



# PLANNING BOARD MEETING

Tuesday, March 26, 2024 at 6:00 PM

Town Hall - 41 South Main Street Randolph, MA 02368

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## MINUTES

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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  
Araba Adjei-Koranteng  
Tony Plizga  
Peter Taveira  
Lou Sahlu

Member Araba Adjei-Koranteng began the meeting virtually but joined in person following technical difficulties.

Member Alexandra Alexopoulos left the meeting at 7:30pm

### B. Chairperson Comments

### C. Approval of Minutes

#### 1. Minutes of 3/12/2024

The Board approved the meeting minutes of March 12, 2024 as presented.

Motion made by Alexopoulos, Seconded by Sahlu to approve the minutes of March 12, 2024.

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

### D. Public Speaks

### E. Public Hearings

#### 1. Town Council Order 2024-007 - proposed amendment to the Zoning Ordinance relative to mixed use (6:15pm)

Chairman Plizga read into the record the public hearing notice for the proposed amendment to the Zoning Ordinance relative to mixed use - Town Council Order 2024-007. The legal ad appeared in the Patriot Ledger on March 9 and March 16.

On February 5 the Town Council referred the proposed zoning amendment to the Planning Board for sections 200-3 and 200-11 of the Zoning Ordinance relative to mixed-use and the criteria around mixed-use. On March 7 Planner Tyler provided the Board with a memo and a copy of suggested amendments/proposed language for the Board to consider. The Planning Board is a recommending body in this process and will either adopt the original Order as presented by the petitioner, adopt with amendments proposed by the Planning Board or recommend against adoption of the order.

Chairman Plizga called on members of the public that wished to speak on the matter. Karl Wells of 535 South Main Street (business address) wanted to hear more about the proposed changes to the Union Crossing Transit District (UCTD) and wetland buffer. Chairman Plizga stated that in Planner Tyler's re-draft, the UCTD parcels would be excluded from mixed-use, and due to that the wetland portion relative to the UCTC would go away, but ultimately Town Council would have the final say. Planner Tyler provided Mr. Wells with a copy of the draft changes to the Council Order. Chairman Plizga closed the public speaks portion of the hearing.

Chairman Plizga thanked Planner Tyler for her work on the re-draft of the Town Council Order. Chairman Plizga had some general concerns about the original draft sent over. Some of the language was in direct conflict with the regulations in the Union Crossing Transit District and he felt there were too many gray areas in the original draft.

Chairman Plizga opened the discussion up to the Board members. Chairman Plizga asked Planner Tyler to go section by section of the re-draft.

### **Section 200-3**

#### Definitions

Planner Tyler recommended adding the following definitions to section 200-3: Amenity Uses; Back-Lot Structure; Dwelling Unit, Affordable; Ground Floor, Mixed-Use or Mixed Use; and Principal Structure. This was to provide clarity as there are varying definitions in the current zoning ordinance.

#### Table of Allowable Activity

Planner Tyler made sure the Table of Allowable Activity matched the text and recommended adding a second line to the table. The first line is for 24 residential units or fewer which would be reviewed by the Planning Board for Special Permit. The second line is for 25 residential units or more which triggers special permit from Town Council.

### **Section 200-11C**

Amend section 200-11.C:

Planner Tyler noticed the proposed language called out Mixed-Use in the Crawford Square Business District is called out separately from anywhere else. It also had some thresholds for minimum/maximum size and design requirements called out for Crawford Square, but nowhere else. Planner recommends deleting that language in the original draft and replacing with: *Mixed-Use is permitted subject to the requirements of section 200-11.2 Mixed-Use.* Then, added *Section 200-11.2 Mixed-Use* which goes into further detail. Planner Tyler took the information provided by Town Council and reformatted it so that it is easier to use.

### **Add Section 200-11.2 (new)**

#### Exceptions

(1) This section, Mixed-Use, shall not apply to any overlay district.

#### Applicability

(1) Only uses that are permitted by right or special permit in the zoning or overlay district may be included in the mixed-use development.

(a) Neither drive-through windows or accessory uses with a drive-up/drive through function nor 24-hour business operations are permitted in a Mixed-Use development.

(2) Notwithstanding the other provisions contained in this Town of Randolph Zoning Ordinance, the Planning Board shall be the Special Permit Granting Authority (SPGA) for a Mixed-Use Development when there are fewer than twenty-five (25) dwelling units (existing or new) proposed.

(3) Notwithstanding the other provisions contained in this Town of Randolph Zoning Ordinance, the Town Council shall be the Special Permit Granting Authority for any Mixed-Use development when there are twenty-five (25) or greater dwelling units (existing or new) proposed.

(4) If a non-residential use in a Mixed-Use development requires a Special Permit, the SPGA issuing the special permit for the Mixed-Use development shall also be the SPGA for the non-residential use superseding any other section of this Town of Randolph Zoning Ordinance.

(5) Site Plan Design Review shall be conducted by the applicable SPGA.

#### *Board Discussion:*

*Chairman Plizga recommended that Planner Tyler remove "or overlay" from item 1 - as it is already exempted.*

*Mr. Taveira asked for clarity regarding the amount of dwellings allowed. Chairman Plizga noted the less than 24 units goes to Planning Board for review, more than 25 units go to Town Council for review - regardless of parcel size.*

## Dimensions

- (1) Dimensional standards applicable in the district set forth in the Table of Dimensional Requirements shall apply.
- (2) The Special Permit Granting Authority (SPGA) may waive dimensional requirements when a Mixed-Use development includes the redevelopment of an existing structure.
- (3) More than one structure on a parcel is permitted upon review and decision of the SPGA.
- (4) Any Back-Lot Structure(s) may not be taller than the principal structure.

### *Board Discussion:*

*Ms. Adjei-Koranteng asked for clarity on Back-Lot Structures. Planner Tyler explained that building(s) behind the principal structure (the building located at the street frontage) may not be taller than it.*

### Site Design Standards (Board Discussion taken item by item in this section)

- (1) All permitted non-residential uses shall be limited to the ground floor and basement of the building. The SPGA may permit non-residential uses to occupy other floors of the building only after determining that the location and design of such spaces, including access and egress, will not impact the privacy or security of residential occupants.

*Chairman Plizga noted that the Board has had discussion about mixed-use definitions about a year ago and did not reach a consensus as to whether it should be a percentage of the ground floor, ground floor, or other floors. This language gives the approving authority some flexibility to deviate from that.*

*Mr. Sahlu asked for clarification about the commercial units not impacting privacy and security of residential occupants. Planner Tyler offered for comparison purposes and example from the 19 Highland Avenue project - the Board required some fencing to shield the housing units on the first floor from the commercial units out front. That way patrons cannot see into those residential units on the first floor.*

- (2) If the Mixed-Use Development includes multiple structures, any Back-Lot Structures may contain either a mix of non-residential uses and dwelling units or only dwelling units.
- (3) The non-residential uses in a Mixed-Use development shall be developed prior to or concurrently with residential uses. Concurrency may be established by approval of a Master Plan that provides a mix of uses that includes all proposed uses.

*The Board noted the non-residential and residential portions of the project shall be developed at the same time.*

(4) A minimum of 25% and a maximum of 75% of the square footage of all structures contained in a Mixed-Use Development shall be devoted to dwelling units.

*Chairman Plizga said the previous percentages offered a narrow window, the new percentages offer the developer greater flexibility.*

(5) Minimum residential densities for a Mixed-Use development shall be 12 units per gross acre.

(a) Density shall be calculated as the total area of the parcel less any land within a body of water, situated within a wetland or within fifty (50) feet of a bordering vegetated wetland (BVW). OR less any land which is part of a Wetland Resource Area as specified in 310 CMR 10.02 (1)(a) subject to protection under the Massachusetts Wetlands Protection Act, MGL, c. 131, Section 40, nor any land within 75 feet of such Wetland Resource Area.

(b) Non-residential uses developed as part of a Mixed-Use building that includes housing shall be developed to maintain a minimum density of 12 dwelling units per acre. When a development site is composed of 2 or more phases, each phase shall also meet this standard.

*Planner suggested a minimum of 12 units per gross acre versus Town Council's suggestion of 15 units per gross acre, and eliminate wetlands from buildable acreage.*

(6) Dwelling units must contain a minimum of 625 square feet of usable living area.

*Planner Tyler printed out 625 square foot cottage floor plans for the Board to look at - this size could be adequate for 1-2 occupants.*

(7) In any Principal Structure, entry to the dwelling units must be from the side or back of the structure; not on the street frontage or any open public space.

*Planner Tyler pointed out the entrance for the dwelling units must be along the side or rear of the building, not along the storefronts or main street.*

*Ms. Adjei-Koranteng wondered why in the original there was a deletion of some Crawford Square language that noted separate laundry room for each unit? Planner Tyler pointed out that originally they thought that not having a shared laundry room offered a higher value and quality to the space, more like a housing unit. Planner wanted to take it out to afford the developer some flexibility.*

(8) At least one designated entrance for non-residential uses shall be provided on each floor of a structure that contains a non-residential use.

*Planner noted that non-residential and residential uses should be treated separately.*

(9) Areas of a structure intended for non-residential use must be constructed such that there is no direct access to areas of the structure intended for dwelling units except as necessary in an emergency.

(10) Ground level frontage of the Principal Structure shall be devoted to non-residential entrances and windows and public open space amenities.

(11) In newly constructed Principal Structures in a Mixed-Use Development, ground floors shall be a minimum of eleven (11) feet from floor to ceiling to enhance the pedestrian streetscape regardless of the overall building height.

(12) Clear pedestrian pathways shall be provided between structures on the same parcel and, to the extent practicable, between buildings on adjacent parcels to ensure continuous safe pedestrian access.

(13) A Mixed-Use development must provide a sign plan to the SPGA.

(a) Wall signs for non-residential uses may be illuminated with exterior lighting or by reverse channel letters only.

*Ms. Adjei Koranteng thought it would be helpful to specify "at the time of application" in the text for the sign plan. Chairman Plizga thought that brought up a good point, stating perhaps there should be a blanket statement that all parts to this be submitted at time of application.*

(14) Where any Mixed-Use development abuts a residentially zoned parcel(s), there shall be adequate transition between the Mixed-Use development and adjacent residentially zoned parcel(s) that may include fencing, landscaping and similar.

*Planner felt fencing or landscape buffer would be appropriate when the project abuts a residentially zoned parcel to offer some screening from the mixed-use.*

### Parking

(1) Parking areas, including below or at-grade structures, for a Mixed-Use development shall be located to the side and/or rear of the parcel; parking is prohibited in the front yard. Parking areas that abut any public right-of-way or any at-grade parking structure shall require screening. Where locating parking according to the terms of this zoning ordinance is not feasible due to existing structures, topography, alternative locations shall be considered by the SPGA.

(2) There shall be a minimum of one and one-quarter (1.25) parking spaces for each dwelling unit (rounded up).

(3) There shall be a minimum of one (1) space per 1,000 square feet of non-residential floor area.

(4) In the event of a restaurant one (1) parking space shall be provided for every four (4) patron seats.

(5) A lesser number of parking spaces may be permitted by the SPGA upon determination that the Special Permit applicant has demonstrated, through methods acceptable to the SPGA, that parking demand will not exceed what can be met by the minimum required parking.

(6) Bicycle parking shall be provided as follows:

(a) A minimum of one (1) space per every ten (10) dwelling units (rounded up) located indoors near the primary entrance to the development's dwelling units.

(b) A minimum of one (1) space for every five thousand (5000) square feet of non-residential floor area (rounded down) located near the primary entrance to ground floor non-residential units.

*Board Discussion:*

*Mr. Sahlu inquired about regulations for handicap parking. Planner Tyler responded that it is governed under federal law.*

Affordable Dwelling Units - Subsidized Housing Inventory

*Planner Tyler noted that this is a new section, not located anywhere in our current zoning. This requires a certain percentage of developments to be affordable. The income requirements/level of affordability varies by region and changes every year. Randolph falls under the Boston, Cambridge, Quincy income level. If a community's year round affordable housing falls under 10% a developer may propose a 40B project with little restriction. This section calls out what percentage of housing should be deemed restricted as affordable. Affordable units do not count unless they are recorded at the State and monitored on an annual basis to make sure new tenants/owners fall under that low income criteria. There are three types of low income housing: low to moderate income, low income, and extremely low income.*

Any Mixed-Use development, whether through conversion or new construction, that includes greater than 10 dwelling units, must include dwelling units that comply with the requirements and regulations of the EOHLC as Local Action Units (LAU) through a Local Initiative Program (LIP) as specified below:

(1) Ownership units. For all Mixed-Use developments where the Affordable Dwelling Units proposed are Homeownership Units, not less than twenty percent (20%) of the total dwelling units constructed in the mixed-use development shall be Affordable Dwelling Units.

(2) Rental Units. For all Mixed-Use developments where the Affordable Dwelling Units proposed are Rental Units, not less than twenty five percent (25%) of the total housing units in any building containing rental units shall be Affordable Dwelling Units.

(3) For purposes of calculating the number of Affordable Dwelling Units required within a Mixed-Use Development, any fractional unit of 0.5 or greater shall be deemed to constitute a whole unit.

(4) All Affordable Dwelling Units shall be integrated within the Mixed-Use development and shall be comparable in design, floor area, number of bedrooms, appearance, construction and quality of materials with market rate units.

(5) Occupancy permits for dwelling units in a Mixed-Use development shall not be issued without confirmation that a LIP/LAU has been submitted to EOHLC.

*Planner Tyler explained that once the Board has deliberated, she will provide a report to the Town Council that outlines the Board's recommendations for them to consider.*

*Chairman Plizga thanked Planner Tyler for her hard work in re-writing and re-formatting the Order.*

Chairman Plizga made a motion that was seconded by Ms. Adjei-Koranteng, before roll call was taken, Mr. Taveira called for discussion.

*On discussion: Mr. Taveira inquired about Air B&Bs. Is that considered a dwelling, a business, or is it considered Mixed-Use? Also, will there be separate language for a non-traditional business with a majority of it's business outdoors such as a charging station or golf business considering it would not occupy a whole first level of a building? Planner Tyler pointed out that the business space could be divided into smaller spaces, one business would not have to occupy the entire ground floor.*

Motion made by Plizga, Seconded by Adjei-Koranteng to continue the public hearing until April 9, 2024 at 6:15 pm.

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

## 2. 43 Scanlon Drive - Tier 3 Site Plan & Design Review (continuation at 6:15pm)

Chairman Plizga opened the continuation of the Public Hearing for 43 Scanlon Drive for a tier 3 site plan and design review. This is the fourth meeting on the matter.

Chairman Plizga asked Planner Tyler to provide a summary of events since the last meeting. Planner Tyler noted that the Planning Board asked for some modifications to the structure referencing the site plan and design review guidelines. The applicant has submitted a plan page with elevations that outline the changes requested.

Jeff Ganguely of Foley Hoag, outside counsel for Core Investments, introduced the team: Core Investments; Stantec for architecture; Vertex for civil engineers; and Howard Stein Hudson for traffic.

Jess Leong of Stantec noted that the submitted sheet A-201 last week for the Board's review. Ms. Leong showed the roof line perspectives with the added mechanical screen wall and views of the door canopies. Chairman Plizga noticed there is no color specified on the drawings for the canopies. He would like the record to show that all the building canopies will be red and asked for updated drawings.

Planner Tyler provided a summary of the conditions of the Planning Board decision:

...to APPROVE the project as presented on the civil plan set last revised March 7, 2024, architectural plan set last revised March 26, 2024 subject to the following conditions:

- Site details including materials, colors, lighting and landscaping shall be as specified on the referenced documents. Any modifications must be reviewed and approved by the Planning Board or their designee prior to installation.



- Discontinuance or realignment of Billings Street.
- Discontinuance of a portion of High Street.
- Consolidation of lots with applicable easements through an ANR or similar instrument with the Planning Board.
- The requirements and conditions of the stormwater authority. Any impact to the plans approved by the Planning Board must be presented to the Planning Board or their designee.
- Construction/repair of sidewalks and curbing along High Street and Scanlon Drive shall be completed under the supervision of the DPW Superintendent or designee.
- Review and approval by the Randolph Fire Department for any proposed gate(s) on the site that may impact access/response by emergency services.
- Maintenance and upkeep of “lot C” providing access to the DCR property shall be the responsibility of CoreInvest or successor of interest.
- The development of “lot A” and “lot C” shall be complete by December 31, 2025 subject to a 1-year extension on written request to the Planning Board.
- A Performance Guarantee by bond, cash surety or other instrument in the value of \$150,000 to be submitted to the Planning Department and placed in escrow until the construction of sidewalks on High and Scanlon Street is complete to the satisfaction of the Board.
- Final as-builts are due to the Planning Department within 90 days following Certificate of Occupancy.

Motion made by Plizga, Seconded by Alexopoulos to approve the revisions shown on the latest set of drawings (listed in the decision) for the property located at 43 Scanlon Drive, 490 High Street, 493 High Street and an unnumbered lot on High Street, specifically lots A & C as depicted on the applicant's drawings and subject to the aforementioned conditions.

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

Voting Nay: Taveira

Planner Tyler explained the decision will be filed with the Town Clerk. and may be appealed within 20 days to the Zoning Board of Appeals.

Motion made by Plizga, Seconded by Alexopoulos to close the public hearing for 43 Scanlon Drive.

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

## **F. Old/Unfinished Business**

### **1. Short Street - Site Plan & Design Review**

Planner Tyler provided the Board with an update since the last meeting which included some minor corrections and updates to the plan. Kevin Reilly, Esq. was present on behalf of the applicants Denis Keohane and Michelle Leandro.

Chairman Plizga asked Planner Tyler to summarize the key points in the decision.

Approve the project subject to the following conditions:

- Site details shall be as specified on the referenced documents. Any modifications to the approved plans must be reviewed and approved by the Planning Board or designee prior to construction/installation.
- White vinyl fencing for dumpster enclosures shall be of a height that completely conceals the receptacle.
- Sign content/size must be approved through standard permitting procedures.
- Aggregate signage is limited to that allowed by the Zoning Bylaw unless a variance is granted by the Zoning Board of Appeals.
- The proposed modifications to the sidewalk on Short Street requires approval and coordination with the Randolph Department of Public Works.
- The development must obtain all other permits, licenses or approvals by applicable municipal or state regulatory agencies.
- Project construction is to be complete by November 30, 2024. The Applicant may request an extension in writing to the Planning Board.
- Final as-builts are due to the Planning Board sixty (60) days following the completion of construction. Alternatively, a written certification from the Civil Engineer for the project confirming that all construction was completed per the approved plans may be provided.
- Appeal - Any person aggrieved by the decision of the Planning Board may appeal said decision to the Zoning Board of Appeals within 20 days.

Hearing no comments from the Board or the Applicant, Chairman Plizga made a motion:

Motion made by Plizga, Seconded by Taveira approving the Short Street site plan and design modifications based on the renderings dated March 21, 2024 (handwritten) and the drawing package of four drawings with the cover dated 3/18/2024.

Voting Yea: Alexopoulos, Plizga, Taveira, Sahlu

Voting Abstaining: Adjei-Koranteng

## 2. Request for Temporary C.O.

At the last meeting Mr. Considine was before the Board requesting Temporary Occupancy for the daycare at 647 North Main Street and is present this evening seeking approval.

Chairman Plizga asked Planner Tyler to breakdown the requirements for Temporary Occupancy as well as the requirements for Final Certificate of Occupancy following discussions from the last meeting and site visit:

#### Requirements for Temporary Occupancy

For staff: no additional site work would be necessary.

For clients - students and staff - for classrooms 101, 110, 111, 104 and 105 (toddlers, infants and preschoolers):

- The site would use the existing constructed entrance at the northern limit of the parcel which could be used as an entrance and exit to head northbound only/right turn only. Southbound travel would need to exit onto Orchard Street and make the left turn onto North Main at the intersection of Vesey Road. Applicant to install a right turn only sign.
- Install shielding of the dumpster - temporary fencing with fabric located at the northwest side of the parcel.
- Line and strip parking spaces sufficient for staff and visitors.
- Install handicap parking signage.

#### Requirements for Final Certificate of Occupancy

- Traffic light installation.
- Following the traffic light installation - close curb cut at the northwest limit (at the temporary entrance).
- Regrade the sidewalk and install the vertical granite curbing per any State and Town specifications.
- Install bollards around the compressors.
- Install a concrete pad for the dumpster and a permanent enclosure that must be 8 feet in height as specified to shield the receptacle.

Planner Tyler pointed out that this does not preclude anything on that is still outstanding on plan such as landscaping. Applicant to provide a landscaping plan including landscaping that would shield the compressor area - submitted to Planning Board or designee prior to any planting.

Final as-builts provided to the Board within 60 days of completion.

Mr. Considine agrees with all of the conditions set forth and is grateful for the consideration for temporary occupancy. Mr. Considine submitted a final access plan today today that widens the entrance by about a foot and a half to accommodate the largest piece of fire apparatus along with a few other minor changes such as crosswalk striping.

Mr. Considine is requesting to eliminate the access ramp near the dumpster. The condenser area has changed and will be updated on the next plans. The applicant would like to add bollards along the front of the building at approximately the center of each parking space in front of the building. Chairman Plizga requested that the bollards be green to blend in with the landscaping.

Chairman Plizga noted that the Playground is required by the state for the business to open, so it does not need to be noted in the conditions. Confirmation there is no lost parking by any of these minor changes/tweaks. Chairman Plizga would like the number of students and staff reflected in the Temporary Occupancy requirements. Mr. Considine confirmed that it will be 8 staff and 45 students.

Ms. Adjei-Koranteng asked about the existing fencing on North Main Street, wondering if it will be replaced. Planner Tyler noted there is no fencing in the original approval only landscaping along North Main. There is fencing in other areas on the site.

Motion made by Plizga, Seconded by Sahlu to grant a temporary occupancy to the applicant and owner of the daycare at 647 North Main Street of 45 children and 8 staff members subject to the aforementioned conditions.

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

Member Alexopoulos was not present for the vote.

## **G. Staff Report**

### **Active Project Review**

#### Randolph Road

The project team has been updating the Planner on progress which the Planner is communicating to the abutters. The team has reached out to 61 different property owners to complete pre-blast site surveys. Planner received a mitigation fee that has been deposited.

#### 34 Scanlon Drive (Yankee Bus Lines)

Still finalizing stormwater.

#### 43 Scanlon Drive (Maxim Crane)

Waiting for a stormwater report.

#### 0 Randolph Road

Planner has been handling the stormwater administratively, but will be handing it off to the new DPW Superintendent.

#### Mill Street Subdivision

Met with new DPW Superintendent and legal counsel on the appeal to the Superior Court for the denial of a subdivision. Completing a final technical review of the water lines before they have a meeting with Plaintiff to establish a court date. Further discussions would be in Executive Session.

### Joint meeting for MBTA Zoning with Town Council

Planner has a meeting scheduled for April 10, 2024. The meeting will be a tabling session to look at the districts and densities to comply with the zoning requirements. The meeting will aired on Zoom, but will not be interactive.

### Zoning Recodification Committee

Planner has a kick-off meeting scheduled.

## **H. Board Comments**

### **I. Adjournment**

Notification of Upcoming Meeting Dates

4/9/2024

4/23/2024

5/14/2024

5/28/2024

Adjourned at 7:58pm.

Motion made by Taveira, Seconded by Adjei-Koranteng to adjourn the meeting.

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