



# City of Attleboro, Massachusetts

## PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET

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2021 FEB -4 PM 12:32

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## AGENDA

FEBRUARY 8, 2021

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. W.B. Construction & Development, Inc. – “BRIGHAM HILL ESTATES, PHASE IV”<br>Definitive Subdivision Plan  | 4/8/21          |
| b. One Thirty One Pleasant St, LLC – “STONE FIELD ESTATES III” Definitive Subdivision Plan  | 3/5/21          |
| c. Pike Avenue Acquisitions, LLC, Robert Heroux, & Erin Pilling – “PIKE ESTATES”<br>Definitive Subdivision Plan   | 2/28/21         |
| 3A. SITE PLAN REVIEW PUBLIC HEARINGS: NONE SCHEDULED  | <u>DEADLINE</u> |
| 3B. SITE PLAN REVIEW PUBLIC HEARINGS HELD OPEN: NONE SCHEDULED  | <u>DEADLINE</u> |
| 4. PENDING APPLICATIONS/MATTERS:  | <u>DEADLINE</u> |
| a. John J. & Mary F. Donovan – “RAMBLER ROAD” Street Extension Plan   | 2/28/21         |
| 5. FORM A PLANS: NONE   | <u>DEADLINE</u> |
| 6. APPOINTMENTS TO SPEAK: NONE SCHEDULED  |                 |
| 7. STAFF REPORT: NO WRITTEN REPORT  |                 |
| 8. CORRESPONDENCE:  |                 |
| a. Revised plan, calculations, waiver request and response comments, from Bill Blais of OHI Engineering, received February 1, 2021, to the Planning Board, relative to the “BRIGHAM HILL ESTATES, PHASE IV” subdivision. (See agenda item #2Ba)   |                 |
| b. Letter from Planning Board Clerk Lauren Stamatis, dated February 3, 2021, to Bill Ward of W.B. Construction & Development, LLC, soliciting the fee in the amount of ONE THOUSAND SIX HUNDRED (\$1,600.00) dollars relative to the second stormwater management peer review for the “BRIGHAM HILL ESTATES, PHASE IV” subdivision. |                 |
| c. Site visit report from Janet Bernardo of Horsley Witten Group, Inc., dated January 19, 2021 (received January 26, 2021), to the Planning Board, relative to the proposed “BRIGHAM HILL ESTATES, PHASE IV” subdivision. (See agenda item #2Ba)  |                 |
| d. Notice from Planning Board Clerk Lauren Stamatis, dated October 14, 2020, to Mark Rioux of Marett & Sons, Inc., regarding the lapsed construction deadline for the “ROLLING HILLS, PHASE VI” 81-W subdivision.   |                 |

- e. Letter from Brian Cave of Cave Corp., received December 4, 2020, to the Planning Board, requesting an extension of time to April 30, 2021 to complete the subdivision infrastructure at "DALE COURT EXTENSION".
- f. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated January 26, 2021, to City Clerk Stephen Withers, granting an extension of time to February 28, 2021, relative to the street extension application entitled "RAMBLER ROAD".
- g. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated January 26, 2021, to the Municipal Council, recommending approval of the petition of Atlantic Golf Centers, LTD to rezone property located at 754 Newport Avenue from "Planned Highway Business" and "Single Residence-D" to "General Business" and "General Residence-A".
- h. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated January 26, 2021, to the Municipal Council, recommending approval of the loan order in the amount of FIVE HUNDRED FIVE THOUSAND (\$505,000.00) dollars, for the Water Department's Wading River Pilot Study Project.
- i. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated January 26, 2021, to the Municipal Council, recommending approval of the loan order in the amount of NINE HUNDRED FORTY-THREE THOUSAND (\$943,000.00) dollars, for the SCADA (Supervisory Control and Data Acquisition) computer control system at the City's Wastewater Treatment Plant.
- j. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated January 26, 2021, to the Municipal Council, recommending approval of the loan order in the amount of THREE HUNDRED SEVENTY-TWO THOUSAND (\$372,000.00) dollars, for the Water Department's Valve Replacement Project at the City's South Attleboro Pumping Station.
- k. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated January 26, 2021, to the Municipal Council, recommending approval of the loan order in the amount of TWO HUNDRED FIFTY-FIVE THOUSAND (\$255,000.00) dollars, for the Wastewater Department's Sewer System Baseline Flow Monitoring for Infiltration and Inflow Project.

9. **PERFORMANCE BOND CORRESPONDENCE:**

- a. Letter from Planning Board Clerk Lauren Stamatis, dated December 22, 2020, to Public Works Superintendent Michael Tyler, soliciting a recommendation relative to the **PARTIAL** release of funds request for the "EDWARD SR. ESTATES" subdivision.
- b. Letter via email from Raymond Loughlin of SR Land Improvement, LLC, received February 3, 2021, to the Planning Board, withdrawing his request for a **PARTIAL** release of funds for the "EDWARD SR. ESTATES" subdivision.

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.
  - Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated January 15, 2021, to Kathleen Lyons of CFDC Trust regarding the notice of default and demand to complete work at 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 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).

- Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated January 15, 2021, 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.
- d. 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.
  - Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated January 15, 2021, to Trustee David M. Wetterhahn of Milosh Realty Trust regarding the notice of default and demand to complete work at the "MILOSH ACRES" subdivision.
- e. 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.
  - Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated January 15, 2021, to Kevin J. Murphy of KJM Construction, Inc. regarding the notice of default and demand to complete work at the "RIVER'S EDGE" subdivision.
- f. Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated January 15, 2021, to John Case III of Case Development, LLC regarding the notice of default and demand to complete work at the "RHODES STREET EXTENSION" subdivision.
- g. Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated January 15, 2021, to John Case III of Case Development, LLC regarding the notice of default and demand to complete work at the "HILLCREST AVENUE EXTENSION I" subdivision.
- h. Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated January 15, 2021, to John Case III of Case Development, LLC regarding the notice of default and demand to complete work at the "HILLCREST AVENUE EXTENSION II" subdivision.
- i. Letter from Kevin S. Freytag of Murphy, Hesse, Toomey, & Lehane, LLP (City Solicitor's Office), dated January 15, 2021, to John Case III of Case Development, LLC regarding the notice of default and demand to complete work at the "BRADFORD ESTATES" subdivision.

**11. PLANNING BOARD COMMITTEES:**

**11A. COMPREHENSIVE PLAN COMMITTEE:**

**11B. ORDINANCE COMMITTEE:**

- a. Discuss mechanism for amending approved Site Plan Review decisions

**11C. SITE PLAN REVIEW COMMITTEE:**

**11D. SUBDIVISION COMMITTEE:**

- a. Discuss Sidewalk fund
- b. Discuss amendments to Subdivision Regulations (width of right-of-way, etc.)

c. Discuss easements for subdivisions

**12. PENDING MINUTES:**

- a. December 15, 2020 (Joint Hearing) (previously distributed)
- b. January 5, 2021 (Joint Hearing)
- c. January 25, 2021 (previously distributed)

**13. SRPEDD DELEGATE'S REPORT:**

**14. PLANNING BOARD STUDY GROUP PROGRESS REPORT:**

**15. UPCOMING PUBLIC HEARING, BUSINESS MEETING AND COMMITTEE MEETING SCHEDULE:**

- a. Joint Public Hearing with Municipal Council: February 16, 2021 via Zoom
- b. Meeting Date: February 22, 2021 via Zoom
- c. Meeting Date: March 8, 2021 via Zoom

**16. RECENTLY FILED APPLICATIONS/OTHER: NONE**