



City Of Attleboro, Massachusetts

PLANNING BOARD

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MINUTES

APRIL 25, 2022

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 25, 2022 at 6:30 p.m. in the Council Chambers on the first floor of City Hall, 77 Park Street, Attleboro, MA , relative to the following :

Planning Board Members Present: Vice Chairwoman Shannon B enay, Bill Beardwood, Tiffany Foster, Sean McNamara, Fred Uriot, and Heather Whitehead

Planning Board Members Absent: Chairman Jason Gittle, Jim Lewis, and Thom Morin

The Board heard the application of Anthony Properties for a Major Project Site Plan Review pursuant to the provisions of §17-15.0 SITE PLAN REVIEW of the ZONING ORDINANCE, to construct two new retail/restaurant buildings, $\pm 5,100$ sf and $\pm 3,000$ sf, respectively, retain the existing $\pm 7,300$ sf commercial building, build a new $\pm 10,000$ sf daycare facility, and construct 135 parking spaces, as well as associated driveways, landscaping, utilities, grading and stormwater management system; the subject premises being located at 754 Newport Avenue, more specifically Assessor's plat #69, lot #26B, located in the General Business and General Residence-A zoning districts.

Speaking was third party peer review consultant David Gamble who stated that the surrounding features of the site, the wetlands, the trails, and landscaping appear to be disconnected as a whole from the development. He stated that they are recommending that there be a more synergistic relationship between the natural landscape on the periphery and the impermeable development as a whole. He stated that they also are recommending more common areas and public space for the residents of the development. He stated that the project proposes to flatten out much of the site for the development and they recommend finding ways to leverage the existing topography. He stated that it also recommended that the median or grass strips of the center boulevard be more lushly planted. He went over sketches and diagrams that elucidated his recommendations. He suggested that moving the commercial area closer to the street would create a better transition and more space for the residential area as well as leverage more pedestrian usage.

Shannon B enay asked how moving the commercial buildings closer to Newport Avenue makes the area more walkable and asked whether there are any other benefits to such a design.

Mr. Gamble stated that by bringing the buildings closer to the edge of Newport Avenue, it helps signal traffic to slow down as they enter a more "downtown" setting. He stated that there would also be much less impervious surface, keeping the buildings from being surrounded by pavement, which can make the site feel more like a racetrack. He stated that it will create a stronger sense of entrance to Attleboro.

Sean McNamara asked how this shift could affect the daycare flow.

Mr. Gamble agreed that it would and stated that setting back the buildings aims to maximize economics and draw cars into the site. He stated that the value depends upon the City's goals.

Mr. Ayraasian asked whether moving the commercial parking for customers to the rear with building along the frontage is a trend within the planning world. He asked whether customers are more likely to park there than in front.

Mr. Gamble replied that the design aims to create more of a sense of place and facilitate outdoor seating. He stated that the goal is to create areas that are quieter and more separated from the traffic. He stated that the recommendation is that the site plan for the commercial area be essentially flipped.

Sean McNamara asked whether outdoor seating would be recommended for the two restaurants.

Mr. Gamble replied yes, it would add value to the real estate.

Mr. Ayraasian asked whether this design with the commercial closer to the street will impede in any way having functional drive through lanes.

Mr. Gamble stated that he hadn't considered that with his current sketch, which is primarily geared towards moving traffic efficiently. He stated that there are likely ways to adjust the buildings to prevent them being entirely surrounded with asphalt, while also accommodating drive through lanes.

Senior Land Use Planner Stephanie Davies pointed out that there's a new plaza across from the shopping mall in North Attleborough that embraces this model, if Board members would like to see it. She stated that both the traffic peer review and the architectural peer review commented on the boulevard entry. She stated that the traffic consultant's preference was to put the vegetation on the sides of the boulevard and narrow it down to one lane in each direction, with wider sidewalk and landscaping to slow down the traffic and protect the parking along that stretch.

Speaking in favor of the application was attorney Jack Jacobi who stated that they had just submitted a response to Mr. Gamble's review. He stated that he imagined a sit down with him and staff would be warranted. He stated that he is concerned with maintaining the parking ratios and drive throughs, as well as meeting the threshold for the installation of the traffic light, which requires the site maintain the coffee shop and daycare as tenants. He stated that they are required to have a 20-foot wide entrance by the National Fire code, but have found some ways to shift the plantings to the outside and adjust the width. He stated that two lanes going out for each turning motion are valuable as they discourage people from driving through the commercial parking area to exit to Newport Avenue near Miller's Roast Beef. He stated that they are proposing several focal points, as suggested. He stated that there will have to be a give and take, as there are a lot of moving parts with this project.

Ms. Davies stated that she will move forward with scheduling the work session.

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

The Board heard the application of One Thirty One Pleasant St, LLC to extend Nicholas Drive for a distance of 120 feet, as shown on the street extension plan entitled "NICHOLAS DRIVE EXTENSION," engineered by John C. Spink, R.P.E. of Spink Design, 59 Clay Street, Middleboro, MA 02346, dated December 29, 2021. The subject premises are located on Assessor's plat #170, Lot #1A in the Single Residence-D zoning district.

Sean McNamara recused himself and exited the Council Chambers.

Shannon Bényay stated that the developer is currently revising the stormwater management system and that new plans are anticipated to be submitted before the second meeting in May.

Speaking in opposition was attorney John Zajac of Cornerstone Law Group with an office at One Taunton Green, Suite 2 in Taunton who stated that he is representing Curtis and Christine Smith and attempting to work with the developer to address their concerns.

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

Sean McNamara returned to the Council Chambers.

The Board heard the application of Bishop Feehan High School for Major Project Site Plan Review pursuant to the provisions of §17-15.0 SITE PLAN REVIEW of the ZONING ORDINANCE, for the construction of an 8,000 s.f. building addition with associated grading, utilities, and stormwater management system; the subject premises being located at 70 Holcott Drive, more specifically Assessor's plat #90, lot #243, located in the Single Residence-B zoning district.

Mr. Ayrassian stated that the Conservation Commission closed and granted the stormwater management permit last Wednesday.

Speaking in favor was attorney Jack Jacobi who stated that he has nothing further to present and asked the Board to close and vote on the application.

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

The Board heard the application of JS Fuller TIC LLC & Etal for 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 20,000 s.f. warehouse with associated grading, electrical connection, and stormwater management system; the subject premises being located at 50 Fuller Avenue, more specifically Assessor's plat #21, lots #272 and 273, and Assessor's plat #24, lots #43A and 44A, located in the Industrial zoning district.

Mr. Ayrassian stated that the Conservation Commission granted stormwater management and wetlands permits for this project last Wednesday.

Speaking in favor was attorney Jared Eigerman of Reuben, Junius & Rose, LLP with an office at 171 High Street, Newburyport, MA, 01950 who reminded the Board that this site is an existing lumber yard with two existing 20,000 square foot shelters and a two story office building. He stated that the proposal is only to enclosing existing outdoor storage supplies, creating a structure with a 20,000 square foot footprint. He stated that their stormwater plan has them removing some of the existing impervious to improve infiltration on the site. He stated that they are seeking a floodplain special permit before the Zoning Board. He stated that they have double the required parking. He stated that Public Works wanted signage at the exit to encourage drivers to slow down to protect local children. He stated that some solar LED lighting is proposed for the outside of the shed.

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

The Board held a business meeting.

The Board discussed the application of the Bristol Place Investments LP, 800 Boylston Street, Suite 1300, Boston, MA 02199, relative to the proposed five (5) lot preliminary subdivision plan entitled "BRISTOL PLACE SUBDIVISION", said premises being located at 1270 Newport Avenue, engineered by Leonard R. Bradley, Jr., R.P.E. of DiPrete Engineering, 990 Washington Street, Suite 101A, Dedham, MA 02026, dated February 3, 2022, said premises being Assessor's plat #27, lot #4, located in the Planned Highway Business zoning district.

Ms. Davies stated that the applicant had provided the stormwater management information requested by the Board, which was discussed at the Subdivision Committee meeting earlier that evening.

Mr. Ayrassian stated that staff recommend approval of the preliminary plan, as a draft decision had already been distributed to the Board for review.

Bill Beardwood made a motion to give general APPROVAL of the proposed five (5) lot preliminary subdivision plan entitled "BRISTOL PLACE SUBDIVISION" located at 1270 Newport Avenue. Sean McNamara seconded the motion and all voted in favor. The Board attached conditions.

The Board reviewed the Form A plan submitted by Robert Holmes for 0 Thomas Avenue .

Ms. Davies stated that the plan proposes to subdivide an existing lot on Thomas Avenue. She stated that both lots meet the minimum zoning criteria and have more than 100-feet of frontage. She stated that staff recommend approval of the plan.

Heather Whitehead made a motion to approve the Form A plan for 0 Thomas Avenue. Sean McNamara seconded the motion and all voted in favor.

The Board reviewed the Form A plan submitted by Shawn Jorde for 35 Tiffany Street.

Speaking was John Risser of Risser Engineering. He stated that the objective is to combine six small lots and subdivide out one buildable lot. He stated that one lot will contain the existing single family home and the second will be used for the construction of a new duplex. He stated that both lots meet the minimum zoning criteria.

Ms. Davies stated that staff recommended approval.

Heather Whitehead made a motion to approve the Form A plan for 35 Tiffany Street. Tiffany Foster seconded the motion and all voted in favor.

The Board discussed the application of Bishop Feehan High School for Major Project Site Plan Review pursuant to the provisions of §17-15.0 SITE PLAN REVIEW of the ZONING ORDINANCE for the construction of an 8,000± square foot two-story addition onto an existing building located within the campus with associated grading, off-street parking lot modifications, utilities, and stormwater management system, the subject premises being located at 70 Holcott Drive, more specifically Assessor's plat #90, lot #243, located in the Single Residence -B zoning district.

Heather Whitehead made a motion to **APPROVE WITH CONDITONS** the Major Project Site Plan Review pursuant to the provisions of §17-15.0 SITE PLAN REVIEW of the ZONING ORDINANCE for the construction of an 8,000± square foot two-story addition onto an existing building located within the campus with associated grading, off-street parking lot modifications, utilities, and stormwater management system, the subject premises being located at 70 Holcott Drive, more specifically Assessor's plat #90, lot #243, located in the Single Residence-B zoning district, as shown on the site plan entitled "BISHOP FEEHAN HIGH SCHOOL ATTLEBORO, MASSACHUSETTS", prepared by Berkshire Design Group, 4 Allen Place, Northampton, MA 01060, dated January 10, 2022 and revised through March 21, 2022. Sean McNamara seconded the motion. A discussion followed and all voted in favor. The Board attached conditions.

The Board discussed the application of JS Fuller TIC LLC & Et.al. for 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 20,000± square foot warehouse with associated grading, utilities, and stormwater management system, the subject premises being located at 50 Fuller Avenue, more specifically Assessor's plat #21, lot #272 and #273, and Assessor's plat #24, lot #43A and #44A, located in the Industrial zoning district.

Sean McNamara made a motion to **APPROVE WITH CONDITIONS** the 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 20,000± square foot warehouse with associated grading, utilities, and stormwater management system, the subject premises being located at 50 Fuller Avenue, more specifically Assessor's plat #21, lot #272 and #273, and Assessor's plat #24, lot #43A and #44A, located in the Industrial zoning district, as shown on the site plan, entitled "SITE REDEVELOPMENT PLANS 50 FULLER AVE ATTLEBORO, MA 02703", engineered by Stephen Mayer, R.P.E. of ALLEN & MAJOR ASSOCIATES, INC., 100 Commerce Way, Woburn, MA 01888, dated December 21, 2021 and revised through April 21, 2022. Heather Whitehead seconded the motion. A discussion followed and all voted in favor. The Board attached conditions.

The Board discussed the petition of the Municipal Council to amend §17-3.39 PROHIBITED USES of the ZONING ORDINANCE relative to commercial vehicles.

Mr. Ayrassian stated that four meetings were held with Councilor Bennett and interested Planning Board members on this matter.

Heather Whitehead stated that at the last meeting, Bill McDonough explained that the state provides a chart that defines vehicles based on curb weight, which was used as the basis for the commercial vehicle definition. She explained that he strongly advocated for this to be approved, so that he has guidance on how to enforce the regulations. She stated that with the current approach a van would be acceptable, but a box truck would not.

Mr. Ayrassian handed out a worksheet and reviewed the proposed amendments to the current language and exemptions. He pointed out that that the Ordinance already precludes commercial vehicles in residential zones.

Heather Whitehead made a motion to approve the petition to amend §17-3.39 PROHIBITED USES of the ZONING ORDINANCE relative to commercial vehicles, as amended. Tiffany Foster seconded the motion. Shannon Benay, Heather Whitehead, Tiffany Foster, and Bill Beardwood voted in favor. Sean McNamara and Fred Uriot voted in opposition. The motion failed.

The Board reviewed all other correspondence.

The Board tabled the pending minutes of December 16, 2021, January 3, 2022, January 24, 2022, February 7, 2022, February 15, 2022, February 28, 2022, March 7, 2022, March 21, 2022, and April 4, 2022.

Meeting adjourned at 7:53 p.m.