



AGENDA –FEBRUARY 28, 2012

INVOCATION ROLL CALL RECORDS

HEARING:

Special Permit/Site Plan Review upon the petition of Trinity Taunton Nine Limited Partnership, Trinity Financial Inc., 40 Court Street, 8th Floor, Boston, MA to allow:

The construction of a multifamily housing development with 88 residential units and to grant waivers per Section 10.4.8 to allow parallel parking spaces to be 8' x 22' (instead of 9' x 18') and aisle widths to be 22' (instead of 24') on Dewert Avenue also known as Parcel 64-336, Kilmer Avenue located in the Urban Residential District.

- A-C: Com. from Chairman, Taunton Planning Board – Submitting positive recommendation with conditions
- D-H: Com. from Chairman, Zoning Board of Appeals – Housing Developments for Mason Street and DeWert Avenue
- I-L: Com. from Chairman, DIRB – Submitting Conditions
- Tax status paid in full

HEARING:

Special Permit/Site Plan Review upon the petition of Trinity Taunton Nine Limited Partnership, Trinity Financial Inc., 40 Court Street, 8th Floor, Boston, MA to allow:

The construction of a multifamily housing development with 72 units and to grant waivers per Section 10.4.8 to allow parallel parking spaces to be 8' x 22' (instead of 9' x 18'), aisle widths to be 22' (instead of 24') and parking at 1.35/unit (instead of 2.0/unit) on Mason Street, Parcel 6A located in the Business District.

- M-O: Com. from Chairman, Taunton Planning Board – Submitting positive recommendation with conditions
- P-S: Com. from Chairman, Zoning Board of Appeals
- T-V: Com. from Chairman, DIRB – Submitting conditions
- Tax status paid in full

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

COMMUNICATIONS FROM CITY OFFICERS

- Pg. 1-11 Com. from Mayor Hoye – Requesting approval of an agreement
- Pg. 12-14 Com. from Attorney Brennan, Brennan, Medeiros & Brennan Attorneys & Councillors at Law, One Church Green, P.O. Box 488, Taunton – Requesting an extension of a Special Permit/Site Plan Approval
- Pg. 15 Com. from Willitts S. Mendonca, President, Taunton Day of Portugal, Inc. – Notifying of the Taunton Day of Portugal, Inc.
- Pg. 16-17 Com. from Michael O'Donnell, Boston Financial, 111 Main St., Taunton – Regarding 111 Main Street, Taunton

PETITIONS

The following are RENEWALS for Class II Licenses:

1. Corrao Motorcars Inc. located at 251 Broadway, Taunton
2. A&B Realty Trust located at 288 Broadway, Taunton

Constable

Application submitted by Edmund Finnegan requesting a **RENEWAL** of his Constable License desiring to work details.

COMMITTEE REPORTS

UNFINISHED BUSINESS

- **Executive Session** – Meet to discuss the status of negotiations with all bargaining units of the City of Taunton, any outstanding issues with regard to negotiations, and progress made with regard to said issues

ORDERS, ORDINANCES AND ENROLLED BILLS

Ordinance for a second reading to be passed to a third reading

AN ORDINANCE

PART II REVISED ORDINANCES

Chapter 1

GENERAL PROVISIONS

Be it ordained by the Municipal Council of the City of Taunton as follows:

Section 1, Chapter 1 of the Revised Ordinances of the City of Taunton, as amended, is hereby further amended by striking out the entirety of Section 1-13 (as appearing on pages 28 through 39 of the 2010 printing) and inserting in place thereof the following:

The division of the city into eight (8) wards is hereby reaffirmed and, until alteration shall be made by the municipal council, the boundaries thereof shall be established as follows:

Ward 1, Precinct A

All of that portion of Taunton City bounded and described as follows: Beginning at the point of intersection of Cohannet St and Highland St, and proceeding easterly along Cohannet St to Silver St, and proceeding northerly along Silver St to Winthrop St, and proceeding easterly along Winthrop St to Walnut St, and proceeding southerly along Walnut St to Clinton St, and proceeding southerly along Clinton St to Barnum St, and proceeding easterly along Barnum St to Somerset Ave, and proceeding northerly along Somerset Ave to Weir St, and proceeding southerly along Weir St to New York New Haven and Hartford RR, and proceeding southerly along New York New Haven and Hartford RR to 1st St, and proceeding westerly along 1st St to Somerset Ave, and proceeding southerly along Somerset Ave to Highland St, and proceeding westerly along Highland St to the point of beginning.

Ward 1, Precinct B

All of that portion of Taunton City bounded and described as follows: Beginning at the point of intersection of Winthrop St and the Dighton/Taunton town/city line, and proceeding easterly along Winthrop St to Burt St, and proceeding northerly along Burt St to Rocky Woods St, and proceeding easterly along Rocky Woods St to N Walker St, and proceeding northerly along N Walker St to Fisher St, and proceeding easterly along Fisher St to Three Mile River, and proceeding southerly along Three Mile River to Winthrop St, and proceeding easterly along Winthrop St to Fairview Ave, and proceeding northerly along Fairview Ave to Crossman St, and proceeding easterly along Crossman St to Highland St, and proceeding southerly along Highland St to Whitehill St, and proceeding easterly along Whitehill St to Anderson St, and proceeding northerly along Anderson St to Oak St, and proceeding easterly along Oak St to the westerly property line of East Bay Apt (165 Winthrop St), and proceeding southerly along the westerly property line of East Bay Apt (165 Winthrop St) to Winthrop St, and proceeding easterly along Winthrop St to Silver St, and proceeding southerly along Silver St to Cohannet St, and proceeding westerly along Cohannet St to Dighton Rd, and proceeding southerly along Dighton Rd to Dighton Ave, and proceeding southerly along Dighton Ave to Baker Rd W, and proceeding easterly along Baker Rd W to Somerset Ave, and proceeding southerly along Somerset Ave to Railroad Ave, and proceeding westerly along Railroad

Ave to South St, and proceeding westerly along South St to Dighton/Taunton town/city line, and proceeding westerly along Dighton/Taunton town/city line to the point of beginning.

Ward 2, Precinct A

All of that portion of Taunton City bounded and described as follows: Beginning at the point of intersection of Pinckney St and Fremont St, and proceeding easterly along Pinckney St to Danforth St, and proceeding northerly along Danforth St to Mill River, and proceeding southerly along Mill River to West Adams St, and proceeding easterly along West Adams St to N Pleasant St, and proceeding southerly along N Pleasant St to Pleasant St, and proceeding easterly along Pleasant St to Broadway, and proceeding southerly along Broadway to Leonard St, and proceeding easterly along Leonard St to Fruit St, and proceeding easterly along Fruit St to Union St, and proceeding southerly along Union St to Church Green, and proceeding westerly along Church Green to Summer St, and proceeding easterly along Summer St to New York New Haven and Hartford RR, and proceeding southerly along New York New Haven and Hartford RR to High St, and proceeding westerly along High St to Bow St, and proceeding southerly along Bow St to Somerset Ave, and proceeding southerly along Somerset Ave to Barnum St, and proceeding westerly along Barnum St to Clinton St, and proceeding northerly along Clinton St to Walnut St, and proceeding northerly along Walnut St to Winthrop St, and proceeding westerly along Winthrop St to Cohannet St, and proceeding northerly along Cohannet St to Mason St, and proceeding northerly along Mason St to Wales St, and proceeding westerly along Wales St to Olney St, and proceeding northerly along Olney St to Oak St, and proceeding easterly along Oak St to Tremont St, and proceeding westerly along Tremont St to Fremont St, and proceeding northerly along Fremont St to the point of beginning.

Ward 2, Precinct B

All of that portion of Taunton City bounded and described as follows: Beginning at the point of intersection of Crossman St and Highland St, and proceeding northerly along Highland St to Smith Ave, and proceeding northerly along Smith Ave to Kilmer Ave, and proceeding easterly along Kilmer Ave to Clifford St, and proceeding northerly along Clifford St to Cobb Brk, and proceeding northerly along Cobb Brk to Shores St, and proceeding westerly along Shores St to Anawan St, and proceeding northerly along Anawan St to Tremont St, and proceeding easterly along Tremont St to Washington St, and proceeding westerly along Washington St to Oak St, and proceeding westerly along Oak St to Olney St, and proceeding southerly along Olney St to Wales St, and proceeding easterly along Wales St to Mason St, and proceeding southerly along Mason St to Cohannet St, and proceeding southerly along Cohannet St to Winthrop St, and proceeding westerly along Winthrop St to the westerly property line of East Bay Apt (165 Winthrop St), and proceeding northerly along the westerly property line of East Bay Apt (165 Winthrop St) to Oak St, and proceeding westerly along Oak St to Anderson St, and proceeding southerly along Anderson St to Whitehill St, and proceeding westerly along Whitehill St to Highland St, and proceeding northerly along Highland St to the point of beginning.

Ward 3, Precinct A

All of that portion of Taunton City bounded and described as follows: Beginning at the point of intersection of School St and Grant St, and proceeding northerly along School St to Purchase St, and proceeding northerly along Purchase St to Washington St, and proceeding northerly along Washington St to Thrasher St, and proceeding easterly along Thrasher St to the Raynham/Taunton town/city line, and proceeding southerly along the Raynham/Taunton town/city line to Taunton River, and proceeding westerly along Taunton River to New York New Haven and Hartford RR, approximately 900 feet north of Summer St, and proceeding southerly along New York New Haven and Hartford RR to Summer St, and proceeding westerly along Summer St to Church Green, and proceeding easterly along Church Green to Union St, and proceeding northerly along Union St to Fruit St, and proceeding westerly along Fruit St to Cedar St, and proceeding northerly along Cedar St to Grant St, and proceeding westerly along Grant St to the point of beginning.

Ward 3, Precinct B

All of that portion of Taunton City bounded and described as follows: Beginning at the point of intersection of New York New Haven and Hartford RR and Summer St, and proceeding northerly approximately 900 feet along New York New Haven and Hartford RR to Taunton River, and proceeding easterly along Taunton River to the Raynham/Taunton town/city line, and proceeding southerly along the Raynham/Taunton town/city line to Cotley River, and proceeding southerly along Cotley River to Middleboro Ave, and proceeding westerly along Middleboro Ave to Hart St, and proceeding westerly along Hart St to Bristol-Plymouth Regional High School access road, and proceeding southerly along Bristol-Plymouth Regional High School access road to County St, and proceeding northerly along County St to Summer St, and proceeding westerly along Summer St to the point of beginning.

Ward 4, Precinct A

All of that portion of Taunton City bounded and described as follows: Beginning at the point of intersection of Cotley River and Middleboro Ave, and proceeding easterly along Cotley River to Taunton River at the Raynham/Taunton town/city line, and proceeding easterly along the Raynham/Taunton town/city line to the Middleborough/Taunton town/city line, and proceeding easterly along the Middleborough/Taunton town/city line to the Lakeville/Taunton town/city line, and proceeding southerly along the Lakeville/Taunton town/city line to the Berkley/Taunton town/city line, and proceeding westerly along the Berkley/Taunton town/city line to Holloway St Bypass, and proceeding northerly along Holloway St Bypass to Staples St, and proceeding northerly along Staples St to Caswell St, and proceeding northerly along Caswell St to Liberty St, and proceeding northerly along Liberty St to Middleboro Ave, and proceeding westerly along Middleboro Ave to the point of beginning.

Ward 4, Precinct B

All of that portion of Taunton City bounded and described as follows: Beginning at the point of intersection of Bristol-Plymouth Regional High School access road and County St, and proceeding northerly along Bristol-Plymouth Regional High School access road to Hart St, and proceeding easterly along Hart St to Middleboro Ave, and proceeding easterly along Middleboro Ave to Liberty St, and proceeding southerly along Liberty St to Caswell St, and proceeding southerly along Caswell St to Staples St, and proceeding southerly along Staples St to Holloway St Bypass, and proceeding southerly along Holloway St Bypass to the Berkley/Taunton town/city line, and proceeding westerly along the Berkley/Taunton town/city line to Boston-Fall River Expressway, and proceeding northerly along Boston-Fall River Expressway to County St, and proceeding northerly along County St to the point of beginning.

Ward 5, Precinct A

All of that portion of Taunton City bounded and described as follows: Beginning at the point of intersection of Mill River and W Britannia St, and proceeding northerly along Mill Riv to Whittenton St, and proceeding easterly along Whittenton St to New York New Haven and Hartford RR, and proceeding northerly along New York New Haven and Hartford RR to the Raynham/Taunton town/city line, and proceeding southerly along the Raynham/Taunton town/city line to Thrasher St, and proceeding westerly along Thrasher St to Washington St, and proceeding northerly along Washington St to Elizabeth St, and proceeding westerly along Elizabeth St to Brightman St, and proceeding southerly along Brightman St to E Britannia St, and proceeding westerly along E Britannia St to W Britannia St, and proceeding westerly along W Britannia St to the point of beginning.

Ward 5, Precinct B

All of that portion of Taunton City bounded and described as follows: Beginning at the point of intersection of W Britannia St and Mill River, and proceeding easterly along W Britannia St to E Britannia St, and proceeding easterly along E Britannia St to Brightman St, and proceeding northerly along Brightman St to Elizabeth St, and proceeding easterly along Elizabeth St to Washington St, and proceeding southerly along Washington St to Purchase St, and proceeding southerly along Purchase St to School St, and proceeding southerly along School St to Grant St, and proceeding easterly along Grant St to Cedar St, and proceeding southerly along Cedar St to Fruit St, and proceeding westerly along Fruit St to Leonard St, and proceeding westerly along Leonard St to Broadway, and proceeding northerly along Broadway to Pleasant St, and proceeding westerly along Pleasant St to N Pleasant St, and proceeding northerly along N Pleasant St to W Adams St, and proceeding westerly along W Adams St to Mill River, and proceeding northerly along Mill River to a point of intersection of W Britannia St and Mill River, the point of beginning.

Ward 6, Precinct A

All of that portion of Taunton City bounded and described as follows: Beginning at the point of intersection of Berkley St and the Berkley/Taunton town/city line, and

proceeding northerly along Berkley St to Pratt St, and proceeding easterly along Pratt St to Hart St, and proceeding easterly along Hart St to New York New Haven and Hartford RR, and proceeding northerly along New York New Haven and Hartford RR to Weir St, and proceeding northerly along Weir St to Bow St, and proceeding northerly along Bow St to High St, and proceeding easterly along High St to New York New Haven and Hartford RR, and proceeding northerly along New York New Haven and Hartford RR to Summer St, and proceeding easterly along Summer St to County St, and proceeding easterly along County St to Boston-Fall River Expy, and proceeding southerly along Boston-Fall River Expy to the Berkley/Taunton town/city line, and proceeding westerly along the Berkley/Taunton town/city line to the point of beginning.

Ward 6, Precinct B

All of that portion of Taunton City bounded and described as follows: Beginning at the point of intersection of the Dighton/Taunton town/city line and New York New Haven and Hartford RR, and proceeding southerly along the Dighton/Taunton town/city line to South St, and proceeding easterly along South St to Railroad Ave, and proceeding easterly along Railroad Ave to Somerset Ave, and proceeding northerly along Somerset Ave to Baker Rd W, and proceeding westerly along Baker Rd W to Dighton Ave, and proceeding northerly along Dighton Ave to Dighton Rd, and proceeding northerly along Dighton Rd to Cohannet St, and proceeding easterly along Cohannet St to Highland St, and proceeding easterly along Highland St to Somerset Ave, and proceeding northerly along Somerset Ave to 1st St, and proceeding easterly along 1st St to New York New Haven and Hartford RR (Somerset Br), and proceeding northerly along New York New Haven and Hartford RR (Somerset Br) to New York New Haven and Hartford RR (New Bedford and Fall River Br), and proceeding southerly along New York New Haven and Hartford RR (New Bedford and Fall River Br) to Hart St, and proceeding westerly along Hart St to Pratt St, and proceeding westerly along Pratt St to Berkley St, and proceeding southerly along Berkley St to the Berkley/Taunton town/city line, and proceeding westerly along the Berkley/Taunton town/city line to Taunton River, and proceeding southerly along Taunton River to Three Mile River at the Berkley/Dighton/Taunton town/town/city line at Three Mile River, and proceeding northerly along the Three Mile River to the point of beginning.

Ward 7, Precinct A

All of that portion of Taunton City bounded and described as follows: Beginning at the point of intersection of Short St and Norton Rd, and proceeding northerly along Short St to Norton Ave, and proceeding easterly along Norton Ave to Dunbar St, and proceeding northerly along Dunbar St to Fremont St, and proceeding southerly along Fremont St to Tremont St, and proceeding westerly along Tremont St to Anawan St, and proceeding southerly along Anawan St to Shores St, and proceeding easterly along Shores St to Cobb Brk, and proceeding southerly along Cobb Brk to Clifford St, and proceeding southerly along Clifford St to Kilmer Ave, and proceeding westerly along Kilmer Ave to Smith Ave, and proceeding southerly along Smith Ave to Highland St, and proceeding southerly along Highland St to Crossman St, and proceeding westerly along Crossman St to Fairview Ave, and proceeding southerly along Fairview Ave to Winthrop St, and

proceeding westerly along Winthrop St to Three Mile River, and proceeding easterly along Three Mile River to Fisher St, and proceeding westerly along Fisher St to N Walker St, and proceeding northerly along N Walker St to Tremont St, and proceeding easterly along Tremont St to Alfred Lord Blvd, and proceeding westerly along Alfred Lord Blvd to Worcester St, and proceeding northerly along Worcester St to Norton Rd, and proceeding northerly along Norton Rd to the point of beginning.

Ward 7, Precinct B

All of that portion of Taunton City bounded and described as follows: Beginning at the point of intersection of the Norton/Taunton town/city line and the Rehoboth/Taunton town/city line, and proceeding northerly along the Norton/Taunton town/city line to Norton Ave, and proceeding southerly along Norton Ave to Short St, and proceeding southerly along Short St to Norton Rd, and proceeding southerly along Norton Rd to Worcester St, and proceeding southerly along Worcester St to Alfred Lord Blvd, and proceeding southerly along Alfred Lord Blvd to Tremont St, and proceeding westerly along Tremont St to N Walker St, and proceeding southerly along N Walker St to Rocky Woods St, and proceeding westerly along Rocky Woods St to Burt St, and proceeding southerly along Burt St to Winthrop St, and proceeding westerly along Winthrop St to the Dighton/Taunton town/city line, and proceeding westerly along the Dighton/Taunton town/city line to the Rehoboth/Taunton town/city line, and proceeding northerly along the Rehoboth/Taunton town/city line to the point of beginning.

Ward 8, Precinct A

All of that portion of Taunton City bounded and described as follows: Beginning at the point of intersection of the Norton/Taunton town/city line and Norton Ave, and proceeding northerly along the Norton/Taunton town/city line to New York New Haven and Hartford RR, and proceeding easterly along New York New Haven and Hartford RR to Penn Central RR, and proceeding southerly along Penn Central RR to New York New Haven and Hartford RR, and proceeding southerly along New York New Haven and Hartford RR to Fremont St, and proceeding northerly along Fremont St to South Boundary Rd, and proceeding easterly along South Boundary Rd, to Bassett St, and proceeding easterly along Bassett St to Bay St, and proceeding northerly along Bay St to Edgewater Ln, and proceeding northerly along Edgewater Ln to the property line between house numbers 39 and 40 Edgewater Lane, and continuing northerly along said property line to point on the shoreline of Sabbatia Lake, and continuing southerly along the shoreline of Sabbatia Lake to the Mill River, and proceeding southerly along Mill River a point on the shoreline of Sabbatia Lake on the property line between house numbers 66 and 72 Lakeview Place, and proceeding easterly along said property line to Lakeview Place, and proceeding easterly along Lakeview Pl to Lakeview Ave, and proceeding southerly along Lakeview Ave to Bay St, and proceeding easterly along Bay St to New York New Haven and Hartford RR, and proceeding southerly along New York New Haven and Hartford RR to Whittenton St, and proceeding westerly along Whittenton St to Mill River, and proceeding southerly along Mill River to Danforth St, and proceeding westerly along Danforth St to Pinckney St, and proceeding westerly along Pinckney St to Fremont St, and proceeding northerly along Fremont St to Dunbar

St, and proceeding southerly along Dunbar St to Norton Ave, and proceeding northerly along Norton Ave to the point of beginning.

Ward 8, Precinct B

All of that portion of Taunton City bounded and described as follows: Beginning at the point of intersection of the Norton/Taunton town/city line and New York New Haven and Hartford RR, and proceeding northerly along the Norton/Taunton town/city line to the Easton/Taunton town/city line, and proceeding easterly along the Easton/Taunton town/city line to the Raynham/Taunton town/city line, and proceeding southerly along the Raynham/Taunton town/city line to New York New Haven and Hartford RR, and proceeding westerly along New York New Haven and Hartford RR to Bay St, and proceeding northerly along Bay St to Lakeview Ave, and proceeding northerly along Lakeview Ave to Lakeview Pl, and proceeding westerly along Lakeview Pl to the property line between house numbers 66 and 72 Lakeview Place, and continuing westerly along said property line to a point on the shoreline of the Mill River, and continuing northerly along the Mill River to the shoreline of Sabbatia Lake, and continuing northerly along the shoreline of Sabbatia Lake to the property line between house numbers 39 and 40 Edgewater Lane, and continuing along said property line to Edgewater Lane, and continuing southerly along Edgewater Lane to Bay St, and proceeding southerly along Bay St to Bassett St, and proceeding westerly along Bassett St to South Boundary Rd, and proceeding westerly along South Boundary Rd to Fremont St, and proceeding southerly along Fremont St to New York New Haven and Hartford RR, and proceeding northerly along New York New Haven and Hartford RR to Penn Central RR, and proceeding northerly along Penn Central RR to New York New Haven and Hartford RR, and proceeding southerly along New York New Haven and Hartford RR to the point of beginning.

All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately upon passage

NEW BUSINESS

Respectfully submitted,



**Rose Marie Blackwell
City Clerk**



Denise J. Paiva, Secretary

TAUNTON PLANNING BOARD

City Hall
15 Summer Street
Taunton, Massachusetts 02780

Phone 508-821-1051

Fax 508-821-1043

January 10, 2012

Honorable Thomas Hoye, and
Members of the Municipal Council
141 Oak St., Temp. City Hall
Taunton, MA 02780

C/O Rosemarie Blackwell, City Clerk

RE: Special Permit/Site Plan Review – Parcel 64-336 – Kilmer Avenue – 88 Residential Units

Dear Mayor Hoye and Members of the Municipal Council:

Please be advised that on January 5, 2012 the Taunton Planning Board review the application for the Special Permit/Site Plan Review for 88 Residential Units being proposed on property located on Kilmer Avenue, property I.D. 64-336) submitted by Trinity Taunton Nine Limited Partnership, 40 Court St., Boston, Ma.

The Taunton Planning voted (6 members in favor, 1 member excused) to forward a **POSTIVE** recommendation to the Municipal Council for this proposal to include the DIRB recommendations:

Condition #1) That the plans dated December 14, 2011 shall govern with the following additional conditions:

Condition #2) A rubbish permit is required for all containers of 6 cubic yards or more.

Condition #3) Lighting shall not illuminate any portion of abutting properties.

Condition #4) The site shall be kept clean and clear of debris.

Condition #5) Two sets of as-builts shall be submitted upon completion of all work on site and shall include certification notes and stamps by a Design Engineer (PE) and Land Surveyor (PLS) stating that the development has been built according to the approved plans. Plans shall show at least all of the information shown on the proposed plans referenced in condition #1 above and all utility as-builts.

Condition #6) A Conservation Commission and a Natural Heritage filing is required.

Conditions #7) Trench permits, road opening permit, water and sewer connection permits are required prior to construction.

Condition #8) Templates shall be put on the plans to verify turning radii.

Conditions #9) Dumpster shall be kept closed at all times, emptied regularly, be placed on a concrete pad and enclosed with a 6 foot stockade fence.

Condition # 10) A set of updated plans shall be submitted that conforms to all the requirements of this decision before any building permits will be issued. Two sets are required.

Condition #11) A sign and pavement markings plan shall be approved by the City Engineer prior to building permit.

Condition #12) Cross slopes shall meet a minimum of 1.0%.

Condition #13) A dedicated domestic water line will be required within the buildings, separate from the Fire, HVAC, and any other non-potable uses.

Condition #14) Proper backflow prevention on the water piping system may also be needed, if called for by the plumbing code.

Condition #15) All DPW specifications and permits will apply, and confirmation of compliance will be required prior to a final approval of the DPW.

Condition #16) All water connections shall be into the new main on Shores Street with a potential loop into Shores Street if applicable.

Condition #17) The existing sanitary sewer must be inspected by camera before any connections are approved.

Condition #18) Back water valves will be required for all sanitary sewer connections, existing and new.

Condition #19) A fire flow test is required prior to the design of any water dependent fire suppression and or hydrant layout.

Condition #20) Roof leaders and sump pumps must not be tie into the sanitary sewer system.

Condition #21) The marked crosswalk in front of the community center shall be a raised table.

Condition #22) Details shall be provided for the vegetated swale.

Condition#23) An as built volume shall be provided for the detention basin.

Condition #24) Transition curbs shall be provided at all curb terminus.

Condition #25) A 1 ½ inch top coat and a 2 inch binder shall be provided on the pavement.

Condition #26) Extend sewer the last 200 or so feet along the entrance road to Shores Street.

Condition #27) Continue discussions with the DPW relative to sidewalk/driveway for access/egress to soccer fields.

Very truly yours,

A handwritten signature in cursive script that reads "Daniel P. Dermody (Cape)".

Daniel P. Dermody, Chairperson
TAUNTON PLANNING BOARD

DPD/djp

CC: Trinity Taunton Nine Limited Partnership



CITY of TAUNTON
ZONING BOARD of APPEALS

15 Summer Street
Taunton, Massachusetts 02780

Denise J. Paiva, Secretary

Phone 508-821-1051/ 1043

Fax 508-821-1043

January 21, 2012

Honorable Mayor Thomas Hoye & Municipal Council
141 Oak St., Temp. City Hall
Taunton, Ma. 02780

RE: Housing Developments – Mason St & DeWert Avenue

Dear Mayor Hoye & Municipal Council:

On January 12, 2012 the Taunton Zoning Board of Appeals unanimously approved the proposal by Trinity Taunton Nine Partnership and Taunton Housing Authority for an 88 unit housing development to be located at DeWert Avenue. The Zoning Board of Appeals also unanimously approved the proposal by Trinity Taunton Four Limited Partnership and Taunton Housing authority for a 72 unit housing development to be located on Mason Street & Oak Street (former parcel 6A).

One of the highlights in these approvals was the issue of the cleanup of the contaminated parcel 6A. Through their presentation the petitioners brought forth that a grant was received in the amount of 1 million dollars from the Federal Government. This grant should cover the estimated cost of \$800,000 for the cleanup. A major concern of the Zoning Board of Appeals was the issue that the taxpayers of Taunton will not be responsible for paying any of the hazardous waste removal above the grant. If at some point, during the development the cost of the cleanup exceeds the grant, the ZBA was re-assured by Trinity Taunton Four Partnership, Taunton Housing Authority and Kevin Shea that they have sufficient funds from other sources to complete the clean up. This assurance gives the tax payers of the City of Taunton the knowledge that no city funds will be utilized for removal of the contamination on parcel 6A. With this in mind, the Zoning Board of Appeals endorses these developments.

Respectfully yours,

A handwritten signature in cursive script, reading "Dennis I. Ackerman", followed by a long horizontal flourish.

Dennis I. Ackerman, chairman
Zoning Board of Appeals

DIA/djp



**CITY of TAUNTON
ZONING BOARD of APPEALS**

*15 Summer Street
Taunton, Massachusetts 02780*

Denise J. Paiva, Secretary

Phone 508-821-1051/1043

Fax 508-821-1665

CASE #3110

The Petition of Trinity Taunton Nine Limited Partnership Fin., Inc., 40 Court St., 8th Floor, Boston, Ma. for a Variance from Section 10.4.11, 10.4.11.3 and 10.4.12 of the Zoning Ordinance for relief from building separation (35' to 19') number of bedrooms (five 4-bedrooms) and roadway/parking dimensions (22' wide instead of instead of 30') for the construction of an 88 unit housing development on premises situated on the north side of **DeWert Avenue, Taunton, Ma and is known as Assessor's Property I.D. 64-336 (Kilmer Avenue)**

A public hearing was held on January 12, 2012 at Maxham School, in the Chester R. Martin Municipal Council Chambers, 141 Oak St. Taunton, Ma. and the following members present: Dennis I. Ackerman, Chairman, Joseph Amaral, Troy Medeiros, Steven Vieira, and Estele Borges.

For the Petitioner: Atty. Robert Treano, Rep. Taunton Housing Authority.
Colleen Doherty, Executive Director, Taunton Housing Authority, 30 Olney St., Taunton, Ma.
Hank Keating, V.P. Design& Construction, Trinity Financial, 40 Court St., Boston, Ma.
David Kelly, P.E., Kelly Engineering Group. Inc. 0 Campanelli Dr., Braintree, Ma.
Ambrose Donovan, Envir. Consult., McPhail Assoc., 2269 Massachusetts Ave., Braintree, Ma.
Sarah Barnat, Trinity Financial, 40 Court St., Boston, Ma.
Kevin Shea, Exec. Dir., Office of Economic Development, 45 School St., Taunton, Ma.

In favor: None

Opposition: None

Findings: The petitioner is requesting a Variance from Section 10.4.11, 10.4.11.3 and 10.4.12 of the Zoning Ordinance for building separation, number of bedrooms and roadway/parking dimensions on DeWert Avenue located in the Urban Residential District.

This is the existing site of the Fairfax Gardens housing development located on DeWert Avenue and currently owned and operated by the City of Taunton Housing Authority. The site consists of 43 acres and is occupied by 150 units with associated parking and other site

development features and the Taunton Housing Authority central maintenance facility. The property was developed in 1951 to include the existing housing and the maintenance facility was constructed in 1994 and will remain a central maintenance facility owned and operated by the Taunton Housing Authority. A portion of the existing property contains two soccer fields and associated parking which are leased to the Taunton Eagles Soccer Club.

The proposed development consists of the demolition of the existing housing units and other site features on the property and the construction of a new development consisting of 88 units, a community center, a site specific maintenance building with associated driveways, parking and other site development features. There will be a mix of units with 4 one-bedroom units, 53 two-bedroom units, 26 three-bedroom units and 5 four-bedroom units. Three lots will be created through an Approval Not Required process through the Planning Board. Lot 1 will contain the proposed housing will be approximately 36.8 acres, Lot 2 containing the existing Taunton Housing Authority maintenance facility will be approximately 1.37 acres and Lot 3 containing the soccer fields on approximately 4.89 acres of land. The petitioners are proposing to re-configure DeWert Avenue intersection with Kilmer Avenue to provide a safer access to the site and a new roadway connection will be extended north to Shores Street to provide a second access point for both residents and emergency vehicles. The proposed development will occur primarily within the footprint of the existing development with the exception of the roadway connection to Shores Street.

The Board finds that the relief can be granted without any detriment to the surrounding properties. The site contains a number of wetlands resources areas the locations of which were approved by the Conservation Commission. The proposed development has been designed to ensure that these resource areas are protected. New utilities will be extended from DeWert Avenue and Shores Street to service the development. A new stormwater management system will be constructed to ensure that there will be no impacts to surrounding properties.

The Board finds the narrower width will reduce the impervious area on the site, will be a traffic calming measure and will provide a more residential feel to the development. The Board finds that the newly developed project will significantly reduce what currently exists on the site replacing 88 of the existing 150 units. This will reduce the demand on public services and the maintenance demand that is currently required at the site. This project will be paying taxes to the City of Taunton as the current project does not. This will create a new source of revenue for the City which will help to pay for any added public serviced and maintenance costs.

The Board realizes the project will be developed using a number of public and private funding sources including a City of Taunton Section 108 Loan, syndication of Federal Low Income Housing Tax Credits, and State LIHTC raising private sector tax credit equity; a U.S. Housing and Urban Development (HUD) HOPE VI Grants and a HUD Brownfields Economic Development Improvement Grant. Of these two HUD Grants the HOPE VI has significant milestone and timing requirements that need to be met. The HUD HOPE VI Grant is competitively awarded to housing authorities around the country so they can replace severely distressed public housing projects with new energy efficient mixed income housing. The Taunton Housing Authority was awarded a \$22 million HOPE IV in May of 2011. Trinity has partnered with many housing authorities to help them implement these grants and this project will be Trinity's sixth HOPE VI financed transaction.

Motion to Grant as Presented based on adherence to the submitted application including the Submitted plans and all bulk, size and intensity criteria contained therein.

VOTE:

5 In Favor

0 Opposed

Dennis I. Ackerman, Chairman
Joseph Amaral, Clerk
Troy Medeiros
Steven Vieira
Estele Borges

Yes
Yes
Yes
Yes
Yes

A TRUE COPY OF DECISION
FILED IN OFFICE OF
CITY CLERK

PETITION GRANTED:

JAN 24 2012

CITY OF TAUNTON BOARD OF APPEALS

Dennis I. Ackerman
Chairman

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HEARING - I

City of Taunton, Massachusetts
DEVELOPMENT IMPACT REVIEW BOARD

15 Summer Street
Taunton, Massachusetts 02780

Phone 508-821-1051, Fax 508-821-1043
www.ci.taunton.ma.us

January 3, 2012

Honorable Thomas C Hoye, Jr, Mayor
Municipal Council
141 Oak Street
Taunton, Ma 02780

RE: Parcel 64-336 Kilmer Ave – 88 residential units

Dear Mayor Hoye and Council Members,

On January 3, 2012, the Development Impact Review Board met to review the application of Trinity Taunton Nine Limited Partnership, 40 Court Street, 8th floor, Boston, Ma 02108 for parcel 64-336 Kilmer Ave, Taunton, Ma for 88 residential units which requires a Special Permit/ Site Plan Review from the Municipal Council. In considering the petition, the DIRB familiarized itself with the premises and examined the location, layout and other characteristics. After reviewing the petition, plans and testimony, the DIRB finds that the petition was formally sufficient and submitted and reviewed in accordance with the procedures set forth in the Zoning Ordinance and that proper notice was given

The DIRB hereby recommends that any approval of this petition by the Municipal Council contain the following conditions;

Condition #1) That the plans dated December 14, 2011 shall govern with the following additional conditions;

Condition #2) A rubbish permit is required for all containers of 6 cubic yards or more

Condition #3) Lighting shall not illuminate any portion of abutting properties

Condition #4) The site shall be kept clean and clear of debris

Condition #5) Two set of as-builts shall be submitted upon completion of all work on site and shall include certification notes and stamps by a Design Engineer (PE) and Land Surveyor (PLS) stating that the development has been built according to the approved plans. Plans shall show at least all of the information shown on the proposed plans referenced in condition #1 above and all utility as-builts.

Condition #6) A Conservation Commission and a Natural Heritage filing is required.

Condition #7) Trench permits, road opening permit, water and sewer connection permits are required prior to construction

Condition #8) Templates shall be put on the plans to verify turning radii.

Condition #9) Dumpster shall be kept closed at all times, emptied regularly, be placed on a concrete pad and enclosed with a 6 foot stockade fence

Condition #10) A set of updated plans shall be submitted that conforms to all of the requirements of this decision before any building permits will be issued. Two sets are required.

Condition #11) a sign and pavement markings plan shall be approved by the City Engineer prior to building permit

Condition #12) Cross slopes shall meet a minimum of 1.0 %.

Condition #13) A dedicated domestic water line will be required within the buildings, separate from the Fire, HVAC and any other non-potable uses.

Condition #13) Proper backflow prevention on the water piping system may also be needed, if called for by the plumbing code.

Condition #14) All DPW specifications and permits will apply, and confirmation of compliance will be required prior to final approval of the DPW

Condition #15) All water connections shall be into the new main on Shores Street with a potential loop into Shores Street if applicable.

Condition #16) The existing sanitary sewer must be inspected by camera before any connections are approved.

Condition #17) Back water valves will be required for all sanitary sewer connections, existing and new

Condition #18) A fire flow test is required prior to the design of any water dependant fire suppression and or hydrant layout.

Condition #19) Roof leaders and sump pumps must not be tied into the sanitary sewer system

Condition #20) the marked crosswalk in front of the community center shall be a raised table

Condition #21) details shall be provided for the vegetated swale

Condition #22) an as built volume shall be provided for the detention basin

Condition #23) Transition curbs shall be provided at all curb terminus

Condition #24) A 1 ½ inch top coat and a 2 inch binder shall be provided on the pavement

Sincerely,



Kevin R Scanlon,
DIRB Chair AICP

Kevin Scanlon

From: Fred Cornaglia [dpwcomm@tmlp.net]
Sent: Friday, December 30, 2011 12:36 PM
To: kscanlon@tmlp.net
Cc: dpaiva@tmlp.net; dpwasstcomm@tmlp.net; watersup@tmlp.net; dpwcomm@tmlp.net
Subject: DIRB Comments for 1/3/12

Hi Kevin,

Here are the DPW Team comments for the listed DIRB Reviews:

8 Trescott Street and 32 Main Street

1. A dedicated domestic water line will be required within the building, separate from the fire, HVAC, and any other non-potable uses
2. Proper backflow prevention on the water piping system may also be needed, if called for by the Plumbing Code
3. All DPW Specifications and permits will apply, and confirmation of compliance will be required prior to final approval of the DPW
4. All water connections shall be into the new main on Trescott Street
5. The existing sanitary sewer must be inspected by camera before any connections are approved
6. Roof leaders and sump pumps must not be tied into the sanitary sewer system, and existing connections but be removed as well
7. Back water valves will be required for all sanitary sewer connections, exiting and new
8. A fire flow test is required prior to the design of any water dependent fire suppression system and or hydrant layout

Mason Street parcel 6A

1. Dedicated domestic water lines will be required within the buildings, separate from the fire, HVAC, and any other non-potable uses
2. Proper backflow prevention on the water piping system may also be needed, if called for by the Plumbing Code
3. All DPW Specifications and permits will apply, and confirmation of compliance will be required prior to final approval of the DPW
4. The water connections shall be into the new main on Myrtle Street with a potential loop into Porter Street if applicable
5. The existing sanitary sewer must be inspected by camera before any connections are approved
6. Roof leaders and sump pumps must not be tied into the sanitary sewer system
7. Back water valves will be required for all sanitary sewer connections
8. A fire flow test is required prior to the design of any water dependent fire suppression system and or hydrant layout

Dewert Avenue

1. Dedicated domestic water lines will be required within the buildings, separate from the fire, HVAC, and any other non-potable uses
2. Proper backflow prevention on the water piping system may also be needed, if called for by the Plumbing Code
3. All DPW Specifications and permits will apply, and confirmation of compliance will be required prior to final approval of the DPW

4. The water connections shall be into the new main on Shores Street with a potential loop into Shores Street if applicable
5. The existing sanitary sewer must be inspected by camera before any connections are approved
6. Roof leaders and sump pumps must not be tied into the sanitary sewer system
7. Back water valves will be required for all sanitary sewer connections
8. A fire flow test is required prior to the design of any water dependent fire suppression system and or hydrant layout

We reserve the right to comment further as each project may change before their individual final plan is approved. The relevant designers should contact the DPW with any specific questions regarding our specifications and or our current utility capacity and status. Please reply with any questions.

Thanks and Happy New Year,

Fred.



Denise J. Paiva, Secretary

TAUNTON PLANNING BOARD

City Hall
15 Summer Street
Taunton, Massachusetts 02780

Phone 508-821-1051

Fax 508-821-1043

January 10, 2012

Honorable Thomas Hoye, and
Members of the Municipal Council
141 Oak St., Temp. City Hall
Taunton, MA 02780

C/O Rosemarie Blackwell, City Clerk

RE: Special Permit/Site Plan Review – Parcel 65-357 – Mason Street – 72 Residential Units

Dear Mayor Hoye and Members of the Municipal Council:

Please be advised that on January 5, 2012 the Taunton Planning Board review the application for the Special Permit/Site Plan Review for 72 Residential Units being proposed on property located on Mason Street, property I.D. 65-35) submitted by Trinity Taunton Four Limited Partnership, 40 Court St., Boston, Ma.

The Taunton Planning voted (6 members in favor, 1 member excused) to forward a **POSTIVE** recommendation to the Municipal Council for this proposal and are in support of the waiver of the parking reduction of 1.35 per unit instead of 2.0 per unit. The Board voted to include the DIRB recommendations:

Condition #1) That the plans dated December 14, 2011 shall govern with the following additional conditions:

Condition #2) A rubbish permit is required for all containers of 6 cubic yards or more.

Condition #3) Lighting shall not illuminate any portion of abutting properties and a lighting plan shall be approved prior to building permit.

Condition #4) The site shall be kept clean and clear of debris.

Condition #5) Two sets of as-builts shall be submitted upon completion of all work on site and shall include certification notes and stamps by a Design Engineer (PE) and Land Surveyor (PLS) stating that the development has been built according to the approved plans. Plans shall show at least all of the information shown on the proposed plans referenced in condition #1 above and all utility as-builts.

Condition #6) A copy of the Activity and Use limitation shall be provided for the file.

Condition #7) Trench permits, road opening permit, water and sewer connection permits are required prior to construction.

Condition #8) An ANR plans is required to split the lot as shown and a minimum of 50 foot frontage shall be provided for Lot B with an access easement for the driveway access off Porter Street.

Condition #9) Dumpster shall be kept closed at all times, emptied regularly, be placed on a concrete pad and enclosed with a 6 foot stockade fence.

Condition #10) A set of updated plans shall be submitted that conforms to all of the requirements of his decision before any building permits will be issued. Two sets are required.

Condition #11) Provide a drainage plan for the “land bank” parking spaces.

Condition #12) The Wales Street access shall be emergency access only with a Fire Department approved access barrier.

Conditions #13) A dedicated domestic water line will be required within the buildings, separate from the Fire, HVAC and any other non-potable uses.

Conditions #14) Proper backflow prevention on the water piping system may also be needed, if called for by the plumbing code.

Condition #15) All DPW specifications and permits will apply, and confirmation of compliance will be required prior to final approval of the DPW.

Condition #16) All water connections shall be into the new main on Myrtle Street with a potential loop into Porter Street if applicable.

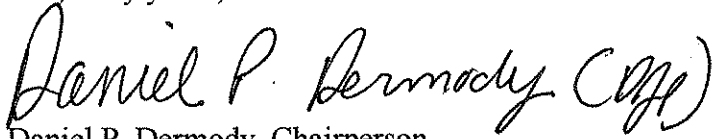
Condition # 17) The existing sanitary sewer must be inspected by camera before any connections are approved.

Condition #18) Back water valves will be required for all sanitary sewer connections, existing and new.

Conditions #19) A fire flow test is required prior to the design of any water dependent fire suppression and or hydrant layout.

Condition # 20) Roof leaders and sump pumps must not be tied into the sanitary sewer system.

Very truly yours,

A handwritten signature in cursive script that reads "Daniel P. Dermody (DPD)".

Daniel P. Dermody, Chairperson
TAUNTON PLANNING BOARD

DPD/djp

CC: Trinity Taunton Four Limited Partnership



CITY of TAUNTON
ZONING BOARD of APPEALS
15 Summer Street
Taunton, Massachusetts 02780

Denise J. Paiva, Secretary

Phone 508-821-1051/ 1043

Fax 508-821-1043

January 21, 2012

Honorable Mayor Thomas Hoye & Municipal Council
141 Oak St., Temp. City Hall
Taunton, Ma. 02780

RE: Housing Developments – Mason St & DeWert Avenue

Dear Mayor Hoye & Municipal Council:

On January 12, 2012 the Taunton Zoning Board of Appeals unanimously approved the proposal by Trinity Taunton Nine Partnership and Taunton Housing Authority for an 88 unit housing development to be located at DeWert Avenue. The Zoning Board of Appeals also unanimously approved the proposal by Trinity Taunton Four Limited Partnership and Taunton Housing authority for a 72 unit housing development to be located on Mason Street & Oak Street (former parcel 6A).

One of the highlights in these approvals was the issue of the cleanup of the contaminated parcel 6A. Through their presentation the petitioners brought forth that a grant was received in the amount of 1 million dollars from the Federal Government. This grant should cover the estimated cost of \$800,000 for the cleanup. A major concern of the Zoning Board of Appeals was the issue that the taxpayers of Taunton will not be responsible for paying any of the hazardous waste removal above the grant. If at some point, during the development the cost of the cleanup exceeds the grant, the ZBA was re-assured by Trinity Taunton Four Partnership, Taunton Housing Authority and Kevin Shea that they have sufficient funds from other sources to complete the clean up. This assurance gives the tax payers of the City of Taunton the knowledge that no city funds will be utilized for removal of the contamination on parcel 6A. With this in mind, the Zoning Board of Appeals endorses these developments.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Dennis I. Ackerman", with a long horizontal flourish extending to the right.

Dennis I. Ackerman, chairman
Zoning Board of Appeals

DIA/djp



CITY of TAUNTON
ZONING BOARD of APPEALS
15 Summer Street
Taunton, Massachusetts 02780

Denise J. Paiva, Secretary

Phone 508-821-1051/1043

Fax 508-821-1665

CASE # 3111

The Petition of Trinity Taunton Four Limited Partnership Financial Inc., 40 Court St., 8th Floor, Boston, Ma. for a Variance from Section 10.4.12 of the Zoning Ordinance for relief of roadway/parking dimensions (22' wide instead of instead of 30') for the construction of a 72 unit housing development on premises situated on the **north side of Mason Street, Taunton, Ma. and is known as Assessor' s Property I.D. 65-357 (Oak Street)**

A public hearing was held on January 12, 2012 at Maxham School, in the Chester R. Martin Municipal Council Chambers, 141 Oak St. Taunton, Ma. and the following members present: Dennis I. Ackerman, Chairman, Joseph Amaral, Troy Medeiros, Steven Vieira, and Estele Borges.

For the Petitioner: Atty. Robert Treano, Rep. Taunton Housing Authority.
 Colleen Doherty, Executive Director, Taunton Housing Authority, 30 Olney St., Taunton, Ma.
 Hank Keating, V.P. Design& Construction, Trinity Financial, 40 Court St., Boston, Ma.
 David Kelly, P.E., Kelly Engineering Group. Inc. 0 Campanelli Dr., Braintree, Ma.
 Ambrose Donovan, Envir. Consult., McPhail Assoc., 2269 Massachusetts Ave., Braintree, Ma.
 Sarah Barnat, Trinity Financial, 40 Court St., Boston, Ma.
 Kevin Shea, Exec. Dir., Office of Economic Development, 45 School St., Taunton, Ma.

In favor: Taunton Redevelopment Authority, P. O. Box 2987, Taunton, Ma.

Opposition: Raymond Pina, 6 Myrtle St., Taunton, Ma.
 Bill Eagan, 32 Wales St., Taunton, Ma.
 Joseph Zrebiec, 31 Pine St., Taunton, Ma.

Findings: The petitioner is requesting a Variance from Section 10.4.12 for roadway/parking dimensions on Mason Street located in the Business District.

The proposal is for a new multi-family development consisting of 72 units, and associated driveways, parking and other site development features. There will be a mix of units with 41 one-bedroom units, 26 two-bedroom units, and 5 three-bedroom units. Two new lots will be created through an Approval Not Required process through the Planning Board. Lot A will

contain the housing complex will be approximately 4.6 acres which the Taunton Redevelopment Authority will transfer to the Taunton Housing Authority. Lot 2, the remaining 1.8 acres will remain with the Taunton Redevelopment Authority.

The Board finds that the variance can be granted without any negative impact on the surrounding properties. The Board finds the soils on the property are contaminated as a result of the previous rail uses on the site. The more extensive contaminations occurs at the northern and eastern portions of the property closer to the rail lines. These unique soil conditions require the roadway be constructed narrower than the ordinance allows. The Board finds the narrower width will reduce the impervious area on the site, will be a traffic calming measure and will provide a more residential feel to the development. The Board finds a literal enforcement of the zoning ordinance would result in a substantial hardship and possibly require portions of the development to be closer to the contaminated soils. The Board finds the relief can be granted without substantial detriment to the public good since the relief will not have a negative impact to the surrounding neighborhood. The Board finds the narrower roads and parking areas will result in less storm runoff from the site and will serve to slow traffic travelling through the property. The Board was also assured that the landscaped area behind the building closest to Oak Street can be developed to add additional parking if parking become a need in the future for this project.

The Board realizes the project will be developed using a number of public and private funding sources including a City of Taunton Section 108 Loan, syndication of Federal Low Income Housing Tax Credits, and State LIHTC raising private sector tax credit equity; a U.S. Housing and Urban Development (HUD) HOPE VI Grants and a HUD Brownfields Economic Development Improvement Grant. Of these two HUD Grants the HOPE VI has significant milestone and timing requirements that need to be met. The HUD HOPE VI Grant is competitively awarded to housing authorities around the country so they can replace severely distressed public housing projects with new energy efficient mixed income housing. The Taunton Housing Authority was awarded a \$22 million HOPE IV in May of 2011. Trinity has partnered with many housing authorities to help them implement these grants and this project will be Trinity's sixth HOPE VI financed transaction. This project will be paying taxes to the City of Taunton as the current project does not. This will create a new source of revenue for the City which will help to pay for any added public serviced and maintenance costs.

The Board was assured by the Trinity Taunton Four Partnership, Taunton Housing Authority and Kevin Shea that the taxpayers of the City of Taunton will not be responsible for any costs associated with the removal of the contamination on this site. The Board was re-assured if the clean up exceeded the grant monies they have sufficient funds from other sources to complete the clean up. With this in mind, the Board wholeheartedly endorses the project.

Motion to Grant as Presented based on adherence to the submitted application including the Submitted plans and all bulk, size and intensity criteria contained therein.

VOTE:

5 In Favor

0 Opposed

- Dennis I. Ackerman, Chairman
- Joseph Amaral, Clerk
- Troy Medeiros
- Steven Vieira
- Estele Borges

- Yes
- Yes
- Yes
- Yes
- Yes

TRUE COPY OF DECISION
FILED IN OFFICE OF
CITY CLERK

JUN 24 2012

CITY OF TAUNTON BOARD OF APPEALS

PETITION GRANTED:



City of Taunton, Massachusetts DEVELOPMENT IMPACT REVIEW BOARD

15 Summer Street
Taunton, Massachusetts 02780

Phone 508-821-1051, Fax 508-821-1043
www.ci.taunton.ma.us

January 3, 2012

Honorable Thomas C Hoye, Jr, Mayor
Municipal Council
141 Oak Street
Taunton, Ma 02780

RE: Parcel 65-357 Mason Street – 72 residential units

Dear Mayor Hoye and Council Members,

On January 3, 2012, the Development Impact Review Board met to review the application of Trinity Taunton Four Limited Partnership, 40 Court Street, 8th floor, Boston, Ma 02108 for parcel 65-357 Mason Street, Taunton, Ma for 72 residential units which requires a Special Permit/ Site Plan Review from the Municipal Council. In considering the petition, the DIRB familiarized itself with the premises and examined the location, layout and other characteristics. After reviewing the petition, plans and testimony, the DIRB finds that the petition was formally sufficient and submitted and reviewed in accordance with the procedures set forth in the Zoning Ordinance and that proper notice was given

The DIRB hereby recommends that any approval of this petition by the Municipal Council contain the following conditions;

Condition #1) That the plans dated December 14, 2011 shall govern with the following additional conditions;

Condition #2) A rubbish permit is required for all containers of 6 cubic yards or more

Condition #3) Lighting shall not illuminate any portion of abutting properties and a lighting plan shall be approved prior to building permit

Condition #4) The site shall be kept clean and clear of debris

Condition #5) Two set of as-builts shall be submitted upon completion of all work on site and shall include certification notes and stamps by a Design Engineer (PE) and Land Surveyor (PLS) stating that the development has been built according to the approved plans. Plans shall show at least all of the information shown on the proposed plans referenced in condition #1 above and all utility as-builts.

Condition #6) a copy of the Activity and Use limitation shall be provided for the file

Condition #7) Trench permits, road opening permit, water and sewer connection permits are required prior to construction

Condition #8) An ANR plan is required to split the lot as shown and a minimum 50 foot frontage shall be provided for lot B with an access easement for the driveway access off Porter Street.

Condition #9) Dumpster shall be kept closed at all times, emptied regularly, be placed on a concrete pad and enclosed with a 6 foot stockade fence

Condition #10) A set of updated plans shall be submitted that conforms to all of the requirements of this decision before any building permits will be issued. Two sets are required.

Condition #11) provide a drainage plan for the “land bank” parking spaces.

Condition #12) The Wales Street access shall be emergency access only with a Fire Department approved access barrier

Condition #13) A dedicated domestic water line will be required within the buildings, separate from the Fire, HVAC and any other non-potable uses.

Condition #13) Proper backflow prevention on the water piping system may also be needed, if called for by the plumbing code.

Condition #14) All DPW specifications and permits will apply, and confirmation of compliance will be required prior to final approval of the DPW

Condition #15) All water connections shall be into the new main on Myrtle Street with a potential loop into Porter Street if applicable.

Condition #16) The existing sanitary sewer must be inspected by camera before any connections are approved.

Condition #17) Back water valves will be required for all sanitary sewer connections, existing and new

Condition #18) A fire flow test is required prior to the design of any water dependant fire suppression and or hydrant layout.

Condition #19) Roof leaders and sump pumps must not be tied into the sanitary sewer system

Sincerely,



Kevin R Scanlon,
DIRB Chair AICP

Kevin Scanlon

From: Fred Cornaglia [dpwcomm@tmlp.net]
Sent: Friday, December 30, 2011 12:36 PM
To: kscanlon@tmlp.net
Cc: dpaiva@tmlp.net; dpwasstcomm@tmlp.net; watersup@tmlp.net; dpwcomm@tmlp.net
Subject: DIRB Comments for 1/3/12

Hi Kevin,

Here are the DPW Team comments for the listed DIRB Reviews:

8 Trescott Street and 32 Main Street

1. A dedicated domestic water line will be required within the building, separate from the fire, HVAC, and any other non-potable uses
2. Proper backflow prevention on the water piping system may also be needed, if called for by the Plumbing Code
3. All DPW Specifications and permits will apply, and confirmation of compliance will be required prior to final approval of the DPW
4. All water connections shall be into the new main on Trescott Street
5. The existing sanitary sewer must be inspected by camera before any connections are approved
6. Roof leaders and sump pumps must not be tied into the sanitary sewer system, and existing connections but be removed as well
7. Back water valves will be required for all sanitary sewer connections, exiting and new
8. A fire flow test is required prior to the design of any water dependent fire suppression system and or hydrant layout

Mason Street parcel 6A

1. Dedicated domestic water lines will be required within the buildings, separate from the fire, HVAC, and any other non-potable uses
2. Proper backflow prevention on the water piping system may also be needed, if called for by the Plumbing Code
3. All DPW Specifications and permits will apply, and confirmation of compliance will be required prior to final approval of the DPW
4. The water connections shall be into the new main on Myrtle Street with a potential loop into Porter Street if applicable
5. The existing sanitary sewer must be inspected by camera before any connections are approved
6. Roof leaders and sump pumps must not be tied into the sanitary sewer system
7. Back water valves will be required for all sanitary sewer connections
8. A fire flow test is required prior to the design of any water dependent fire suppression system and or hydrant layout

Dewert Avenue

1. Dedicated domestic water lines will be required within the buildings, separate from the fire, HVAC, and any other non-potable uses
2. Proper backflow prevention on the water piping system may also be needed, if called for by the Plumbing Code
3. All DPW Specifications and permits will apply, and confirmation of compliance will be required prior to final approval of the DPW

*City of Taunton
Office of the Mayor*

*Thomas C. Hoye, Jr.
Mayor*

*Alyssa Gracia
Assistant to the Mayor*

*Gill E. Enos
Budget Director*



*141 Oak Street
Temporary City Hall
Taunton, MA 02780
Tel. (508) 821-1000*

February 23, 2012

Ryan C. Colton, President
Taunton Municipal Council
City of Taunton
141 Oak Street
Taunton, Massachusetts 02780

**Re: Greater Attleboro/Taunton HOME Consortium
Mutual Cooperative Agreement**

Dear Members of the Municipal Council:

I am requesting the Municipal Councils approval of the enclosed Greater Attleboro/Taunton HOME Consortium Mutual Cooperative Agreement.

This agreement extends the Greater Attleboro/Taunton HOME Consortium for an additional three year period beginning on July 1, 2012. This agreement allows the consortium of fourteen communities to receive an annual allocation of US HUD Home Investments Partnership Program grant funds to create affordable housing opportunities for low and moderate individuals such as down payment closing cost assistance and housing rehabilitation. This next fiscal year the Attleboro/Taunton HOME Consortium will receive \$539,155.

Thank you in advance for your assistance.

Respectfully,

Thomas C. Hoye, Jr.
Mayor

Attachment

*A City of Firsts
First Woman Town Proprietor- First Female Entrepreneur
First to Fly Liberty & Union Flag- First Major Silver Manufacturing Center*



CITY OF TAUNTON
*Office of Economic
And Community Development*
45 School Street
Taunton, Massachusetts 02780
Phone (508) 821-1030
Fax (508) 821-1091

2

KEVIN J. SHEA
Executive Director

RICHARD L. SHAFER
Economic Development Director

MICHAEL J. FERREIRA
Community Development Director

February 22, 2012

Honorable Thomas C. Hoye Jr. and
Members of the Municipal Council
City of Taunton
141 Oak Street
Taunton, MA 02780

Dear Mayor Hoye and Members of the Municipal Council:

I would like to take this opportunity to inform you that the Greater Attleboro/Taunton HOME Consortium (GATHC) will be required to execute a new *Mutual Cooperative Agreement* for a three year period beginning on July 1, 2012.

The GATHC is a consortium of 14 area communities including Attleboro, Berkley, Carver, Dighton, Easton, Lakeville, Mansfield, Middleborough, North Attleborough, Norton, Plainville, Raynham, Seekonk, and Taunton. The City of Taunton is the "Lead Entity" for the GATHC and has historically administered more than \$900,000 annually in federal Home Investment Partnership (HOME) funds, although that figure will be significantly reduced in the upcoming year. The primary mission of the GATHC is the preservation and development of affordable housing units for low and moderate income residents, and activities typically includes Down Payment and Closing Cost Assistance, Housing Rehabilitation, and Affordable Housing Development projects.

Enclosed for your review and consideration, please find a copy of a new Cooperative Agreement for the GATHC. As was the case when the Consortium was originally established in 2003, the Cooperative Agreement will need to be approved by a formal vote of the local governing body of each of the participating communities that presently comprise the GATHC.

Also enclosed, please find the following documents that should be completed and returned to the Taunton Office of Economic and Community Development:

- A signature page that will need to be signed by the Mayor
- A document which designates the Mayor as the official in the City who has the authority to sign the Cooperative Agreement

Mutual Cooperative Agreement

February 22, 2012

Page 2

- A record of the vote taken by the Municipal Council documenting approval of the new Cooperative Agreement

It is important to point out that there is a time requirement related to the approval of a new Cooperative Agreement for the GATHC by the U.S. Department of Housing and Urban Development (HUD). Therefore, it is hoped that local approval process can be completed by **April 1, 2012** so that a final submission package for HUD can be prepared and completed.

Thank you for your time and attention to this matter. If you have any questions or need any additional information regarding this issue, please let me know.

Sincerely,



Michael J. Ferreira
Community Development Director

cc: Kevin Shea, Executive Director

**MUTUAL COOPERATION AGREEMENT
TO RENEW THE GREATER ATTLEBORO-TAUNTON
HOME CONSORTIUM (GATHC)
UNDER THE
CRANSTON-GONZALEZ NATIONAL AFFORDABLE HOUSING ACT
FOR THE PERIOD OF JULY 1, 2012 THROUGH JUNE 30, 2015**

MUTUAL COOPERATION AGREEMENT made this day of 2012 by and between the Cities of Taunton and Attleboro and the Towns of Berkley, Carver, Dighton, Easton, Lakeville, Mansfield, Middleborough, Norton, North Attleboro, Plainville, Raynham, and Seekonk (units of general local government) organized and existing under the laws of the Commonwealth of Massachusetts.

WHEREAS, the Cranston-Gonzalez National Affordable Housing Act authorizes the Home Investments Partnership Program (“hereinafter “HOME Program”) to provide financial assistance through the U.S. Department of Housing and Urban Development (hereinafter “HUD”), to local governments for the purpose of increasing the supply of affordable housing; and

WHEREAS, HUD has promulgated regulations, notices, and requirements as now or hereafter in effect, allowing units of general local government to enter into mutual cooperation agreements to form a Consortium for the purpose of obtaining funding as a Participating Jurisdiction (PJ) under the HOME Program; and

WHEREAS, the signatory units of general local government intend hereby to establish a Consortium to cooperate in undertaking or assisting in pursuing housing assistance activities for the HOME Program; and

WHEREAS, the signatories to this agreement agree to comply with all requirements of HUD regulations and requirements as now or hereafter in effect for eligibility to participate to the maximum extent possible in the funding benefits of HUD regulations and requirements as now or hereafter in effect, to create or improve affordable housing for their low and moderate income residents.

NOW, THEREFORE, in consideration to the mutual promises contained herein, the parties to this agreement do agree as follows:

SECTION 1 – DEFINITIONS

- a. “Member” means a unit of local government that is a signatory to this agreement and therefore a member of the Consortium for the purpose of carrying out eligible activities under HUD regulations and requirements as now or hereafter in effect.
- b. “Participating Jurisdiction” means a state or a unit of general local government that has been so designated by HUD in accordance with § 92.105.
- c. “Lead Entity” means the unit of local government designated hereafter as the one member to act in a representative capacity for all members for the purposes of this agreement, as defined in HUD regulations and requirements as now or hereafter in effect.
- d. “CP” means a Consolidated Plan, as defined in 24 CFR Part 91 and required by HUD regulations and requirements as now or hereafter in effect.
- e. “CHDO” means a Community Housing Development Organization, as defined in HUD regulations and requirements as now or hereafter in effect.
- f. “CFR” means Codes of Federal Regulations

SECTION 2 – PURPOSES

This agreement is entered into for the purpose of meeting the criteria established in 24 CFR, Part 92 for obtaining general local government status as a Consortium of otherwise ineligible town and cities in order to obtain funding for the HOME Program. Moreover, this agreement is entered into in order to benefit the residents of the both the Towns and Cities by enhancing the quality of life of those residents benefiting from the HOME Program.

SECTION 3 – MEMBERS/CREATION OF CONSORTIUM

The Cities and Towns are members of the Consortium and by execution of this Agreement hereby form a Consortium to be known as the “Greater Attleboro-Taunton HOME Consortium (hereinafter “Consortium”).

SECTION 4 – STATUS OF CONSORTIUM

The Consortium shall function as a PJ for funding under the HOME Program upon designation by HUD.

The Consortium shall seek to obtain HOME funds that become available upon notice by HUD and the state’s Department of Housing and Community Development (DHCD).

This agreement is not intended to limit or otherwise restrict the signatories to this Agreement from participating in programs and/or from seeking funding from HUD, or other public sources, for purposes not involving the Consortium and the HOME Program.

SECTION 5 – CONSOLIDATED PLAN

Members of the Consortium shall cooperate in the preparation of a Consolidated Plan (CP) covering the jurisdictional boundaries of the Consortium. The preparation of the CP will take place pursuant to 24 CFR Parts 91 and 92 as required by HUD regulations.

SECTION 6 – FUNDING

- a. HOME funds allocated to the Consortium shall be disbursed and administered for the Consortium region in the following manner: Housing Rehabilitation, Downpayment and Closing Cost Assistance, and Affordable Housing Unit Production **undertaken by Community Housing Development Organizations (CHDO)**. The Lead Entity will administer these funds on a regional basis. The Lead Entity shall notify the Members of the regional entitlement share of HOME funds allocated to the Consortium and report on its activities on a semi-annual basis. Consortium members shall vote on projects and the budget that will be included by the Lead Entity in the GATHC’s Annual Action Plan and annual budget.

SECTION 7 – MATCHING FUNDS

- a. The Lead Entity shall be responsible for identifying the necessary matching funds or matching fund credits (see below) for all of its projects as required by HUD regulations and requirements as now or hereafter in effect. Matching funds and/or credits can be achieved in a variety of forms, including use of state housing funds administered within the Consortium.
- b. HUD will figure the matching funds necessary based on the total match required for all projects of the Consortium as a whole. Therefore a single project or group of projects may contribute more match than is required for that project or projects. The Lead Entity will assign any surplus match credit to other projects within the Consortium.

SECTION 8 – REPAYMENT OF HOME FUNDS

In the event that HUD requires the repayment of HOME funds, the Lead Entity shall remain liable to HUD for repayment of HOME funds dispersed to the Consortium for its use in member communities.

SECTION 9 – PENALTIES

In the event that HUD assesses penalties against the Consortium, the Lead Entity shall remain liable to HUD for the payment of any penalties assessed to the Consortium for its use of funds in member communities.

SECTION 10 – SET ASIDE FOR COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS

The Consortium is responsible for reserving not less than 15 percent of its HOME funds for investment only in housing to be developed, sponsored, or owned by CHDOs.

SECTION 11 – POWERS AND DUTIES OF LEAD ENTITY

- a. The City of Taunton, acting through its Office of Economic & Community Development (OECD), will be designated as and agrees to assume overall responsibility as the Lead Entity for this Consortium and the purposes of the HOME Program, including requirements concerning a Consolidated Plan (CP), Comprehensive Annual Performance Evaluation Report (CAPER), compliance with HUD regulations and instructions now or hereafter in effect, for the duration of this agreement.
- b. The Lead Entity shall have access to all records of each of the Members related to the use of HOME program funds for the purpose of ensuring compliance with HUD regulations.
- c. The Lead Entity shall establish such administrative procedures as may be necessary to facilitate the application for and distribution of HOME Program funds.
- d. The Lead Entity shall be entitled to claim matching fund credit as provided in HUD regulations and requirements as now or hereafter in effect for administrative costs incurred solely in its capacity as Lead Entity.
- f. The Lead Entity shall be entitled to retain income as provided in HUD regulations and requirements as now or hereafter in effect for administrative expenses incurred solely in its capacity as Lead Entity.
- g. The Lead Entity will be authorized to sign and amend the Consortium Agreement and to add new members on behalf of the entire Consortium, subject to approval of all amendments by Consortium Members.

SECTION 12 – DUTIES OF MEMBER UNITS OF LOCAL GOVERNMENT

- a. Each Member agrees to cooperate in undertaking or assisting in pursuing housing assistance activities for the HOME Program.
- b. The Consortium and each of its Members agrees to carry out eligible activities in accordance with the requirements of HUD regulations and requirements as now or hereafter in effect.
- c. Each Member shall be responsible for assisting in obtaining the necessary local approvals for acceptance and allocation of HOME Program funds.

- 7
- d. Each Member is responsible for submitting in a timely manner to the Lead Entity all information necessary for participation in the Consortium as defined in HUD regulations and requirements as now or hereafter in effect. This includes, but is not limited to, information necessary for the Consolidated Plan and Annual Action Plans, the identification of matching funds, program descriptions and certifications, written agreements executed with subrecipients, and performance reports.
 - e. Each Member shall be responsible for compliance monitoring related to development projects which occur within a Member's community.
 - f. Each Member shall be responsible for assisting the Lead Entity in obtaining the necessary information to complete any Environmental Review, as required by HUD, related to projects that take place in a member's community.
 - g. Each Member shall be responsible for assisting the Lead Entity in posting public notices for meetings, public hearings, etc.
 - h. Each Member shall designate a representative for the purpose of voting on matters before the Consortium or otherwise conducting Consortium business. If that representative is unable to attend a meeting of the Consortium or vote on matters before the Consortium, a designee may be assigned by the official community representative to represent the community, provided that assignment is done in writing to the Lead Entity prior to a Consortium meeting.
 - i. Each Member shall be responsible for assisting the Lead Entity in compiling information needed for the completion and implementation of a Fair Housing Plan for the Consortium. The information shall include, but not be limited to, that community's zoning by-laws, school lunch program, public transportation infrastructure, and employment patterns.

SECTION 13 – TERM OF AGREEMENT AND RENEWAL

- a. **TERM** - This agreement shall remain in effect during the period necessary to complete all activities funded by Program Years 2012, 2013, and 2014 HOME Program formula allocations (***July 1, 2012 until June 30, 2015***), or until the Consortium's status as a PJ in the HOME Program is revoked by HUD. Program Years will run from July 1 through June 30 during each qualification period.
- b. **AUTOMATIC RENEWAL** – This Agreement shall automatically be renewed for subsequent three year terms, subject to the following provisions:
 - i. By June 1st of the end of each qualification period, the Lead Entity shall notify each Member in writing of its right not to participate for the successive three-year qualification periods. A copy of this notification must be sent to the Regional HUD Field Office by the date specified in the Consortia Designation Notice. A Member choosing not to renew, must submit written notice to the Lead Entity of the intension not to participate in the successive three-year qualification period.
 - ii. In the event HUD changes the requirements for cooperation agreements, as set forth in the Consortia Qualification Notice, this agreement will be amended to comply with such changes. Such amendment will be submitted to HUD in accordance with the Consortia Qualification Notice for that period. Failure to comply will void the automatic renewal of this agreement.

SECTION 14 – FAIR HOUSING

Each Member agrees to affirmatively further Fair Housing in accordance with applicable federal law, Consolidated Strategy/Plan and with 24 CFR 570.904(c).

SECTION 15 – APPLICABLE LAW

This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts and all applicable HUD regulations. HOME regulations and requirements as now or hereafter in effect are incorporated by reference for determining any issues that may arise concerning the Consortium.

SECTION 16 – SEVERABILITY

The provisions of this Agreement are severable. In the event that any provision herein is declared void or unenforceable, all other provisions shall remain in full force and effect.

This agreement is executed in fourteen (14) counterparts, each of which shall be deemed to be an original and all constituting together one and the same instrument, this being one of the said counterparts.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the date first written above.

City of Taunton, by its Mayor

CERTIFICATE OF AUTHORITY

Massachusetts General Laws, Chapter 121B, "Housing and Urban Renewal," authorizes Cities and Town to engage in housing programs. In addition, the City Charter of the City of Taunton authorizes the Mayor to sign agreements on behalf of the City of Taunton. In addition, the Mayor has specifically been authorized by the Municipal Council to sign the HOME Consortium Mutual Cooperative Agreement on behalf of the City of Taunton.

Therefore, I, _____, City Solicitor of the City of Taunton, hereby certify that Mayor Thomas Hoyer Jr. of the City of Taunton is fully authorized to sign the HOME Consortium Mutual Cooperative Agreement on behalf of the City of Taunton.

City Solicitor, City of Taunton

Date: _____

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To Whom It May Concern:

I, _____, City Clerk of the City of Taunton, Massachusetts hereby certify that at the regular meeting of the Municipal Council held on _____, 2012 the following resolution was passed:

Vote to approve the signing/execution of the Mutual Cooperative Agreement for the Greater Attleboro-Taunton HOME Consortium.

I further certify that said vote was approved and signed by the Mayor on _____, 2012.

Attest:

City Clerk
Clerk of Municipal Council

12

**Brennan, Medeiros & Brennan
Attorneys & Counsellors at Law**

Edmund J. Brennan (1943-1991)
Alan B. Medeiros

Alan F. F. Medeiros*

*Also admitted in Rhode Island

One Church Green
P.O. Box 488
Taunton, Massachusetts 02780-0488

(508) 880-5656
Fax: (508) 823-8870

February 16, 2012

City of Taunton Municipal Council
Temporary City Hall
141 Oak Street
Taunton, MA 02780

RE: Request of Kathy Linfield and Cherrie Acheson Trustees of the Acheson Family Trust for Three Year Extension of Special Permit / Site Plan Approval for the premises at Parcels 38-11 and 38-23 Whittenton Street

RECEIVED
CITY OF TAUNTON OFFICE
2012 FEB 16 10 45 AM

Dear Members of the Municipal Council:

I represent Kathy Linfield and Cherrie Acheson, Trustees of the Acheson Family Trust of 25 First Street, Bridgewater, MA 02324 (hereafter "the Acheson Trust") with regard to the above referenced matter.

On March 20, 2007, the Municipal Council voted to grant by a vote of seven in favor, one in opposition and with one member excused to grant to Easton Development Corp. a special permit / site plan approval with conditions for a proposed 26 unit condominium development on Parcels 38-11 and 38-23 on Whittenton Street which is located in the Urban Residential District. At that time, the premises were owned by Easton Development Corp. On April 7, 2009, as a result of foreclosure, the premises were conveyed to Mattasolis Realty Trust. The premises are now owned by the Acheson Trust. Pursuant to Section 5.3.6 of the City of Taunton Zoning Ordinance, the special permit / site plan approval will lapse on April 23, 2012 if not extended by the Taunton Municipal Council.

By this letter, pursuant to G.L. c. 40A, Section 9, Kathy Linfield and Cherrie Acheson, Trustees of The Acheson Family Trust hereby requests that the Taunton Municipal Council vote to extend the special permit / site plan approval for a period of three (3) years subsequent to April 23, 2012.

As reasons for this request for extension of the special permit / site plan approval, Kathy Linfield and Cherrie Acheson, Trustee of The Acheson Family Trust states the following:

- (1) After Easton Development Corp. obtained the special permit / site plan approval, and moved forward with purchasing the subject parcels, the

residential real estate market sharply declined, leaving Easton Development Corp. unable to find financing to begin construction of the project.

- (2) As a result of Easton Development Corp.'s inability to obtain construction financing for the project, it went into default with its mortgage to Mattasolis.
- (3) The Trust is currently looking to sell the property to a buyer that would develop the project. This has been hampered by both the current real estate market and the illness and subsequent passing of the former beneficiary of the Trust. By going forward with the development of this parcel, the City would be able to realize additional tax revenue and The Trust would be able to recoup losses that it has suffered as a result of the foreclosure.

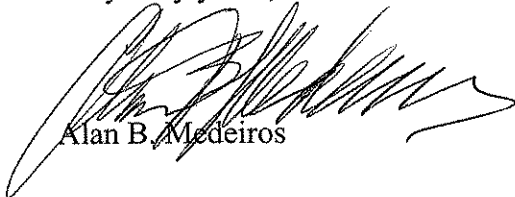
I would be happy to appear before the Taunton Municipal Council with Kathy Linfield and Cherrie Acehson to further explain the reasons for this request for extension of the special permit / site plan approval and to answer any questions you may have.

As the special permit / site plan approval is scheduled to expire on April 23, 2012, please inform me of the date and time when this request for extension will be considered by the Taunton Municipal Council as soon as possible and also whether you wish for myself and Ms. Linfield and Ms. Acheson to appear before the Taunton Municipal Council at that date and time.

Please do not hesitate to contact my office if you require any further information with regard to this matter.

Thank you for your consideration in this matter.

Very truly yours,



Alan B. Medeiros

/ABM

Enclosure

cc: City Clerk
 City Planner
 Client



14

City of Taunton, Massachusetts
**DEPARTMENT OF
PLANNING AND CONSERVATION**

*15 Summer Street
Taunton, Massachusetts 02780*

*Kevin R Scanlon, Director/ Planner AICP
Michele Restino, Conservation Agent*

*Phone 508-821-1051, 508-821-1043
Phone 508-821-1095 Fax 508-821-1665
www.ci.taunton.ma.us*

February 16, 2012

Honorable Thomas C Hoye, Jr Mayor
Municipal Council
141 Oak Street
Taunton, Ma 02780

RE: Rose Gardens Extension Request – 38-11, 38-23 Whittenton Street

Dear Mayor Hoye and Council Members,

The letter is in regards to the 3 year extension request for the Rose Gardens development located on Parcels 38-11, 38-23 Whittenton Street. The history of the project is as follows;

- Project was approved by the Municipal Council on March 20, 2007 and became effective on April 23, 2007
- A one year extension was granted by the Municipal Council on April 14, 2009
- The development was granted an additional 2 year extension by state law on April 23, 2010
- The development will now expire on April 23, 2012 unless an additional extension is granted.

My concerns with the granting of an additional extension are;

- This will be the third extension (2nd by the City) which has not been done before
- The request is for a 3 yr extension so the project could sit for 3 more yrs before it is started which would be eight years from the date of granting at that point. Once the first building permit is issued, the permit is considered "exercised". The development does not have to be complete by the expiration date, it simply needs to be started.

The reason developments lapse is that over time regulations change and the community changes and a development that was appropriate when approved in 2007 may need to be changed or may not be appropriate anymore.

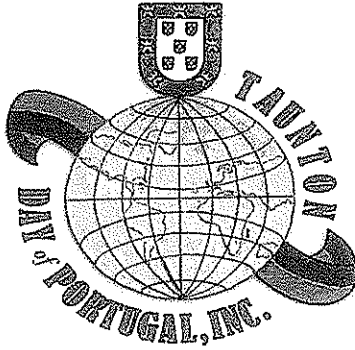
If the extension request is not granted, the developer has the right to resubmit the plans to renew the approval. This would allow the City to collect the requisite filing fees and to relook at the project's design and appropriateness for the area.

In no case would I recommend more than a one (1) year extension. However, even a one (1) year request must be carefully considered since it would be the third extension five (5) years later.

If you have any additional questions, please contact me at 508-821-1051.

Sincerely,

Kevin R Scanlon,
Director AICP



February 20, 2012

Mayor Thomas C. Hoye, Jr. & Members of the Taunton Municipal Council
c/o City Clerk's Office
Taunton City Hall
15 Summer Street
Taunton, MA 02780

Dear Honorable Mayor Hoye & Members of the Taunton Municipal Council:

It my distinct honor to inform you that the Day of Portugal will once again be proudly celebrated in our City during the upcoming month of June by the non-profit group *Taunton Day of Portugal, Inc.* for the fifth consecutive year. The celebrations in 2011 were a huge accomplishment due to the City's cooperation. In 2012 *Taunton Day of Portugal, Inc.* is very much interested in building upon this great partnership. Accordingly, we would like to request the City's authorization to hold a flag raising ceremony on Thursday, June 7th at 6:30 p.m. directly in front of City Hall on Summer Street which will commence the official ceremonial part of our events.

In addition, we would also like to request the City's permission to host the 5th annual Day of Portugal parade on Saturday, June 9th which will begin at 2:00 p.m. from a staging area behind City Hall and Marian Manor, then travel down Main Street, by Taunton Green and conclude on Court Street at the municipal parking lot. For purposes of staging the parade we would like to request the assistance of the Police Department to close-off the affected streets.

Also on Saturday, June 9th, from 2:00 p.m. to 11:00 p.m. our Organization would like to host a Portuguese Folklore Festival & musical concert on the premises of the Municipal parking lot on Court Street. Similar to last year, we would like to request the usage of the City's portable stage for this event.

On behalf of the directors and members of *Taunton Day of Portugal, Inc.*, I look forward to your continued support of our initiatives.

Sincerely,

Willitts S. Mendonca
President
Taunton Day of Portugal, Inc.
199 South Walker Street
Taunton, MA 02780

16.

Boston Financial
111 Main St.
Taunton, MA 02780
(508) 821-7531

February 21, 2012

Members of the Municipal Council,
City of Taunton
140 Oak St.
Taunton, MA 02780

Re: 111 Main St. Taunton

Members of the Municipal Council,

Two years have passed since the City of Taunton filed several lawsuits alleging that the property at 107-111 Main St was a danger. Now after numerous Court hearings, delays, and over twenty-four months, it appears that the City was misguided in their false allegations.

As you might be aware, the fully addressable smoke detection system was inspected several times in the last two years, and WITHOUT DOING ANY REPAIRS, it was proven to be working at all times (except for the three days that the City unlawfully terminated the electricity, February 1 to February 5, 2010).

Additionally, on February 14, 2012, there was a hearing in South-East Housing Court where the reports of the engineers for both the City and myself. The reports found a limited amount of structural repairs needed. I have an estimate for approximately \$20,000.00.

In attempting to mitigate my damages, I obtained permits from the building department for electrical evaluation and re-connection. It appears that someone from the City ordered that wiring in my privately owned building was to be cutout and removed from the premises.

I am requesting that I be furnished with the names, addresses, and functions of all people that were involved in the breaking into, and occupation of the property at 107-111 Main St from February 1, 2010 through February 18, 2010.

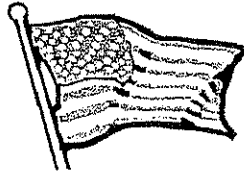
I have not had any response to my prior requests for information regarding the widespread abuse of my Constitutional Rights.

also, I am petitioning the City Council to repeal the unlawful trash tax that was recently adopted.

Please accept this letter with the intention that it is being sent.



Michael O'Donnell
111 Main St.
Taunton, MA 02780



FEBRUARY 28, 2012

HONORABLE THOMAS C. HOYE, JR., MAYOR
COUNCIL PRESIDENT RYAN C. COLTON
AND MEMBERS OF THE MUNICIPAL COUNCIL

PLEASE NOTE:

THE FOLLOWING COMMITTEE MEETINGS HAVE BEEN SCHEDULED FOR **TUESDAY, FEBRUARY 28, 2012 AT 5:30 P.M. AT THE TEMPORARY CITY HALL AT MAXHAM SCHOOL, 141 OAK STREET, TAUNTON, MA. 02780, IN THE CHESTER R. MARTIN MUNICIPAL COUNCIL CHAMBERS**

5:30 P.M.

THE COMMITTEE ON FINANCE & SALARIES

1. MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS
2. MEET TO REVIEW REQUESTS FOR FUNDING
3. MEET IN EXECUTIVE SESSION WITH THE HUMAN RESOURCE DIRECTOR TO DISCUSS WORKMEN'S COMPENSATION
4. MEET WITH THE HUMAN RESOURCE DIRECTOR TO DISCUSS A CITY POLICY REGARDING THE COLLECTION OF FEES
5. MEET TO REVIEW MATTERS IN FILE

6:00 P.M.

MUNICIPAL COUNCIL PHOTOGRAPH

THE COMMITTEE ON POLICE AND LICENSE

1. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON THE FOLLOWING APPLICATIONS FOR APPOINTMENT AS CONSTABLE:
 - A. DAVID CHARBONNEAU, 64 DUFFY DRIVE - RENEWAL
 - B. DAVID ENOS, 42 PINE RIDGE CIRCLE - RENEWAL
 - C. STEVEN PERRY, 80 STEVE DRIVE - RENEWAL
 - D. TOM SILVA, 35 CANNEY DRIVE - RENEWAL
 - E. MATTHEW SKWARTO, JR., 30 CHESTER STREET - NEW
2. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON THE FOLLOWING APPLICATIONS FOR RENEWAL OF CLASS II LICENSES:
 - A. ACME FABRICATION & EQUIPMENT LEASING, LLC, 91 ARLINGTON STREET
 - B. FRANK'S AUTO BODY, INC., 265 BROADWAY

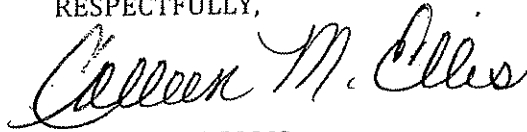
PAGE TWO

MUNICIPAL COUNCIL COMMITTEE AGENDA

FEBRUARY 28, 2012

3. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON PETITION OF CHARLES PERRY, JR., 47 PAT-REE DRIVE D/B/A PERRY'S SERVICE STATION, 143 BROADWAY, TO TRANSFER CLASS II LICENSE TO MICHELLE ROCHA, 179 COUNTY STREET, REHOBOTH, D/B/A PERRY'S TOWING AND SERVICE, INC., 143 BROADWAY, TAUNTON
4. MEET WITH THE POLICE CHIEF & DETECTIVE SMITH ON PETITION OF EILEEN MANN REQUESTING TO CHANGE THE NAME OF CLASS II LICENSE FROM MANCO INDUSTRIES INC. D/B/A AUTO GALLERY TO MANN CLAN, INC. D/B/A AUTO GALLERY, 283 BROADWAY
5. MEET TO REVIEW MATTERS IN FILE

RESPECTFULLY,

A handwritten signature in cursive script that reads "Colleen M. Ellis".

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES