



City Of Attleboro, Massachusetts

PLANNING BOARD

GOVERNMENT CENTER, 77 PARK STREET
ATTLEBORO, MASSACHUSETTS 02703
TEL 508.223.2222 FAX 508.222.3046

MINUTES

SEPTEMBER 12, 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, September 12, 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: Chairwoman Shannon Bényay, Vice Chairwoman Heather Whitehead, Bill Beardwood, Tiffany Foster, and Jim Lewis

Planning Board Members Absent: Fred Uriot

The Board heard the application of Bristol Place Investments LP for the proposed five (5) lot commercial definitive subdivision plan entitled "BRISTOL PLACE," located at 1270 Newport Avenue, more specifically Assessor's plat #27, lot #4, located in the Planned Highway Business zoning district, engineered by DiPrete Engineering, Two Stafford Court, Cranston, RI 02920.

The Board reviewed the Form P1 - Request to continue a public hearing to October 17, 2022, submitted by attorney David Manoogian on behalf of Bristol Place Investments, relative to the "Bristol Place" definitive subdivision plan.

There being no one else to speak, Jim Lewis made a motion to grant a continuance to October 17, 2022. Heather Whitehead seconded the motion and all voted in favor.

The Board heard the application of Rhino Capital Advisors, LLC 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 58,600 square foot manufacturing building and 80 parking spaces with associated grading, utilities, and stormwater management system; the subject premises being located at 1275 Commerce Way, more specifically Assessor's plat #154, lot #12, located in the Industrial Business Park zoning district.

Speaking in favor of the application was attorney Jack Jacobi who stated that the stormwater peer review report had just been received, so they are preparing their responses now. He requested a continuance to the October 3, 2022 meeting.

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

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, ±5,100 sf and ±3,000 sf, respectively, retain the existing ±7,300 sf commercial building, build a new ±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 in favor was attorney Jack Jacobi of Coogan Smith who stated that the Zoning Board had granted all of the requested relief and they had incorporated brick, hardy plank, and the other design changes directed by the Board into the commercial building elevations.

Shannon Bényay questioned whether the signage will be kept uniform or the businesses will have free reign with design.

Mr. Jacobi stated that they haven't considered that matter yet. He stated that they will return to the Board if what is proposed does not meet the sign regulations.

Senior Land Use Planner Stephanie Davies cautioned that a building permit for by-right signage won't come to staff, so the Board may want to consider any specifications they prefer in this decision's conditions.

Mr. Jacobi stated that they added a **façade** to the west elevation of the daycare center and a second set of gables facing towards Newport Avenue.

Jim Lewis stated he was in favor of the design, as he was most concerned with what will be visible to Newport Avenue.

Shannon Bényay agreed and pointed out that the existing shrubs to the south of the entrance to the daycare were likely to block the view of the less appealing side of the daycare for drivers traveling north on Newport Avenue.

Jim Lewis requested a color rendering of the daycare be submitted.

Ms. Codega agreed and went on to describe the layout.

There being no one else to speak, Jim Lewis made a motion to close the public hearing. Heather Whitehead seconded the motion and all voted in favor. The public hearing was closed.

The Board held a business meeting.

The Board discussed the application of Ad Meliora, LLC, 10 Converse Place, Winchester, MA 01890, relative to the proposed forty three (43) lot preliminary subdivision plan entitled "RIDGEWOOD ROAD", said premises being located at 80 Ridgewood Road, engineered by Patrick Connolly, R.P.E. of Beals Associates, Inc., 2 Park Plaza, Suite 200, Boston, MA 02116, dated April 25, 2022, said premises being Assessor's plat #105, lots #1A, 1B1, 1B2, 1B3, and 1C located in the Single Residence-C zoning district.

Speaking in favor was attorney Jack Jacobi of Coogan Smith who stated that they are working through the stormwater peer review comments and would like to continue the hearing.

Speaking was Virginia McCarthy of 161 Locust Street who stated that she has lived at her home for 40 years and is opposed to the plan as proposed. She stated that she understood the open space design concept of reducing house lot sizes in exchange for creating open space, but that some of the lots are incredibly small, as little as 6,100 square feet. She stated that larger lots are proposed where abutting the neighbors on Ridgewood Road, providing them with an adequate buffer. She stated that the neighbors on Locust Street are not similarly being protected due to the tiny size of the lots proposed abutting their homes. She stated that this development will negatively affect her property value and change the nature of the neighborhood. She noted that the land behind her property is full of ledge and expressed concern with the need to blast and her home potentially being damaged in the process. She stated that she urged the Board not to consider the waiver for more than 20 house lots on a dead-end, as the rule is there to protect

the surrounding community from being unduly burdened with excessive traffic and overdevelopment. She stated that the current design puts all of the traffic on Locust Street, which will impact those neighbors. She stated that she felt the "boulevard design" to be a farce and should not be accepted as an alternative. She asked the Board not to destroy the existing Locust Street neighborhood simply for more open space.

Speaking was Michael McCarthy of 161 Locust Street who stated that the design proposes to unduly burden Locust Street residents. He echoed Mrs. McCarthy's statements about the waiver for the number of homes on a dead-end and that the existing homes on Ridgewood Road were being given greater accommodations than those on Locust Street. He asserted that other options exist, like putting in a second egress point through Ridgewood Road and that Locust Street should not have to shoulder the entire traffic burden. He stated that alternatively, the developer could scale down the plan to meet the maximum number of houses on a dead end. He urged the Board to deny the waiver. He stated that this proposal also threatens destruction of the existing natural wildlife habitat.

Jim Lewis noted that the project is currently before the Planning Board as a preliminary plan, so suggested such comments be offered at the definitive plan stage. He stated that the current design is simply for initial feedback and no final decision regarding the subdivision will be made at this stage. He expressed concern with taking public testimony when the applicant or their representation are not in attendance.

Shannon Bénay stated that if a matter is on the agenda, she felt it was appropriate for testimony from the public to be considered.

There being no one else to speak, the matter was tabled.

The Board reviewed the Form A plan submitted by Kenneth & Patricia Baenziger; Joanne Reynolds for 44 Dean Street.

Ms. Davies explained that the applicant is looking to carve Lot 2 out of the existing property on Dean Street. She stated that the to-be created lot on Peck Street meets the required frontage, but does not meet the lot width requirement. She suggested it should be labeled as not buildable.

Jim Lewis stated that the applicant should be made aware of that fact that construction will not be possible without a variance. He made a motion to approve the Form A for 44 Dean Street. Heather Whitehead seconded the motion and all voted in favor.

The Board discussed the memorandum from Public Works Superintendent Michael R Tyler, dated September 6, 2022, to the Planning Board, recommending a PARTIAL release of funds in the amount of \$59,604.50 relative to the work completed at the "STONE FIELD ESTATES, PHASE III" subdivision.

Jim Lewis made a motion to approve a PARTIAL release of funds in the amount of \$59,604.50 relative to work completed at the "STONE FIELD ESTATES, PHASE III" subdivision. Heather Whitehead seconded the motion and all voted in favor.

The Board reviewed all other correspondence.

The Board approved the pending minutes of April 25, 2022, May 16, 2022, June 6, 2022, and June 27, 2022. Jim Lewis abstained from voting on the minutes from June 27, 2022, as he was absent that evening. The Board tabled the pending minutes of July 18, 2022 and August 22, 2022 .

Meeting adjourned at 7:57 p.m.