



# City Of Attleboro, Massachusetts

## PLANNING BOARD

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

## MINUTES

OCTOBER 18, 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, October 18, 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.

Speaking in favor of the application was attorney David Manoogian who acknowledged that the Board is awaiting the easement and homeowner's association documents for review. He questioned whether the Board would consider closing the hearing and condition the submission to the Board's satisfaction of the documents in their decision.

Director of Planning and Development Gary Ayrassian indicated concern that this was tantamount to a conditional approval. He stated his preference that the documents be submitted and agreed upon before the Board votes the matter.

The Board agreed and directed the staff to draft a decision for discussion in the interim.

Attorney Manoogian stated that he didn't anticipate the documents would be ready until at least the first meeting in December. He requested an extension of time to December 31, 2022.

Tiffany Foster made a motion to grant an extension of time to December 31, 2022. Heather Whitehead seconded the motion and all voted in favor.

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

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.

Jim Lewis stated that the project was discussed in the Ordinance Committee meeting held prior to the regular meeting and that the Committee members were in favor of the draft decision and recommended approval to the greater Board.

Jim Lewis 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 **58,600±** square foot light manufacturing building, access driveway, parking lot, stormwater management system, landscaping, grading, and utilities, 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, as shown on the site plan, entitled "SITE PLAN SET FOR PROPOSED MANUFACTURING FACILITY", engineered by Stephen M. Cabral, R.P.E. of Crossman Engineering, 103 Commonwealth Avenue, North Attleboro, MA 02763, dated June 2022 and revised through August 29, 2022. Bill Beardwood seconded the motion. A discussion followed and all voted in favor. The Board attached conditions.

### **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.**

Senior Land Use Planner Stephanie Davies noted that the Subdivision Committee meeting had met on October 4<sup>th</sup> and discussed the case and that a decision will be drafted for the November 7<sup>th</sup> meeting.

Mr. Ayrassian pointed out a number of plan changes he requested regarding radiuses and station numbers and asked when revised plans would be submitted.

Speaking in favor was attorney Jack Jacobi of Coogan Smith who stated that will inquire with the engineer at their meeting the next day.

Jim Lewis stated that the applicant is asking the Board to approve a subdivision with a single entrance/exit, which is not typical. He noted that a similar boulevard design was approved for the Pike Estates subdivision and that the Board should clearly indicate to the applicant their comfort level with such a design.

Heather Whitehead noted that discussions were had in Committee regarding rearranging the shape of the open space to create a greater buffer for the neighbors on Locust Street. She asked whether the plans had to be altered at all on account of the additional wetlands discovered.

Mr. Ayrassian stated that a small wetland area was identified right at the frontage of the estate lot on Ridgewood Road, but that the Conservation Agent opined that it was not jurisdictional due to the small size.

Ms. Davies added that a vernal pool had been identified and some of the wetland line adjusted as a result of the Conservation Commission's review, but that it did not really impact the design of the development.

Jim Lewis stated his desire to see proof that the estate lot has 50-feet of frontage. He stated that the Board is relying on the engineer to certify the matter.

Mr. Jacobi stated that the vote for acceptance was held by the City Council back in 1941 and was not particularly clear. He stated that an alternate survey was prepared that agreed with the original engineer's opinion, which he would submit to the Board.

Mr. Ayrassian offered to also incorporate the recommendations of Charlie Adler into the draft decision.

The Board tabled the matter.

**The Board reviewed the Form A submitted by David Turner for 235 Tiffany Street.**

Ms. Davies stated that the Zoning Board had approved a lot width variance for parcel 2, which allows the lot line to remain straight, rather than being jogged.

Jim Lewis made a motion to approve the Form A for 235 Tiffany Street. Heather Whitehead seconded the motion and all voted in favor.

**The Board reviewed the Form A submitted by LeachGarner, Inc. for 6 Hazel Street.**

Jim Lewis noted that the lots in question are bounded by four different streets.

Ms. Davies stated that the plan proposed to divide one lot into two and that there is sufficient frontage. She noted that there is no minimum area requirement in the industrial zoning district.

Jim Lewis made a motion to approve the Form A plan for 6 Hazel Street. Heather Whitehead seconded the motion and all voted in favor.

**The Board heard the appointment to speak of attorney Jack Jacobi of Coogan Smith, LLP and Michael Zavalia of Commonwealth Engineering relative to “VIRIDIAN MEADOWS, PHASE II” and reviewed the letter and supplemental materials from attorney Edward Casey, dated October 14, 2022, relative to the proposed installation of GrassPave2 in lieu of Turfstone Grid Pavers in the detention basin access way of the “VIRIDIAN MEADOWS, PHASE II” subdivision.**

Jim Lewis stated his sense that if the Public Works Department is accepting of the change as an equivalent substrate, the Board didn't need to consider the matter further.

Ms. Davies noted that Public Works had indicated that the Board might want to consider requiring such surfaces for detention basin access for all subdivisions in the future, as they have found equipment frequently gets stuck during the muddy season.

The Board agreed that no further action was warranted.

**The Board tabled the petition of the Municipal Council to amend sections of the ZONING ORDINANCE relative to marijuana businesses and the petition of the Municipal Council to amend sections of the Zoning Ordinance relative to in-law apartments.**

**The Board reviewed all other correspondence.**

**The Board approved the pending minutes of August 22, 2022. The Board tabled the pending minutes of September 12, 2022 , September 20, 2022 , and October 3, 2022 .**

**The meeting adjourned at 7:00 p.m.**

**The Board joined the Municipal Council for a Joint Public Hearing at 7:00 p.m.**

Clerk Jackson read the next public hearing notice.

**PUBLIC HEARING:** a joint public hearing with the Planning Board to discuss rezoning a portion of Highland Park/Country Club on Rathbun Willard Drive, Mechanic Street and Berwick Road, from Single Residence-D to General Business. (ZLU)

Councilor Conti asked to be excused as he is an abutter.

Gary Ayrassian, City Planner and Development Director spoke in favor. He gave an explanation Derek Corsi, Director of Parks and Forestry, spoke in favor and answered questions about the Park.

Jeremy Stuhl, Director of Budget and Administration spoke in favor.

Richard Conti of Berwick Road (and city councilor) came forward as against the project but President DiLisio advised he should send his remarks in rather than deliver them. Mr. Conti was then asked to leave the chamber.

Joe Feroce, Chair of the Council on Aging was speaking against and asked the Council to defer a decision on the rezoning until the feasibility study for a new COA location was complete.

Attorney Michael McGann came forward representing clients of Westgate Road who are abutters pointed out all the residential zoning around them and suggested this may be considered Spot Zoning. He also pointed out there would be no restricting the new owner from opening business there. Suggested a deed restriction. He also asked why the city isn't required to have plans to show like every other applicant who requests zoning changes?

Speaking against (name unavailable due to audio issues) was a family from 46 Berwick Road suggesting that their backyard is Highland and a business there would change everything.

Speaking against was Joseph Ordog of 35 Colts Way. He spoke about the committee that was formed to find Highland Park uses and pointed out that last on the list was that the club house could be a banquet facility. He questioned why 5 acres being carved out?

A gentleman "Chris" of 66 Orange Street suggested no housing use for the park.

Speaking neither for nor against was Jack Jacobi, Prince Street and Chair of the Municipal Building Commission spoke to the questions brought up regarding Performing Arts Center which is not close to the club house. The "temporary" Parking lot used for the workers on the high school may be made permanent but would need several city boards to agree.

Speaking neither for nor against was Bill Larson of Fairway Drive suggesting that when the decision to buy Highland was on the table a detailed power point presentation was brought forward and this request should have a detailed presentation as well. Where is the Master Plan?

Chair Holmes, the Planning Board and the President agreed to continue this hearing until 12-6-22.