



# City Of Attleboro, Massachusetts

## PLANNING BOARD

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## MINUTES

JANUARY 25, 2021

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, January 25, 2021 at 6:30 p.m. remotely via Zoom, relative to the following :

Planning Board Members Present: Chairman Paul Danesi, Vice Chairman Jason Gittle, Secretary Sheryl Guglielmo, Shannon Bénay, Mike Davis, Jim Lewis, and Fred Uriot

Planning Board Members Absent: Sean McNamara

The Board heard the application of W.B. Construction & Development, Inc. for the proposed eighteen (18) lot definitive subdivision plan entitled "BRIGHAM HILL ESTATES, PHASE IV," located on a portion of Brigham Hill Road and Lewis Lane, more specifically Assessor's plat #218, lot #6, and Assessor's plat #219, lot #3, located in the Single Residence-D zoning district, engineered by James R. Borrebach, R.P.E. of OHI Engineering, Inc., 44 Wood Avenue, Mansfield, MA 02048.

Jim Lewis recused himself from the discussion.

Senior Land Use Planner Stephanie Davies informed the Board that she had received an email late in the day from the applicant indicating they were not yet ready to present and that they are in the process of revising their stormwater calculations. She noted that the City's peer reviewer had opined that the basins by Slater Street are not true infiltration basins as they frequently hold water longer than permitted.

Chairman Danesi questioned where they will infiltration on the site.

Ms. Davies stated that she was unsure, but noted that all of the proposed houses will have roof drains.

The Board reviewed the email thread between Mike Davis and Director of Planning and Development Gary Ayrassian, final email dated December 29, 2020, relative to the flooding status of abutter properties on Slater Street, adjacent to Phase III of the "BRIGHAM HILLS" subdivision.

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

The Board heard the application of One Thirty One Pleasant St, LLC for the proposed twenty (20) lot definitive subdivision plan entitled "STONE FIELD ESTATES III," located at 553 Oak Hill Avenue, more specifically Assessor's plat #170, lot #1A, located in the Single Residence-D zoning district, engineered by John C. Spink, R.P.E. of Spink Design, 59 Clay Street, Middleborough, MA 02346.

Ms. Davies stated that she hadn't heard from the applicant since his last letter requesting an extension of time.

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

**The Board heard the application of Pike Avenue Acquisitions, LLC, Robert Heroux, and Erin Pilling for the proposed forty-nine (49) lot definitive subdivision plan entitled “PIKE ESTATES,” located at 419 & 439 Pike Avenue, more specifically Assessor’s plat #130, lot #81, and plat #123, lot #23, 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 of the application was Ed Casey who stated that his client’s traffic engineer responses have not yet been finished. He asked that the Board consider scheduling a Subdivision Committee meeting regarding the sketch plan to be presented by Dan Campbell proposing a boulevard at the subdivision entrance to address the Police Chief’s concerns. He noted that the proposed change would result in the loss of one house lot for the developer.

Chairman Danesi sought to confirm that the proposal would strive to provide a greater width for the roadway.

Mr. Casey answered yes and explained that Mr. Campbell had worked in concert with Director of Planning and Development Gary Ayrassian when drafting the sketch. He noted that the only recent use of such a feature was with the “Avalon Estates” subdivision and that was a consequence of environmental limitations. He stated that the only other example he could find was “Highland Estates”, which is a similarly sized subdivision (45-50 lots) with a boulevard-type entry. He noted that it may be that the traffic engineers deem that the conventional layout with signage and mirrors may be sufficient, but wanted to have an alternative prepared in case.

Chairman Danesi noted that he had looked into the use of boulevards and noted that one of the biggest issues with the version at “Avalon Estates” is with school bus pick-ups and drop-offs, as buses no longer go into subdivisions. He explained that in inclement weather, parents try to park close to the bus stop in order to shelter their kids while waiting for the bus, so end up parking along the street adjacent the bus stop. He asserted that most streets don’t have the width to support such a use, but that a boulevard of sufficient size and separation can resolve that problem. He noted that he was also aware of issues cropping up of late with the cluster mailboxes, as they are located too close to residents’ driveways, so that patrons end up pulling into private driveways to pick-up their mail. He stated his understanding that boulevards are a frequently used tool in Massachusetts and can be quite successful. He noted that he wouldn’t necessarily use “Avalon Estates” as the model, as they had their own issues, but he felt there were ways to make such a design work.

Speaking in favor was Dan Campbell of Level Design Group who stated that they kept a 20-foot pavement width prior to the island in the middle on both sides of the boulevard. He stated that this will provide enough room for cars to pass a parked vehicle on both sides. He stated that a 15’foot wide island is proposed in the middle and is carried mid-way down the first roadway. He noted that the break in the island will allow left hand turns, firetruck movements, as well as U-turns. He noted that the tail end of the island gradually tapers as you pass the first home’s driveway, where the cluster mailbox is located. He noted that the other cluster mailbox is proposed at the top portion of the subdivision on Cherry Tree Lane, between lots 13 and 14. He stated that street lights are proposed in the boulevard island and that sidewalk would be maintained on one side, as you enter. He stated that the design boasts a 68.5-foot wide right-of-way, to ensure there is space for landscaping to create an impactful entrance to the development. He noted that as requested, they have also widened out the curb radii on the intersections with Pike Avenue to 37-feet.

Jim Lewis stated that he felt the boulevard design is better than he expected and that he was generally in favor of the design having 20-foot wide parallel ways in and out of the subdivision. He stated that he was unsure whether the 15-foot wide island was necessary, but felt it may be nice to add some low landscaping that doesn't impede visibility. He questioned the design of gradually tapering the island.

Mr. Campbell explained that you don't want the roadway to have a sudden reduction in width, otherwise you can end up with a traffic free-for-all. He stated that the gradual narrowing better controls the traffic where the roadways merge.

Mike Davis asked whether this sketch will be submitted to the Board, GPI, and the Police Chief for comment.

Chairman Danesi suggested that a Subdivision Committee meeting needs to be held to determine that this is the direction the Board would like the applicant to go, first.

Jim Lewis agreed and stated that he hopes all of the Board members will attend, but that what Mike Davis requested is valid, too. He asked if the Police Chief ever submitted a written response as to why he wasn't in favor of a stop sign at the blind corner on Pike Avenue.

Ms. Davies stated that no response had been received yet.

Jim Lewis asked what, if any, of the materials discussed at the last meeting have been submitted.

Ms. Davies noted that the Board had requested response comments from the applicant's engineer, which have not been received. She stated that they also have not received the Chief's response, as previously noted. She stated that the view triangle on Azalea Way and the opinion from the applicant's attorney as to the Pike Avenue layout have also not been received. She stated her sense that the Board may still want this information, but much of it will be dependent upon how the entrance is designed. She emphasized that if the boulevard entrance is pursued, some of the previous concerns may be moot points. She suspected that GPI will not have sufficient funds to review an entire new entrance. She suggested that the next step would be for the applicant to submit response comments to GPI, then the Board could decide whether a second peer review was warranted. She stated that all of this is predicated on the formal submission of the sketch being presented by Mr. Campbell tonight.

Mr. Campbell noted that since the last hearing, their traffic engineer has spoken with Chief Heagney about the details of their traffic data collection. He stated that that the speed monitoring equipment was in place for several days last week and the average speed was found to be 30-31 miles per hour, a number he noted, which is higher than that collected by the applicant's engineer, but lower than the original value presented by the Police Chief.

Jim Lewis asked where the monitoring equipment was located last week.

Mr. Campbell replied directly across from the proposed Azalea Way, using the telephone pole as a reference point. He noted that they do want to submit response comments, but a lot of those answers will be driven by the design the Board favors.

Ms. Davies asked if the Board would like all of the information on the table to review both iterations for the entrance or did they feel confident pursuing the boulevard approach. She noted that the boulevard design would still likely require a waiver for access.

Jim Lewis stated that he had driven through the “Avalon Estates” subdivision and spoke with a resident there who stated that the boulevard is a good traffic calming feature and noted that the issue with parking for the bus has been resolved, as most residents park over in the “Brigham Hill Estates” subdivision now.

Mike Davis reiterated his preference to have the sketch sent out to GPI and the Police Chief for comment. He stated that at the end of the day, he’ll be deferring to the opinion of the professionals when it comes to the design.

Ms. Davies stated that staff can certainly submit the sketch to the Police Chief for comment once it is formally submitted. She stated that if the Board wants GPI to comment on the sketch, it would likely be subject to a new contract and she didn’t feel the design was at the point that warranted a peer review yet. She suggested that the Board may want to think about the design and hold a Subdivision Committee meeting to discuss further.

Jim Lewis stated his general sense that by widening the way, the entrance is greatly improved. He stated his sense that the original design for Azalea Way was never going to work, and that he felt that the applicant should pursue this approach.

Sheryl Guglielmo stated that she felt the boulevard design meets the intent of the Board’s comments and concerns.

Chairman Danesi requested that a formal submission be made to the Board to be distributed to GPI and the Police Chief.

Ms. Davies agreed and stated that she could solicit a peer review estimate from GPI and whether the sketch is sufficient for review. She noted that one of the main questions may be relative to the turning movements.

Mr. Campbell suggested that GPI be reminded at that time that the applicant had already previously proposed a view easement.

Ms. Davies noted that this should be included on the plans provided to the peer reviewer.

Mr. Campbell noted that McMann and Associates is still working on the traffic submission.

Ms. Davies stated her sense that it would make sense to submit the responses and the sketch plan to GPI simultaneously, otherwise, a peer review quote cannot be solicited.

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

**The Board held a business meeting.**

**The Board reviewed the application of Attleboro Park Street Realty Trust for a Major Project Site Plan Review pursuant to the provisions of §17-15.0 SITE PLAN REVIEW of the ZONING ORDINANCE, to accommodate the construction of a two-story 11,751 square foot facility to house families, attached two-stall garage, a parking lot consisting of 8 off-street parking stalls, and associated grading, septic, and stormwater management systems; the subject premises being located on Park Street, more specifically Assessor ’s plat #198, lot #2, located in the Single Residence-D zoning district.**

The Board reviewed the Form P2 - Request for an extension of time to February 9, 2021, submitted by attorney Jack Jacobi on January 12, 2021, relative to the Major Site Plan Review application of Attleboro Park Street Realty Trust for 0 Park Street.

Jason Gittle made a motion to grant an extension of time to February 9, 2021. Sheryl Guglielmo seconded the motion and all voted in favor via roll call.

Mike Davis 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 to accommodate the construction of a two-story, 11,751 square foot facility to house families, attached two-stall garage, a parking lot consisting of 8 off-street parking stalls, and associated grading, septic, and stormwater management systems, the subject premises being located on Park Street, more specifically Assessor's plat #198, lot #2, located in the Single Residence-D zoning district, as shown on the site plan entitled "SITE DEVELOPMENT PLAN OF LAND OF ATTLEBORO PARK STREET REALTY TRUST, PARK STREET ATTLEBORO, MA" engineered by William R. Buckley, Jr., R.P.E., of Bay Colony Group, Inc., 4 School Street, P.O. Box 9136, Foxborough, MA 02035, dated May 14, 2020 and revised through January 21, 2021. Sheryl Guglielmo seconded the motion and a discussion followed. The Board all voted in favor via roll call and attached conditions.

**The Board discussed the petition of Atlantic Golf Centers, LTD to rezone 754 Newport Avenue from "Planned Highway Business" and "Single Residence-D" to "General Business" and "General Residence-A".**

Mike Davis made a motion to recommend that the Municipal Council approve the petition of Atlantic Golf Centers, LTD to rezone property located at 754 Newport Avenue, more specifically, Assessor's lot #26B, containing a land area of approximately 39.21 acres, on plat #69, from "Planned Highway Business" and "Single Residence-D" to "General Business" and "General Residence-A". Jason Gittle seconded the motion and all voted in favor via roll call, save Shannon Benay, who abstained.

**The Board discussed the application of John J. & Mary F. Donovan to extend Rambler Road 2-5 feet, as shown on the street extension plan entitled "RAMBLER ROAD EXTENSION," engineered by Daniel R. Campbell, R.P.E. of Level Design Group, 249 South Street, Unit 1, Plainville, MA 02762, dated March 1, 2018, revised through October 28, 2019. The subject premises are located on Assessor's plat #123, Lot #8 in the Single Residence-D zoning district.**

Nic Reuter of Picerne Realty requested an extension of time to February 28, 2021.

Mike Davis made a motion to grant an extension of time to February 28, 2021. Jason Gittle seconded the motion and all voted in favor via roll call, save Sheryl Guglielmo, who abstained.

The Board tabled the matter.

**The Board discussed the Municipal Council Certificate of Vote received January 12, 2021, relative to the proposed loan order in the amount of NINE HUNDRED FORTY THREE THOUSAND (\$943,000.00) dollars for the replacement of the SCADA and RACO servers, and all necessary SCADA software, as well as upgrading all existing programmable logic controllers to the latest version and any necessary cabling to the Wastewater SCADA system, located at 27 Pond Street North.**

Mike Davis made a motion to recommend to the Municipal Council that the Loan Order, in the amount of NINE HUNDRED FORTY-THREE THOUSAND (\$943,000.00) DOLLARS, to replace the SCADA

(Supervisory Control and Data Acquisition) computer control system at the City's Wastewater Treatment Plant is consistent with Section VI.(J) Municipal Facilities, Goal 16, Policy 1 and Policy 2, of the City's Comprehensive Plan. Jason Gittle seconded the motion and all voted in favor via roll call.

**The Board reviewed the Municipal Council Certificate of Vote received January 12, 2021, relative to the proposed loan order in the amount of TWO HUNDRED FIFTY FIVE THOUSAND (\$255,000.00) dollars for the baseline flow monitoring for infiltration and inflow to the Attleboro Sewer System.**

Mike Davis made a motion to recommend to the Municipal Council that 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 is consistent with Section VI.(J) Municipal Facilities, Goal 16, Policy 1 and Policy 3, of the City's Comprehensive Plan. Jim Lewis seconded the motion and all voted in favor via roll call, save Paul Danesi, who voted in opposition.

**The Board reviewed the Municipal Council Certificate of Vote received January 12, 2021, relative to the proposed loan order in the amount of THREE HUNDRED SEVENTY TWO THOUSAND (\$372,000.00) dollars for the design, permitting, bidding, construction oversight, and construction costs associated with valve replacement to the City's South Attleboro Pumping Station located at 27 Pond Street North.**

Mike Davis made a motion to recommend to the Municipal Council that 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 is consistent with Section VI.(J) Municipal Facilities, Goal 16, Policy 1 and Policy 2, of the City's Comprehensive Plan. Jim Lewis seconded the motion and all voted in favor via roll call.

**The Board reviewed the Municipal Council Certificate of Vote received January 12, 2021, relative to the proposed loan order in the amount of FIVE HUNDRED FIVE THOUSAND (\$505,000.00) dollars for the permitting, bidding, sub consultant, engineering, and testing associated with the Wading River Pilot Study, located at 250 Balcom Street, Mansfield.**

Mike Davis made a motion to recommend to the Municipal Council that 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 is consistent with Section VI.(J) Municipal Facilities, Goal 16, Policy 2, of the City's Comprehensive Plan. Jim Lewis seconded the motion and all voted in favor via roll call.

**The Board discussed the 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.**

Ms. Davies informed the Board that the outstanding issue had been coordinating with National Grid to install the street lights. She stated that the form that needed to be signed by a City representative has been provided to Mr. Rioux, so the lights should be installed shortly, after which they will submit as-built and street acceptance plans.

The Board tabled the letter pending submission of the as-built and street acceptance plans.

The Board tabled the 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 the "DALE COURT EXTENSION" subdivision.

The Board also tabled the 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, pending submission of the recommendation.

The Board reviewed all other correspondence.

**The Board discussed the pending amendments to the Subdivision Rules and regulations.**

Ms. Davies informed the Board that she is in the process of drafting a new roadway cross section that will include the amendments discussed with the Board. She noted that the new design is likely to have a 45 or 50 foot right of way.

Jim Lewis asked how this was possible when the Board was looking to reduce roadway widths.

Ms. Davies explained that it is because the right of way needs to include the features the Board discussed adding like trees, grass strips, swales, and the increased width required for a Cape Cod berm. She stated her intent to have something to the Board for review soon.

**The Board approved the pending minutes of January 11, 2021.**

**The Board discussed the open position of SRPEDD Delegate.**

Jim Lewis made a motion to elect Mike Davis as the new SRPEDD Delegate. Shannon Benay seconded the motion and all voted in favor via roll call.

**The Board discussed the proposed Joint Public Hearing with the Municipal Council on February 16, 2021 to discuss amendments to the §17-13.0 WATER RESOURCES PROTECTION DISTRICT.**

Jim Lewis made a motion to hold a Joint Public Hearing with the Municipal Council on February 16, 2021. Sheryl Guglielmo seconded the motion and all voted in favor via roll call.

The meeting adjourned at 7:46 p.m.