted how the City purchased Highland Country Club to prevent another subdivision from being constructed, while three more are put into her Ward. She noted the high speed driven in the area and that people use it as a cut through. She stated that she felt the addition of 50 more houses and their associated cars will make things much worse.

Speaking in opposition was David Gibbs of 73 Nash Lane who stated that the proposed speed bumps are nice, but will not change the amount of traffic. He agreed that the area doesn't need sidewalks now, as it is so quiet. He stated that he has been walking in the woods behind his house for the past forty years and that it is beautiful, but very wet. He stated that many of his neighbors have pumps in their basements and he doesn't want to have water issues at his house. He argued that nobody can guarantee what will happen and the residents are the ones who suffer the consequences. He summarized that his concerns are relative to traffic and water.

Sheryl Guglielmo questioned how long the existing development has been there.

Mr. Ayrassian replied that the Bishop Farms subdivision has been in existence since around 1988 and was originally a brand new development off of a main road.

Speaking in opposition was Ed Olson of 8 Brookside Drive who stated his concern with the potential of diverting excess water to the wetlands as they are behind his house. He stated that he already gets up to 3-inches of water in his cellar when the water table rises. He argued that the wetland will not have capacity

if all of the subdivision's water is routed there. He stated that he is also concerned that the Pike Avenue entrance is located on a severe curve. He questioned the operating times for construction should this development be approved.

Senior Land Use Planner Stephanie Davies stated that she would note the residents' concerns relative to ground water and relay them to the third party reviewer of the stormwater system. She noted that the reviewer will be performing a site visit as part of her review, so can look at impacts on the abutters more closely.

Mr. Olson asked whether the open space proposed near his property will remain in its present, heavily treed condition.

Chairman Danesi replied in the affirmative.

Speaking neither for nor against the project was John Pitas of 58 Brookside Drive. He explained that the current water flow for the area goes through his driveway before going to Pike Avenue. He noted that there is a 5-foot drainage ditch from Bishop Street to the culvert near the railroad tracks which is maintained by Bristol County mosquito control, so currently flows well. He expressed concern with an increase in the water that would be flooding his driveway post development.

Mr. Ayrassian explained that the project has a consultant engineer verifying all of the calculations submitted by the developer.

Mr. Pitas questioned what he should do two years from now with resultant issues.

Chairman Danesi stated that the Planning Board can be consulted.

Mr. Pitas stated his preference with being proactive to prevent problems.

Jim Lewis noted that the developer is not allowed to have water exiting the site any faster than it does now.

Mr. Ayrassian noted that it will be assured that the system is of an appropriate size to accommodate future run off.

Jason Gittle stated his understanding of Mr. Pita's concerns. He stated that developers submit engineered plans that are then reviewed by an outside engineering company.

Mr. Pitas argued that he was a developer before retirement and he understands how things work. He asserted that if issues are not address in the planning stage, they are very hard to correct once the subdivision is in.

Speaking neither for nor against was Ward 4 City Councilor Kate Jackson. She stated that she has fielded a number of constituent calls seeking to decrease property yield via Zoning. She stated that all of the abutters' lives will change as a result of this development. She asked that the Board consider the history of these older roads when reviewing development proposals and when contemplating changes to the existing Rules and Regulations.

Dan Campbell spoke in rebuttal and noted that existing issues with the water lines on Bishop Street can be improved as a result of this development as they intend to loop the line from Pike Avenue to provide back-up access. He noted that gas lines are being proposed for this neighborhood that may be looped up to Bishop Street, which will reduce traffic in the form of oil trucks. He stated that the culvert referenced by Mr. Pitas was analyzed and modeled to ensure the project wouldn't have a negative impact. He stated that the subdivision doesn't discharge water directly to the culvert itself, as it is more than 1,000 feet away, but they did model to ensure there are no downstream impacts from the development. He replied to Mr. Donovan's question regarding the sidewalks and that they would be proposed on the opposite side of the one containing the light poles. He stated that sidewalk from the development is proposed all the way to Nash Lane with a handicapped ramp on the far side.

There being no one else to speak, the public hearing was continued.

The Board scheduled a site visit for the "Pike Estates" proposed definitive subdivision on May 2nd at 6:00 p.m.

The Board heard the application of W.B. Construction & Development, Inc. for the proposed amended forty-three (43) lot definitive subdivision entitled Brigham Hill Estates, as shown on the plan entitled "Phase II - 'Brigham Hill Estates' Definitive Residential Subdivision Modifications" filed pursuant to MGL Ch. 41 §81W, said premises being located off Smith Street and 29 Brigham Hill Road, more specifically Assessor's plat #218, lots #7 and 7B, surveyed by Byron J. Andrews, R.L.S. and engineered by Richard M. Mainville, R.P.E. of Andrews Survey & Engineering, Inc., 500 East Washington Street, North Attleboro, MA 02760, dated May 2, 2014 and revised through October 15, 2018. The subject premises are located in the Single Residence -D zoning district.

The Board heard the application of W.B. Construction & Development, Inc. for the proposed amended twenty (20) lot definitive subdivision entitled Brigham Hill Estates, Phase II, as shown on the plan entitled "Phase II - 'Brigham Hill Estates' Definitive Residential Subdivision Modifications" filed pursuant to MGL Ch. 41 §81W, said premises being located off Ingall Lane, more specifically Assessor's plat #218, lot #7A, surveyed by Byron J. Andrews, R.L.S. and engineered by Richard M. Mainville, R.P.E. of Andrews Survey & Engineering, Inc., 500 East Washington Street, North Attleboro, MA 02760, dated May 2, 2014 and revised through October 15, 2018. The subject premises are located in the Single Residence -D zoning district.

Jim Lewis recused himself from the proceedings.

Speaking in favor of the applications was Bill Ward of W.B. Construction and Development. He stated that they had held a productive work session with the reviewer on March 14th. He noted that they advised creating a constructed wetland in lieu of the Phase II detention pond, but that he felt that was not the right design for this project. He explained that the issue they are facing, as determined by their hydrogeologist, is the mounding effect the ponds are exerting upon the groundwater. He stated that he feels it would be better to simply have a detention pond with a clay bottom that allows nothing to infiltrate before flowing to the wetlands. He estimated that they couldn't begin work in the ponds until at least mid-June given the rain of late.

Chairman Danesi questioned where the water will flow if it is not moving across Slater Street.

Mr. Ward explained their concern with the Phase I pond water clogging the existing 18-inch pipe that goes under the road. He stated that his engineers prescribe a 30-inch pipe to be able to contain all of the water.

He explained that the trouble is that the City does not have an easement to the stormwater pipe, so that needs to be addressed before he can make plans to increase the size of that along with the headwall pipe.

Speaking in favor of the application was Bill Blais of Andrews Survey and Engineering who stated that they are proposing for the Phase II plans to remain as-is. He stated that for Phase I, they intend to expand the upper basin and line it to prevent any further infiltration. He stated that it will discharge into the wetland downstream via the headwall to an 18-inch pipe. He stated that the current situation is causing water to back up on the side of Smith Street. He stated that the matter is complicated by the fact that both phases discharge to the same locale. He stated that they are proposing to pipe the discharge from the lower basin down Smith Street to attempt to alleviate the issue for the neighbor whose property contains the drain lines without a maintenance easement. He stated that they intend to run their calculations one more time and have Public Works review them. He stated that they agreed with the reviewer's suggestion that New England Roadside mix be installed, along with trees, to help vegetate the area. He argued that none of the suggestions made by the reviewer will improve the situation from the perspective of their calculations more than what is currently proposed. He noted that if an easement could not be procured, the 18-inch pipe could remain. He stated that in this scenario, the water would still pool on the basin side of Smith Street, but the situation wouldn't be any worse that it is now.

Chairman Danesi sought to confirm that the function of the Phase II pond would be modified in mid-June and the Smith Street issue would be addressed later.

Mr. Ward noted that the largest stumbling block is acquiring the easement for the Smith Street pipe, as the neighbor is not interested in allowing them to dig up his yard. He noted that the lot next to the neighbor's is under current development, so they are working with that property owner to obtain an easement. He stated that desire to perform the utility work this season. He explained that Public Works has a full moratorium on disrupting Smith Street as it had just been paved two years prior. He stated that for that reason, Public Works is mandating the whole road be repaved from curb to curb if it needs to be disturbed. He stated that they hope to work on the Phase II pond this summer and do the road work in the fall.

Sheryl Guglielmo stated her appreciation for the research and effort that has been devoted to resolving this issue. She questioned the anticipated completion time for the detention pond work in Phase II.

Mr. Ward estimated that it will take three to four weeks to complete the detention pond.

Sheryl Guglielmo questioned whether anything could be done to mitigate Jennifer Cooke's issues, as she has been extremely patient with this process.

Mr. Ward offered to construct the discharge area first. He explained that the existing basin still needs to function while the new basin is constructed around it, so they are limited as to what can be done.

Sheryl Guglielmo asked whether the excess water could be manually pumped elsewhere.

Mr. Ward replied that he didn't know what else could be done, but that he felt they were close to a resolution.

Ms. Davies sought to confirm that installing the pipe in the street will be the first aspect tackled for the Phase I work.

Mr. Ward replied in the affirmative.

Mr. Ayrassian requested an implementation plan for the construction sequences for each phase.

Ms. Davies questioned the proposed Phase III street improvements.

Mr. Blais stated that curbing will be installed next to Mr. Orrechio's driveway to keep run off out of his yard. He stated that a drop inlet is proposed next to Mr. Romaniecki's property leading to a pipe that goes to an underground drainage system.

Speaking was Joann May of 93 Smith Street who noted that the land in that area slopes very far down. She questioned whether grading is proposed. She cited concerns with water flowing from the 30-inch pipe back up on her property.

Mr. Ward replied that the features will be much lower than Mrs. May's property.

Mr. Blais added that the water will be traveling to the same place that it did before as they cannot disrupt the wetlands to push it out further.

Mrs. May expressed concern with double the amount of water potentially being funneled to her property. She lamented that the water will be sitting for longer.

Mr. Ayrassian stated that the law prohibits the rate of run off from increasing.

Mrs. May argued that there is a lot more water now than there has been in the past.

Mr. Ayrassian stated that there will not be more water on account of the subdivision.

Mrs. May pointed out that future phases run off will be added to what presently exists.

Chairman Danesi requested that the applicant's engineers take a look at her property and report back to ensure the design will have no negative impacts.

Mrs. May questioned who is responsible for the existing pipe that is slated to be capped.

Mr. Ayrassian noted that the pipe is on private property and no records can be found of a maintenance easement. He advised the applicant to consult with Public Works regarding the implications of capping the old pipe.

Speaking neither for nor against was Jennifer Cooke of 128 Smith Street who stated that she appreciates all the work and money that have been spent to set things right. She stated that this year is her fifth spring dealing with these water issues and that there is standing water on three sides of her house, a mere 10-feet away from her septic system. She stated that her property is ruined and she is looking forward to fixing it. She stated that she understands that a timeline for repairs cannot be guaranteed, but she appreciates any efforts than can be undertaken to fast-track the process.

Mr. Ward replied that he intends to repair the pond in June.

Ms. Davies sought to confirm that clay will be deposited on both the bottom and sides of the pond.

Mr. Ward agreed.

Mr. Ayrassian requested that that detail be specified in the plans.

Mr. Ward noted that he will be paying a neighbor for easement rights to run the pipe across his land, which will be conveyed to the City for future maintenance.

Mr. Ayrassian sought to confirm that the deed and easement paperwork be recorded prior to conveyance.

Mr. Ward agreed.

There being no one else to speak, the public hearing was continued.

The Board heard the application of the City of Attleboro for a Major Project Site Plan Review pursuant to the provisions of §17-15.0 SITE PLAN REVIEW of the ZONING ORDINANCE, for the demolition of the existing high school building and construction of a new high school building consisting of 476,425 square feet and associated sports fields and courts; 687 off-street parking stalls; and associated landscaping, utilities, grading and stormwater management systems; the subject premises being located at 100 Rathbun Willard Drive, more specifically Assessor's plat #44, lot #42, located in the Single Residence-B and Single Residence-D zoning districts.

Speaking in favor of the application was Vice Chairman Jack Jacobi of the School Building Commission who informed the Board that the requested relief has been granted by the Zoning Board and Conservation Commission.

Speaking in favor was Dave McKinley of Kaestle Boos who stated their intent to submit revised plans showing changes to the landscaping.

There being no one else to speak, Jason Gittle made a motion to close the public hearing with the exception of filing updated plans. Bert Buckley seconded the motion and all voted in favor.

Mr. Jacobi requested an extension of time to May 13th.

Bert Buckley made a motion to grant an extension of time to May 13th. Melinda Kwart seconded the motion and all voted in favor.

The Board heard the application of City of Attleboro for a Major Project Site Plan Review pursuant to the provisions of §17-15.0 SITE PLAN REVIEW of the ZONING ORDINANCE, for the construction of a parking lot, consisting of a total of 354 new off-street parking stalls, including associated grading and stormwater management systems; the subject premises being located on Berwick Road, more specifically Assessor's plat #115, lot #1, located in the Single Residence-D zoning district.

Speaking in favor of the application was School Building Commission Vice Chairman Jack Jacobi who stated that the proposed lot will provide parking for the 350+ contractors constructing the new high school.

Chairman Danesi sought to confirm that the parking lot would be removed once the high school is complete.

Mr. Jacobi replied in the affirmative. He stated that the entrance to the site is from Rathbun Willard Drive and that they are proposing to install a gate in an existing portion of fencing. He stated that the design carefully avoids all of the nearby wetlands and preserves as many trees as possible. Toward that end, parking stalls are proposed to be only 9'x18'. He stated that the lot will prevent workers from parking along the roadway or in surrounding residential neighborhoods. He stated his understanding that the Mayor hopes to reuse the parking lot afterwards for the construction of a performing arts venue on the site. He stated that the plan before the Board presents a temporary lot that will be filled in and restored to preexisting conditions.

Chairman Danesi questioned why the lot will be paved if it is only temporary.

Mr. Jacobi replied that work will be ongoing through all of the seasons and snow will need to be plowed to permit access.

Mr. Ayrassian argued that there is no such thing as a temporary parking lot, as it is built to the same standards as any other lot.

Mr. Jacobi explained that they are only proposing a binder coat.

Chairman Danesi noted that there will be a difference in longevity. He noted that the site will not need lighting.

Mr. Jacobi stated that they are proposing the use of portable poles with small generators for use only during the early morning in the winters and at the end of the days if it is dark at 4 p.m. He stated that contractors will be out of the lot by 5 p.m. each night and that the gate will be locked to prevent public access.

Chairman Danesi sought to confirm that no construction materials or trailers will be stored on site.

Mr. Jacobi replied in the affirmative. He explained such features will be on the high school property within the construction fencing.

Sheryl Guglielmo sought to confirm that it is intended that contractors walk across the street to the construction site.

Jason Gittle questioned whether any safety precautions had been put in place to facilitate crossing.

Mr. Jacobi replied that there is an existing sidewalk and crosswalk. He went on to explain that the plan technically doesn't comply with the regulations, as it doesn't show the locus with half a mile around the perimeter and doesn't show the surrounding property owners. He stated that they are seeking to waiver those requirements, as they are working on only a small portion of the 93 acre site and that the rest has not been surveyed.

Ms. Davies noted that it would have been helpful even to just be provided an assessor's map with the surrounding property owners' names filled in. She explained that hundreds of people were notified, but when they came to review the plans it was impossible to tell where the site was in relation to their houses.

Jason Gittle questioned the distance to the closest residence.

Mr. Jacobi replied that there are some existing houses on Rathbun Willard Drive.

Jason Gittle questioned whether trash cans will be provided on the site.

Mr. Jacobi replied that they will ensure that trash is controlled.

Jason Gittle questioned the hours the gate is proposed to be open.

Speaking in favor was Steve Johnson of Consigli who stated that it will open at 6 a.m. and that the last person who leaves will ensure it is locked for the night, which would be by 5 p.m. at the latest.

Bert Buckley questioned what would happen if someone else were to park in the lot at 4 p.m.

Mr. Jacobi replied that they will be locked in.

Jason Gittle recommended that clear signage be provided regarding the parking prohibitions and the hours the gate will be open. He questioned the purpose of locking up the site.

Mr. Jacobi replied that it is to discourage public use. He stated that it could be a tempting location for kids to go and party at night. He requested that the hearing be kept open while they await a stormwater management peer review estimate.

There being no one else to speak, the public hearing was continued.

The Board heard the application of UHS of Fuller, Inc. for a Major Project Site Plan Review pursuant to the provisions of §17-15.0 SITE PLAN REVIEW of the ZONING ORDINANCE, for realignment and expansion of two existing parking lots, adding a total of 75 new off-street parking stalls; including associated landscaping, lighting, grading and stormwater management systems; the subject premises being located at 200 May Street, more specifically Assessor's plat #14, lot #75, located in the Single Residence-B zoning district.

Speaking in favor of the application was Joe Casali of Joe Casali Engineering who informed the Board that the Conservation Commission had granted their approvals last week.

Chairman Danesi questioned the reasoning for the delay.

Mr. Ayrassian replied that there were questions relative to technical aspects of the proposal.

There being no one else to speak, Jason Gittle made a motion to close the hearing. Bert Buckley second the motion and all voted in favor.

Bert Buckley made a motion to **APPROVE WITH CONDITONS** the Major Project Site Plan Review application pursuant to the provisions of §17-15.0 SITE PLAN REVIEW of the ZONING ORDINANCE for the construction of a municipal parking lot consisting of a total of 354 off-street parking stalls, associated grading, fencing, and a stormwater management system, the subject premises being located on Rathbun Willard Drive, more specifically Assessor's plat #115, portion of lot #1, located in the Single Residence-D zoning district, as shown on the site plan entitled "ATTLEBORO HIGH SCHOOL - BID PACKAGE #2", engineered by Alicja A. Zukowski, R.P.E. of Kaestle Boos Associates, Inc., 16 Chestnut Street, Foxborough, MA 02035, dated April 1, 2019, revised through June 12, 2019. Melinda Kwart seconded the motion. A discussion followed. All voted in favor and the Board attached conditions.

The Board held a business meeting.

The Board reviewed the Form A plan submitted by George W. Jr. & Ruth S. Handy for 345 and 353 Smith Street.

Speaking in favor of the application was attorney Jack Jacobi of Coogan Smith, LLP who explained that his client has obtained approval from the Zoning Board to operate a solar farm, but that the City's Ordinance won't allow for two principal uses on the same property. He explained that they are seeking to divide the property into three lots that meet both Attleboro's and Rehoboth's zoning requirements, which has resulted in non-traditional looking lots. He stated that the property containing the farm will be conveyed to an LLC and an easement access will be granted to access it.

Ms. Davies stated that the plan works, but she encouraged the Board to consider how they interpret lot width. She stated that this plan, like several others approved, technically counts the same distance twice.

Bert Buckley made a motion to approve the Form A plan for 345 and 353 Smith Street. Jason Gittle seconded the motion and all voted in favor.

The Board discussed the application of Jessica Realty Trust for a special permit pursuant to §17-9.0 SPECIAL PERMITS and §17-13.0 WATER RESOURCE PROTECTION DISTRICT to construct a single family dwelling with associated driveway, utilities, septic system, and grading within the Orr's Pond Water Resource Protection District, said premises being located at 30 Lathrop Road, more specifically Assessor's plat #81A, lot #8B, located in the Single Residence -B zoning district.

Sheryl Guglielmo made a motion to **GRANT** a special permit pursuant to §17-9.0 SPECIAL PERMITS for the construction of a single-family dwelling with associated driveway, utilities, septic system, and grading within the Orr's Pond Water Resource Protection District, said premises being located at 30 Lathrop Road, more specifically Assessor's plat #81A, lot #8B, located in the Single Residence-B zoning district, as shown on the site plan entitled "DEP FILE NO. SE 097-1387 SEWAGE DISPOSAL PLAN FOR NO. 0 LATHROP ROAD IN ATTLEBORO, MA", drawn and engineered by Ralph I. Maloon, R.P.E. of RIM Engineering Co., Inc., P.O. Box 32, Mansfield, MA 02048, dated December 11, 2018. Bert Buckley seconded the motion. A discussion followed. All voted in favor and the Board attached conditions.

Sheryl Guglielmo made a motion to **GRANT** a special permit pursuant to §17-13.0 WATER RESOURCE PROTECTION DISTRICT for the construction of a single-family dwelling with associated driveway, utilities, septic system, and grading within the Orr's Pond Water Resource Protection District, said premises being located at 30 Lathrop Road, more specifically Assessor's plat #81A, lot #8B, located in the Single Residence-B zoning district, as shown on the site plan entitled "DEP FILE NO. SE 097-1387 SEWAGE DISPOSAL PLAN FOR NO. 0 LATHROP ROAD IN ATTLEBORO, MA", drawn and engineered by Ralph I. Maloon, R.P.E. of RIM Engineering Co., Inc., P.O. Box 32, Mansfield, MA 02048, dated December 11, 2018. Bert Buckley seconded the motion. A discussion followed. All voted in favor and the Board attached conditions.

The Board reviewed the letter from Public Works Superintendent Michael Tyler, dated April 12, 2019, to Senior Land Use Planner Stephanie Davies, regarding proposed changes to the drainage structure at Connor Court.

Ms. Davies explained that the basin in question has a chain link fence around it that is rotting out and falling over. She noted that the water in the basin is about 4-feet deep. She stated that Public Works is proposing to install a grate over the pond for safety.

Scott Jones made a motion to approve the minutes from April 2, 2019. Sheryl Guglielmo seconded the motion and all voted in favor.

Scott Jones provided the Board with a SRPEDD delegate update and discussed South Coast rail. He informed the Board that the Army Corps has signed off on the project and it is slated to begin 2023.

The Board held elections.

Jason Gittle nominated Paul Danesi to serve as Chairman. Jim Lewis seconded the motion and all voted in favor. Jason Gittle made a motion to elect Paul Danesi as Chairman. Scott Jones seconded the motion and all voted in favor.

Chairman Danesi nominated Jason Gittle to serve as Vice Chairman. Scott Jones seconded the motion and all voted in favor. Chairman Danesi made a motion to elect Jason Gittle as Vice Chairman. Melinda Kwart seconded the motion and all voted in favor.

Jason Gittle nominated Scott Jones to serve as the Planning Board's SRPEDD delegate. Sheryl Guglielmo seconded the motion and all voted in favor. Jason Gittle made a motion to elect Scott Jones as SRPEDD delegate. Sheryl Guglielmo seconded the motion and all voted in favor.

Jason Gittle nominated Sheryl Guglielmo to serve as Secretary. Scott Jones seconded the motion and all voted in favor. Jason Gittle made a motion to elect Sheryl Guglielmo as Secretary. Scott Jones seconded the motion and all voted in favor.

Chairman Danesi made a motion to appoint Lauren Stamatis as Clerk. Jason Gittle seconded the motion and all voted in favor.

The Board tabled the idea of a letter of support relative to the Capital Improvements Program.

Ms. Davies requested that the Planning Board write letters of support to the Council regarding the need for Public Works to have a vector truck and Planning and Development to have a plotter printer. She stated that she hoped the Council would consider the acquisitions more seriously if the Planning Board spoke out in support.

The meeting adjourned at 9:35 p.m.