



PLANNING BOARD MEETING

Tuesday, March 25, 2025 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 in person, via telephone or computer.

A. Call to Order - Roll Call

Chairman Plizga called the meeting to order at 6:00pm.

PRESENT

Alexandra Alexopoulos - arrived at 6:15 pm
Araba Adjei-Koranteng
Tony Plizga
Peter Taveira
Lou Sahlu

B. Chairperson Comments

Chairman Plizga has learned that Town Council has been dissatisfied with some of the Planning Board decisions. Chairman Plizga pointed out that Council Members are able to participate in any of the Planning Board's meetings under the public comment process and encouraged them to do so to voice any concerns.

C. Approval of Minutes

1. Minutes of 2/25/2025

The Planning Board approved the meeting minutes of February 25, 2025, as presented.

Motion made by Plizga, Seconded by Sahlu to approve the meeting minutes of February 25, 2025, as presented.

Voting Yea: Adjei-Koranteng, Plizga, Taveira, Sahlu

D. Public Speaks

Chairman Plizga opened the public speaks portion of the meeting and closed it after hearing no comments from the public.

E. Public Hearings

1. 6:15 PM - Powers Drive Subdivision - continuation

Chairman Plizga opened the continuation of the Public Hearing for the Powers Drive Subdivision which was initially opened on October 8, 2024 then continued to January 28, 2025, February 11, 2025 and continued again until tonight.

Chairman Plizga asked Planning Director, Michelle Tyler, to provide the Board with an overview. Mrs. Tyler stated that the hearing came about after reviewing subdivision files for incomplete subdivisions. The Powers Drive subdivision was originally recorded in 1980 to divide the property known as 29 Collins Avenue into two lots. There was a restrictive covenant filed in December of 1980 requiring the construction of Powers Drive as the right of way to access the property. To date, the road has not been constructed.

Mrs. Tyler sent correspondence to the owner of record, Mr. Dean Guo, to see if they intend to complete the subdivision. After meeting with Mr. Guo, Mrs. Tyler learned that a lot was mortgaged off despite the restrictive covenant. Once this was discovered, and during the public hearing in October, 2024, the Daceys (former owners) and Mr. Guo (current owner) was advised to seek legal counsel to discuss the land ownership. The Daceys believed they retained ownership of the vacant lot after the sale to Mr. Guo. However, the Town's records have the property listed as one parcel and being taxed as such. Mr. Guo is being taxed on the entire portion of land despite his deed only showing ownership of only a portion of the land. Mrs. Tyler has since received a call from Attorney Kevin Reilly on behalf of the Daceys asking some questions. Mr. Guo has not presented any legal counsel.

Mrs. Tyler stated that where it stands; there was a subdivision of land in 1980 recorded at the registry of deeds with a restrictive covenant that secured the performance. Since then, no work has been conducted.

Chairman Plizga called on Mr. Guo to present any information he wished to share with the Board. Mr. Guo stated that he filed a claim with his title insurance company. They denied the claim citing that the covenant was placed in *Exhibit B*, which was an exclusion exhibit. The title company advised him that anything within the *exclusion exhibit* is excluded from coverage. Mr. Guo has been speaking with the title company's claims counsel asking them to reverse their decision. Mr. Guo stated that to file his claim he would need a letter from the Town that states the Town's position. Mr. Guo stated that Mrs. Tyler advised him that the Town would not provide a letter.

Chairman Plizga called on Maura Galvin (daughter of original owner). Ms. Galvin stated that they only sold one lot to Dean Guo. They did not mortgage the other lot but would like to sell it to a developer that would fulfill the covenant. Mr. Dacey, the son of the original owner, stated that there was only one buildable lot because the other had a house on it. Mr. Dacey said that he subdivided the land from his mother's property but never moved forward with it. When his mother passed he sold the house to Mr. Guo and retained the vacant buildable lot to sell to a developer.

Chairman Plizga asked if the plan recorded with the deed shows both parcels. Mrs. Tyler stated that it does not.

Ms. Galvin believed that there has been some paving done toward finishing the road. Mr. Guo stated that he coordinated with a neighbor last year to have work done to the driveway off of Collins Ave.

Chairman Plizga opened the public comment portion of the meeting and closed it after hearing no comments from the public.

Chairman Plizga pointed out that the access to the vacant lot is not via Collins Ave so that paving would not be associated in any way with the completion of a road for the vacant lot. The original subdivision plan shows the access coming from Bossi Avenue. Mr. Guo stated he hasn't touched anything on the Bossi Avenue side. Chairman Plizga stated that the proposed entrance from Bossi Avenue is only 10 feet wide which would not meet public safety requirements, current regulations call for 20 feet.

Member Alexopoulos feels there is a lot of clarification that needs to happen. Member Adjei-Koranteng agreed. Chairman Plizga feels it is a civil matter that needs to be sorted out. Member Adjei-Koranteng asked if the ownership will remain separate if the Board rescinds the subdivision. Mrs. Tyler stated that it is a civil matter for the parties to resolve. The Town's records show the land as one parcel with Mr. Guo being taxed on the entire parcel (both lots, not just one).

Mrs. Tyler stated that the Board's task this evening is whether or not to leave the subdivision in place and issue a time frame for completion, to rescind the subdivision, or to continue the hearing to a date and time certain to allow the parties to collect additional information.

Mr. Dacey stated he is looking for guidance on what to do. He had builders interested but backed off. There was a brief discussion regarding next steps. Mrs. Tyler stated if the Board rescinded the subdivision, it could be resubmitted starting from scratch once the parties resolve the civil matter as to the ownership of the land.

Member Alexopoulos feels the Board should allow the parties time to find clarity on the matter. Chairman Plizga disagrees and feels the land ownership issue is not a concern of the Planning Board.

The Board discussed the access from Bossi Avenue which is only 10 feet wide and not wide enough for public safety access. Current regulations call for a minimum of 20 feet which could be an issue in getting approval to build. The Board briefly discussed potential access to the second lot from Collins Avenue.

The Board is tasked this evening with deciding whether or not to rescind the subdivision, not about gaining clarity as to the ownership. Mrs. Tyler stated that, according to state law, the covenant prevents the vacant parcel from being sold separately until the road is complete. Mr. Guo is being taxed on the entire parcel and there is not a separate deed recorded for the vacant lot the Daceys believe they own. Mrs. Tyler stated that it is a matter to be taken up with legal counsel between the two parties but believes there are possible resolutions that would allow a subdivision plan to be resubmitted to the Planning Board.

The Board discussed the sewer easement on the right of way.

Chairman Plizga asked for member comments. Member Taveira stated he would be inclined to give the parties additional time to resolve the land ownership matter.

Chairman Plizga made a motion to rescind the subdivision plan of land, Randolph, Mass, lots 25E and 25F Powers Drive, as presented on the drawing dated August 20, 1980 and filed with the Norfolk Registry on February 11, 1981.

Board discussion on the motion: Member Taveira wonders if there is any harm or burden to the Town in leaving it as is for now. Mrs. Tyler stated yes, there is no performance guarantee to secure the construction of ways, so that is a problem. Chairman Plizga feels that it would be cleaner for a contractor to come in with their own subdivision plan since it would have to come before Planning Board anyway and that it would be better to start fresh once the civil matter is resolved.

Motion made by Plizga, Seconded by Adjei-Koranteng

Chairman Plizga made a motion to rescind the subdivision plan of land, Randolph, Mass, lots 25E and 25F Powers Drive, as presented on the drawing dated August 20, 1980 and filed with the Norfolk Registry on February 11, 1981.

Voting Yea: Alexopoulos, Adjei-Koranteng, Plizga, Taveira, Sahlu

Chairman Plizga stated any person whether or not previously a party to the proceedings or any municipal officer or Board aggrieved by the decision of a Board of Appeals under MGL Chapter 41 section 81Y or by any decision of a Planning Board concerning a subdivision of land may appeal to the Superior Court for the County in which said land is recorded or to the land court provided that such appeal is entered within 20 days after such decision has been recorded in the office of the Town Clerk.

Mrs. Tyler must file the decision with the Town Clerk within 14 days. She will notify the parties once it has been filed.

Motion made by Plizga, Seconded by Adjei-Koranteng to close the public hearing for the Powers Drive Subdivision.

Voting Yea: Alexopoulos, Adjei-Koranteng, Plizga, Taveira, Sahlu

Mrs. Tyler explained next steps with Mr. Guo stating that she will file the decision within 14 days with the Town Clerk. Once the appeal period begins, anyone can file an appeal with Superior Court within 20 days. Mrs. Tyler gave Mr. Guo a print out of MGL Chapter 41, Section 81Y.

F. Old/Unfinished Business

None

G. New Business

1. RCMOD (MBTA DISTRICT) Site Plan Review and ANR- South St/Desmond Ave

Chairman Plizga asked the Planning Director, Michelle Tyler, to provide an overview of what has transpired so far for the South Street/Desmond Avenue site plan review in the RCMOD zoning district. Mrs. Tyler stated that this would be the first project to be reviewed under the new MBTA zoning district. The preliminary concept for the project was reviewed at the last meeting, which will require an ANR. The Board had very little

feedback on the plans at the last meeting. This evening, the Board is in receipt of the elevations and civil plans. The ANR was not ready for a vote tonight. Mrs. Tyler provided the Board with a checklist of items to aid in their review. Mrs. Tyler turned the meeting over to Dave Klinert of Collins Engineering to make his presentation.

Dave Klinert presented the project plans to the Board, which he stated is pretty much exactly what the Board saw at the last meeting. Mr. Klinert took some of the comments from the Board and brought them into the drawing. One of the concerns at the last meeting related to erosion control, which has been addressed on the plans. Mr. Klinert stated that although this project doesn't fall under the jurisdiction for conservation, he feels it is important to protect the abutters from runoff. There is a lot of sediment flowing in one direction on the parcel.

Mr. Klinert stated that the applicant is Ed Daly and the owner is Peter Daly who is present tonight.

The *Existing Conditions Plan* is marked with arrows which shows the direction of flows on site. An erosion control fence will be installed and in place until construction is completed. The light blue markings on the plan show the cuts in the road for the driveway and the water. There are enough sewer stubs on the property for them to tie in all the buildings without cutting into the road.

The existing garage will be developed into two units. There was an old house on 290 South Street. One of the parcels was in land court but has been taken out. They will be drawing plans for ANR to combine the two lots that will come before the Board soon.

Mr. Klinert stated that the project proposal is to maintain the single family home at 280 South Street and create two units out of the garage. They will also add three new duplexes (6 units) for a combined project total of 9 units on the site.

Mr. Klinert showed the Board the *Grading Plan* that shows the existing and proposed grading on one sheet. It includes the cut and fill calculation which proposed 598 cubic feet to be cut from the property and 581 cubic feet of fill so there will likely only be a truck load of fill hauled out.

The proposal for grading shows two small basins for run off and a swale coming down the property line. They have designed the plans to intercept all of the runoff which will flow into the first basin, then any overflow will flow to the swale and then into the little basin. The design will reduce the flow by more than half and will attenuate a 2 and a 10 year storm. Chairman Plizga asked if they are going before the Stormwater Authority? Mr. Klinert responded yes. They have written the stormwater report and drainage report for the 2, 10 and 100-year storms. Mrs. Tyler stated that the reports were turned in with the plans and submitted to DPW. Mr. Klinert stated that in the reports you have pre and post development data. Mr. Klinert stated that they have grade A soils on site which allows water to infiltrate at a rate of 8 inches per hour. He conservatively based his designs off of 4 inches per hour. There was a brief discussion about attenuating a 10-year storm.

Mr. Klinert presented plans that showed the placement of the buildings along with new and existing parking. The driveways were designed with a hammerhead to allow cars to turn around before pulling out to the street.

Member Adjei-Koranteng asked about the rear setback on the plan which was labeled as 5 feet. Mrs. Tyler confirmed that the set back at the rear is required to be 15 feet with a 5 foot buffer. Mr. Klinert will reflect the correction on the next set of plans.

Chairman Plizga asked Mr. Klinert if all the zoning requirements have been met on the plans. Mr. Klinert replied yes.

Mr. Klinert presented a plan that showed the proposed contours and which units will have a walk out basement. The plan shows the underground infiltration system which will capture the roof run off. There was a brief discussion about the recharge area.

Mr. Klinert showed the Board the details for the sewer tie-ins. The sewer will be tied into the existing manhole that will go into the six inch main then out to the street.

Mr. Klinert stated they provide dust control and street sweeping after every working day. Chairman Plizga asked if they will be putting down construction stone? Mr. Klinert said they will have tracking pads onsite.

Mr. Klinert presented the floor plans and building elevations for the duplex units.

Chairman Plizga ran down the checklist of items and stated the only thing missing is the ANR. Mrs. Tyler asked about color choices and advised the Board that they can require approval of color choices, if they wish.

Mrs. Tyler asked who would be preparing the condominium documents. She request to review them before they are recorded since this type of development is new.

Mrs. Tyler recommended to Chairman Plizga that the approval be subject to final review of architectural plans, the ANR and the receipt of as-builts. There was a discussion about the cutsheets and the color choices.

Chairman Plizga made a motion to approve the site plan review provided they meet certain requirements, as outlined in the motion.

Motion made by Plizga, Seconded by Alexopoulos that the drawings (list the drawings with package and date) provided meet the requirements of 200-14.5. Subject to the following: that as-builts be provided prior to occupancy, that an ANR be provided to Planning Board, stormwater process goes through, that the final architectural be submitted to the Planning Director for review, and that the work to be completed within 2-years of receiving all necessary permits and approvals.
Voting Yea: Alexopoulos, Adjei-Koranteng, Plizga, Taveira, Sahl

Mr. Donovan, a representative for the Daly family, made a request to be added to the next agenda for the ANR approval. Mrs. Tyler accepted, provided that the plans are ready by Thursday, April 3.

2. ANR - Centre Street

Planning Director Michelle Tyler stated that the Board received an application for an ANR on Centre Street from Tim Wells. It is one lot, known as 131 Centre Street, that will be divided into two conforming lots. Chairman Plizga stated that according to the drawing and the table the lots meet the minimum size for lot area, frontage, depth and width with no exceptions to zoning. One lot will be on Centre Street and the other will be on Quarry Road.

The Planning Board voted to approve the ANR for 131 Centre Street.

Motion made by Plizga, Seconded by Adjei-Koranteng to approve the ANR entitled plan of land in Randolph, MA prepared for 536 South Main LLC and previously at 131 Centre Street spread into two lots per the drawing, dated and stamped February 6, 2025.

Voting Yea: Adjei-Koranteng, Plizga, Taveira, Sahlu

3. ZBA Decision on Memorial Parkway (Shaw's)

The Planning Director, Michelle Tyler, presented the Board with the updated ZBA Decision for Memorial Parkway (Shaw's Plaza) paving project. The original ZBA decision had some errors on it that were corrected. On March 19, the decision was filed with the Town Clerk initiating the 20 day appeal period. At the last Planning Board meeting, the Board discussed appealing the decision to Superior Court. After seeking advice from outside counsel, the Board declined to file an appeal.

H. Staff Report

1. Subdivision Status

None this evening.

2. 34 Scanlon - Yankee Bus - Topping

The project team invited the Planning Director and Building Commissioner to attend a ceremony for the topping of the steel beam on the Yankee Bus Lines building. The Planning Director signed the beam on behalf of the Planning Board.

3. Zoning Recodification Workshops

Chairman Plizga explained the upcoming joint meeting with Town Council would be similar to the working meetings for MBTA zoning. The public may attend via zoom, but would not have an opportunity to comment. Chairman Plizga recommends breaking it up into 2-3 meetings. Mrs. Tyler reported that she is working on a spreadsheet that shows the existing zoning and then tracks if it has been moved to another section or deleted. Mrs. Tyler will follow up with Town Council to coordinate the meetings. She would like to wrap it up by the time the consultant's contract expires in August.

Open Meeting Law - Remote Participation

The Planning Director, Michelle Tyler, reported that Open Meeting legislation related to remote participation is set to expire on March 31, 2025. Mrs. Tyler is confident they will extend it. If it expires, the Planning Board would be required to meet in person on April 8.

Daycare - 647 North Main Street

Mass DOT has started work related to the crosswalk signal on North Main Street. Once that work and any outstanding items are complete the applicant will receive final occupancy.

Core Invest/Blue Hills Trailhead

The Planning Director will remind Core Invest that they are expected to complete the work related to the trailhead this Spring.

I. Board Comments

Member Alexopoulos wished everyone a happy Greek Independence Day and pointed out that Haiti was the first country to formally recognize Greece's independence. The Greek Independence Parade will take place in Boston on April 27, 2025.

Mrs. Tyler announced that Randolph has a Division II basketball player, freshman Lenny Tangishaka, with Assumption University in the elite 8 playing out in Indiana tonight for the first time in 12 years.

J. Adjournment

Notification of Upcoming Meeting Dates

4/8/2025

4/22/2025

5/13/2025

5/27/2025

6/10/2025

The meeting adjourned at 7:51pm.

Motion made by Adjei-Koranteng, Seconded by Alexopoulos to adjourn the meeting at 7:51pm.

Voting Yea: Alexopoulos, Adjei-Koranteng, Plizga, Taveira, Sahlu