

**NORTH ATTLEBOROUGH PLANNING BOARD
REGULAR MONTHLY MEETING
THURSDAY, DECEMBER 4, 2008**

The North Attleboro Planning Board held its Regular Monthly Meeting on Thursday December 4, 2008 at 6:30 P.M. in the Planning Board Office located at 43 South Washington Street, North Attleborough, Massachusetts. Board members Donald Cerrone, Richard Houle, Joan Marchitto-chairman, Richard Thimot and Mary Burgess-town planner. Christopher Sweet arrived at 6:33 P.M.

Battery in microphone must be dead or perhaps I didn't turn it on can't hear meeting.

Planning Board Business:

1) Review Final Actions;

Cushman Village: March 31, 2009 (Next hearing: January 8, 2009)

Mount Hope Farm Estates: December 31, 2008 (Next hearing: December 18)

Attleboro Enterprises: December 24, 2008 (Hearing tonight).

2) Endorsement of vouchers;

Office supplies, mileage and Earthworks.

3) Approval of Minutes;

Mr. Houle, Make motion to approve minutes of 11/6/08, seconded by Richard Thimot.

All in favor 5 to 0.

Mr. Houle, Make motion to approve minutes of 11/20/08, seconded by Joan Marchitto by necessity.

All in favor 2 to 0.

New Business:

Form O: Attleboro Enterprises (John Dietsch Blvd.);

Proposed changes 6,600 sq.ft. addition to the existing 12,000 sq.ft. building

24 new parking spaces for total of 47 spaces. 31 required (1/600)

44.1% open space proposed

Modifications to the internal traffic pattern and drainage proposed

DPW review provided; Board may require John Lavin to review

Architecture, Lighting plans submitted as well as a hydro report

Glen Ofcarcik-Tilton & Associates, John Parmentier-Tilton & Associates, Doug Annino and Jerry Pilkiogton-Attleboro Enterprises present.

Glen Ofcarcik-Tilton & Associates, Phase III expansion has full depressed loading dock. New addition off rear of building, depressed loading dock closed up. Net decrease impervious, municipal sewer and water, drainage upgraded. Increase open space, reconfigure parking spaces restriped 10 x 20.

Ms. Burgess, Reading letter from DPW dated 12/1/08 (insert).

John Parmentier-Tilton & Associates, Patio on south side concrete block wall around it. Retaining wall over 4ft. Talking about flowable fill.

Jerry Pilkiogton-Attleboro Enterprises, Explaining what his company does for disabled persons.

Mr. Thimot and Mr. Houle also Don Cerrone don't feel drainage needs to be reviewed by John Lavin

Recess to open public hearing.

**NORTH ATTLEBOROUGH PLANNING BOARD
PUBLIC HEARING
THURSDAY, DECEMBER 4, 2008**

**7:00 P.M.- Continuation of the public hearing on the application of CarMax Auto Superstores, Inc. to modify Special Permit #128;
Ms. Burgess, Reading in letter from John Jacobi to withdraw application.
Mr. Sweet, Make motion to accept withdrawal without prejudice, seconded by Dick Houle.
All in favor 5 to 0.**

Respectfully Submitted,

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**7:02 P.M.- Form O Attleboro Enterprises (John Dietsch Blvd.);
Board gave permission to Glen Ofcarcik to meet with Mary and Bill MacDowell Dept. of public works to go over their comments.
Mr. Houle, Make motion to continue until 12/18/08, seconded by Chris Sweet.
All in favor 5 to 0.**

Other Business:

Windchimes;

Article submitted by David Manoogian and asking for release of \$5000 bond.

Mr. Cerrone, Make motion to release \$5000 bond subject to receipt of letter, seconded by Dick Houle

All in favor 4 to 0 to 1 abstain Chris Sweet.

Questions:

Does the Board consider sidewalks and impervious pavers in the open space calculations?

No.

What is the protocol for the demolition of structures in the Aquifer Protection District?

Example site of 80 years old in Zone 2.

Board has not encountered anything like that.

Zoning Applications: December 16, 2008;

Stephen White, 31 Anawan Road, Variance (Front yard).

Dormers in front overhang.

Payton & Improved Consumer Products Inc. 100 Town Street, Appeal of the Building inspector's Cease and Desist;

Accessory structure using never got permission.

Payton & Improved Consumer Products Inc, 100 Towne Street, Use Variance Lucille & Joseph Rezza 168 Kelley Blvd., Appeal of the Building Inspector's decision to classify an outside " wood burning boiler" as a structure.

T & D Auto & Truck Service Center, 13 East Street, special permit for use as an Auto Repair & Auto Service station;

Mary will write letter not in favor of it.

Correspondence;

Boch Toyota Cease and desist filed appeal to Zoning in violation of demolition permit probably be heard in January.

Christina Estates;

Letter from Bob Ahearn nothing being done there right now.

Plow Waivers

Proposed meeting dates for Planning Board for year ahead.

Master Plan;

Mrs. Marchitto, SRPEDD received \$167,000. Third week in January workshop for zoning.

Mary has talked to Mark Fisher and will have Greg from SRPEDD come in on January.

Subdivision Control draft.

Upcoming Dates;

December 12, 2008: Smart Growth Conference, Boston Convention Center

December 19, 2008: MAPD Luncheon, Fanuiel Hall

December 25, 2008: Town Hall Closed

December 26, 2008: Town Hall Closed to the Public

December 26, 2008: Linda and Mary Vacation Day

January 1, 2009: Town Hall Closed

January 2, 2009: Town Hall Closed to the Public

January 2, 2009: Linda Vacation Day Mary Burgess will be in the office.

**NORTH ATTLEBOROUGH PLANNING BOARD
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8:00 P.M.- Public hearing to consider proceedings for the forfeiture of the bond held for the completion of Robert V. Beaupre Circle and Richard H. Pinsonnault Lane within the Hickory Woods Subdivision;

Donald Cerrone left table at 8:00 P.M.

No one from Cedar Ridge present.

Ms. Burgess, Reading in legal notice.

In accordance with MGL 41 s 81Y, the developer was given 45 days to comply with the punch list created by Earthworks Engineering Inc.

Developer has not indicated that compliance has occurred.

Town Planner prepared recommendation for the Planning Board.

Ms. Burgess, Reading in Memo recommendation dated 12/3/08 (Insert).

Christopher Brislin-62 Pinsonnault Lane, Materials in cul-de-sac concern of children getting hurt.

Timothy Moura- 51 Pinsonnault Lane, Concern trucks dumping and drainage runoff.

Ms. Burgess, Spoke to Tim of Maple Leaf.

Walter Matthis-27 Robert Beupre Circle, Kevin Joyce has partner was mailings sent to him Peter Darbol. 11 to 12 potholes filled in some myself. Concern of ice and snow removal.

John Igoe-15 Robert Beupre Circle, Concern of runoff.

Paul Thorpe-27 Pinsonnault Lane.

Sean Fitzgerald-26 Pinsonnault Lane.

Christopher Brislin-62 Pinsonnault Lane, No top coat on driveway.

Mike Young-26 Robert Beupre, Got driveway done by holding back on money owed.

Nicole Riel-1 Jon C. Barry.

Glen Riel- 1 Jon C. Barry

Possibility of no granite installed and neighbors want what they were supposed to have and will take away from value of their homes being different from other part of subdivision.

Fred Bottomley, Offered to remove granite and debris from cul-de-sac working as agent for Planning Board.

Ms. Burgess, Can't allow that it is private property we've tried to have it removed also and Fred is not agent of Planning Board. DPW could not commit to plowing streets until bond was forfeited and then will speak to DPW. There is process board has to go through after taking bond Board of Selectmen have to vote, etc.

Mr. Sweet, Make motion to close hearing at 8:50 P.M., seconded by Dick Houle. All in favor 4 to 0.

Mr. Sweet, Make motion that the Planning Board find Cedar Ridge Development and Kevin Joyce in default of the North Attleborough Rules and Regulations governing Subdivision of Land and in accordance with M.G.L. Chapter 41 Section 81Y, Planning Board shall assume the cash bond \$154,354.20 plus interest as well as the \$3,958.00 remaining in the revolving account, to facilitate the completion of Robert V. Beupre Circle and Richard H. Pinsonnault Lane, seconded by Dick Houle. All in favor 4 to 0.

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Other Business:

Completion of Hickory Woods Subdivision;

Fred Bottomley requests bond reduction to facilitate payment to John Lavin and paving;

Richard Thimot abstained from discussion.

John Lavin-Earthworks and Tim Infante-Maple Leaf present.

Neighbors Donald Achin, Vyay & Angeline Chetty-27 Harold Bishop, Glen and Nicole Riel-1 Jon C. Barry, Michael Dunn-62 Harold Bishop present.

E-mail dated 12/4/08 from Fred Bottomley to Mary Burgess (Insert).

Mr. Bottomley working with neighbors in order to regrade properties.

Mr. Riel, Landscaper was putting loam on my property told him to stop until next year because it would just wash away will discuss with Fred next year on what to do.

Donald Achin, Will take care of his own property.

Mr. Sweet, Make motion to waive 4 to 1 slope on Harold Bishop and Jon C. Barry as needed, as required, as applicable 2ft. strip on both sides of sidewalk. Withdraw motion more discussion.

Mr. Sweet, Make motion to waive 4 to 1 slope and 2ft. grass strip as required where needed #27, #63, #62, #38, #2 and #39 Harold Bishop, 1 Jon C. Barry, Al Cerrone- Jon C. Barry and Tom Lewicki-William Thorpe, seconded by Dick Houle.

All in favor 3 to 0.

Tim Infante-Maple Leaf spoke.

John Lavin-Earthworks spoke.

Mr. Houle, Authorize Mary to take \$100,000 for payment from bond, seconded by Chris Sweet.

All in favor 3 to 0.

Donald Cerrone and Richard Thimot returned at 9:33 P.M.

Letter from Attorney General;

1 day short posting legal for zoning bylaw in Town Hall have to advertise one more time and post it downstairs in Town Hall.

Mr. Houle, Make motion to adjourn at 9:36 P.M., seconded by Richard Thimot.

All in favor 5 to 0.

Respectfully Submitted,

Attach Agenda to Minutes.