



PLANNING BOARD MEETING

Tuesday, December 12, 2023 at 6:00 PM

Town Hall - 41 South Main Street Randolph, MA 02368

MINUTES

Pursuant to the temporary provisions pertaining to the Open Meeting Law, public bodies may continue holding meetings remotely without a quorum of the public body physically present at a meeting location until March 31, 2025. The public is invited to participate in the meeting via telephone, computer, or in person.

A. Call to Order - Roll Call

Chairman Plizga called the meeting to order at 6:02 PM.

PRESENT

Alexandra Alexopoulos
Tony Plizga
Nereyda Santos-Pina
Peter Taveira
Lou Sahlu

B. Chairperson Comments

None

C. Approval of Minutes

1. Minutes of 11-28-2023

The Board approved the minutes of November 28, 2023, as presented.

Motion made by Alexopoulos, Seconded by Sahlu to approve the minutes of November 28, 2023 as presented.

Voting Yea: Alexopoulos, Plizga, Santos-Pina, Sahlu

Voting Abstaining: Taveira

D. Public Speaks

Kristen Buker of 29 Commercial Street in Braintree asked to speak in reference to 217 Mill Street. The Board asked Ms. Buker to wait for the Public Hearing to open to comment.

Amy Hubert Masferrer, the attorney for the Buyer of 217 Mill Street also wished to speak but will hold off until the Public Hearing.

Hearing no other comments from the public, Chairman Plizga closed the public speaks portion of the meeting.

E. Public Hearings

1. Subdivision - Mill Street (continuation 6:15pm)

Chairman Plizga asked Planner Tyler for a brief overview of the meeting on November 28. The Board discussed the design challenges of the proposed waterline for the 4-lot subdivision. The layout of the waterline does not loop as required by the Board's regulations. There was a discussion as to how it could be modified to improve it. The applicant's engineer Mr. Burke has drawn a new sketch for review by the Planning Board and DPW.

Mr. Burke, the engineer for the project was present, however, Mr. Sun, the agent for the applicant was not present, despite the request and reminder from the Planner to attend.

Planner Tyler read correspondence that she sent (via email) to the Planning Board, the applicant and the applicant's engineer on December 4. The correspondence stated "The Town's Engineer has reviewed the latest run for the proposed water line that will serve the Mill Street subdivision at the request of the Planning Board. He has reached the same conclusion as with the previous proposal designs. The proposed layout results in a substandard water distribution system that does not meet the Town's requirements for a looped system. While the proposal has revised the water line layout to improve the 180 degree turn in the line, it remains curved with water service beginning and stopping at the mainline on Mill Street. This is not anticipated to minimize any water quality issues and remains problematic with potentials for issues that would not be anticipated in a system with no curves. Further, permitting this type of substandard system could require the Town to invest time and resources above and beyond normal actions or costs to address any failures of the system once the subdivision is complete. The Randolph Planning Board subdivision regulations regarding water utilities are as follows...(pg 43 of the regulations). Planner also indicated in her correspondence that the applicant must attend this meeting.

Chairman Plizga asked Mr. Burke to present to the Board in the applicant's absence. Since the last meeting Mr. Burke revised the water line which widened the space between the tap. Mr. Burke stated that he strongly disagrees with the Town Engineer's assessment and hoped they could have had a discussion in order to work toward a resolution. He feels that water quality isn't an issue and that the head loss for a dead-end would be at a minimum. Mr. Burke pointed out that there are currently several dead-end lines that exist in the Town and would like to proceed with system as originally designed with the possibility of a future easement over to the neighboring water line.

Chairman Plizga invited Attorney Amy Hubert Masferrer to speak on behalf of the buyer. Ms. Masferrer feels with a housing shortage the benefit of adding housing far outweighs the minimal risk of adding this type of waterline. She contacted the abutting neighbors regarding a small easement - some did not respond, others had concerns over the disruption to their lawn.

Chairman Plizga followed up to Mr. Burke's comments about existing dead-end lines within the Town. He feels history, although important, doesn't always matter as they have to go by the current rules and regulations of the Town. As for water quality, Chairman Plizga feels it has been an issue for a long time in Randolph. He respects the Town engineer's opinion on the matter and has to take into consideration the opinion of the former DPW Superintendent, as well.

Chairman Plizga asked if they have exhausted all efforts to obtain an easement over to Prospect. Ms. Masferrer replied that yes, they received correspondence back in July that the request for easement at 54 Prospect Ave was denied. Ms. Masferrer replied back to assure them that they would make all restoration to their landscaping and received no reply. She reached out to all the abutting neighbors which was unsuccessful, much to their surprise. It was explained to the abutters that full restoration would be made, their water pressure would likely improve and were offered compensation for the easement. They are currently at a standstill.

Mr. Burke feels that this project, even with a dead-end, has the potential to assist with water quality in that area and could be achieved by eliminating a portion of the the water main on Mill Street where the new road will go by having it loop up into the new roadway and back down again. He feels there are answers to this with some potential design changes, but never had the opportunity to discuss them with the Engineer. Mr. Burke feels a situation like this (relying on a easement) gives abutters a significant amount of power with almost undue leverage in the development of someone's private property.

Chairman Plizga asked how far apart the water taps are on Mill Street. Mr. Burke said about 40 feet. Chairman Plizga recalled from the last meeting trying to make them about 100 feet apart? Mr. Burke explained that he thought he had more frontage, so it is only 40 feet, but could possibly stretch it to 60 feet changing the bends and fittings. He believes if they removed the section of main along Mill street between the taps you would essentially have a looped main. Mr. Burke would have to make sure that section of the main has no tap servicing any of the neighbors. Chairman Plizga understands what Mr. Burke is saying, but that was not what was presented to the Town Engineer. Mr. Burke replied that it was explained in the email he sent as an option. He feels there are several options in trying to correct this and wanted to have an opportunity to discuss them with the engineer. Chairman Plizga pointed out that a meeting was never requested by Mr. Burke.

Chairman Plizga opened the discussion up to the Board members. Mrs. Alexopoulos cannot believe that an easement over to Prospect was not possible and wonders if the abutter shared their concern with Ms. Masferrer? Mrs. Santos-Pina worries about setting precedence with by allowing a dead-end water line and is relying on the Town Engineers comments. Mr. Taveira feels it is an unfortunate circumstance but agrees with Mrs. Santos-Pina about setting precedence.

Chairman Plizga noted that the applicant is still not on the meeting and only the applicant can request a continuation. Therefore, the chair would like to make a motion to close the public hearing. At this time, he does not feel comfortable asking for another continuation as the applicant disregarded the Board's request for him to appear. Mrs. Alexopoulos seconded for discussion. On discussion, by closing the public hearing we would not be able to accept any new information. Our decision will be based on what we have in front of us, both from the engineer and from the Town side.

Motion made by Plizga, Seconded by Alexopoulos to close the public hearing.
Voting Yea: Alexopoulos, Plizga, Santos-Pina, Taveira, Sahl

Chairman Plizga will move into deliberation. Planner Tyler advised the Chairman that the Board has 90 days to deliberate once the public hearing is closed. Chair is prepared to make a motion to deny the Mill Street subdivision.

On discussion, Chairman Plizga noted they have been through this a number of times and seem to be at a dead-end. Chairman confirmed with the Planner that they could resubmit the project for consideration. Planner Tyler noted that she will file the decision with the Town Clerk within 14 days. That initiates an appeal period for anyone aggrieved by the decision to file an appeal. Mrs. Santos-Pina wanted to clarify that the applicant could come back after this is denied. Planner Tyler replied yes, there is no restriction.

Motion made by Plizga, Seconded by Sahl to deny the Mill Street subdivision as presented on the Decelle-Burke-Sala drawing package dated April 10, 2023 and revised drawing excerpt depicting proposed alternative water supply layout received via email dated November 28, 2023. The denial is based on the water supply system shown on these drawings, as it does not meet the Planning Board Subdivision Rules and Regulations, specifically Section X "Specification for Construction", subsection E3 "Water."

Voting Yea: Alexopoulos, Plizga, Santos-Pina, Taveira, Sahl

F. Old/Unfinished Business

None

G. New Business

1. Subdivision - Pham Estates - Request for Certificate of Completion

The Pham Estates subdivision was approved in 2019 for single lot subdivision that created Mary Lee Way. The project has been constructed and the owner is requesting a release and a certificate of completion.

Chairman Plizga asked Planner Tyler to go through Form N (Final Certificate of Completion) which has a checklist of items on page two for the Board to review and fill in before signing the document.

1. Constructed with approved waivers? YES
2. Constructed with approved field changes? NO
3. Constructed with unapproved field changes? NO
4. Form J - Inspection Sign-Off received? YES, Inspected by Town Engineer, Jean Pierre-Louis.
5. Conveyance of easements and utilities has been received: YES
6. Binder course subjected to one winter prior to application of final course? YES

7. Drainage and utilities exposed to one additional winter season after installation? YES

8. Trees and landscaping exposed to one winter season? N/A

9. Street name is Mary Lee Way and is to remain a private way.

After reviewing Form N, Chairman Plizga requested a motion to approve the Final Certificate of Completion.

Motion made by Taveira, Seconded by Sahlu to approve Form N - Final Certificate of Completion for Pham Estates at Mary Lee Way, as discussed.

Voting Yea: Alexopoulos, Plizga, Santos-Pina, Taveira, Sahlu

Planner Tyler requested the Board sign-off on the Form F - 2, to release the covenant.

Motion made by Plizga, Seconded by Alexopoulos to release the covenant Form F-2 as presented.

Voting Yea: Alexopoulos, Plizga, Santos-Pina, Taveira, Sahlu

Planner will have the forms endorsed and recorded.

2. Planning Board Roles for 2024

Chairman Plizga opened the discussion up for nominations for Planning Board Chair. Mrs. Alexopoulos made a motion for Mr. Plizga to be Chair in calendar year 2024. Chairman Plizga asked if there were any other nominations for Chair? Hearing none, the Board proceeded to take a vote.

Motion made by Alexopoulos, Seconded by Taveira for Mr. Plizga to be Chair in calendar 2024.

Voting Yea: Alexopoulos, Santos-Pina, Taveira, Sahlu

Voting Abstaining: Plizga

Chairman Plizga moved to nominate Mrs. Alexopoulos as vice-chair that was seconded by Mr. Taveira that was *withdrawn*.

Chairman Plizga made a motion to nominate Mr. Taveira as vice-chair, seconded by Mrs. Alexopoulos. Mr. Taveira *declined*.

The Board had a brief discussion about the details of going without a vice-chair. Mrs. Alexopoulos agreed to take the position.

Motion made by Plizga, Seconded by Taveira to nominate Alexandra Alexopoulos as vice-chair.

Voting Yea: Alexopoulos, Plizga, Santos-Pina, Taveira, Sahlu

Mrs. Santos-Pina will be resigning from the Planning Board due to personal reasons. Mrs. Santos-Pina said she enjoyed the experience tremendously. The Board offered her well wishes.

H. Staff Report

Planning Board Forms

Planner will add this to the next agenda for discussion. Planner Tyler made some modifications to the forms related to performance guarantees that will be sent to the Board for review.

Active Subdivision Review

Planning Department is still reviewing subdivision files to identify what remains outstanding.

Hampton Court Subdivision

Planner will be reviewing this file to determine if it is complete. Both the property owner and developer feel it is complete, but there seems to be some outstanding items such as as-builts etc. Also, one lot is still not constructed with no curb cut.

Trim Way & Toby Lane

Recorded the plan with land court. Needs to install a street sign.

Active Project Review

Mazzeo Drive (Splash Car Wash)

Waiting for an opening date.

Allen Street (Convenience Store)

No update. Chairman Plizga noticed blacktop in parking lot.

647 North Main Street (Daycare)

Finalizing site items. Awaiting Mass DOT approval for the light.

19 Highland Avenue (Taj Estates)

Outstanding site items remain that are known and agreed upon prior to completion.

34 Scanlon Drive (Yankee Bus Lines)

Demo work has started. Still waiting for finalization of stormwater utilities. Weston and Sampson (peer reviewer) is working with the project engineer on some changes. They will be coming back to Planning Board to review some minor changes to the plans.

Short Street (Bar)

Planner received a draft set of plans without application or fees. Planner reached out to the owner's attorney and has not hear back yet. There is a lot line issue that will need to be worked out that could impact a Planning Board decision.

Upcoming Projects

Lantana/Lombardo's property

In January the Board will review plans draft plans for the proposed development of the Lantana property and lots along Scanlon Drive. The plans are for light-industrial manufacturing - not customer based developments or residential. They are within the

approved uses for that district and will need an ANR to consolidate some lots resulting in some non-conforming lots. One of the non-conforming lots will be for an existing cell tower, the other will be parking for the DCR trailhead. Discussions are taking place with the Conservation Commission regarding storm water, DCR regarding the trailhead parking and DOT due to the proximity to off-ramps. Applicant intends to go to Town Council to discontinue/abandon Billings Way and to Norfolk County to discontinue/abandon part of High Street to make the project they have envisioned work. Their goal is to come before the Board for a Public Hearing on January 23.

Road Safety Audit with Mass DOT

Planner walked along Route 28 near Route 128 to review road safety issues with Police Sergeant Andrews, Fire Chief of Operations Frew, and Mass DOT. They reviewed detailed reporting on accidents before walking the area to discuss trouble spots. Mass DOT will be compiling a report.

Planning Department News

Planning Department is working on a procedural manual of how meetings operate etc. in anticipation for a new Planning Board member.

Planner received a call from a property owner that wants to have an informal discussion at the January 23 meeting about some changes to their business property.

The Board had a brief discussion about when/or if an executive session may be required.

Chairman Plizga thanked Planner Michelle Tyler for all her help and patience in explaining different subjects and answering questions for the Board.

I. Board Comments

None

J. Adjournment

Notification of Upcoming Meeting Dates

January 9, 2024

January 23, 2024

February 13, 2024

February 27, 2024

March 12, 2024

Meeting adjourned at 7:27 PM.

Motion made by Taveira, Seconded by Alexopoulos to adjourn the meeting at 7:27 PM.
Voting Yea: Alexopoulos, Plizga, Santos-Pina, Taveira, Sahl