



# PLANNING BOARD MEETING

Tuesday, March 28, 2023 at 6:00 PM

Town Hall - 41 South Main Street Randolph, MA 02368

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## MINUTES

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In accordance with Governor Baker's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 COVID 19 emergency, the Planning Board shall meet remotely to avoid group congregation.

### A. Call to Order - Roll Call

Opened at 6:03pm

Member Alexopoulos joined at 6:10pm

PRESENT

Alexandra Alexopoulos

Tony Plizga

Nereyda Santos-Pina

Peter Taveira

Lou Sahlu

### B. Chairperson Comments

None

### C. Approval of Minutes

1. Minutes of 2/7/23 – reviewed and amended per Board discussion

Motion made by Taveira, Seconded by Santos-Pina to approve the minutes from February 7, 2023, as amended

Voted Yea: Sahlu, Santos-Pina, Taveira, Plizga

2. Minutes of 2/28/23 – reviewed and amended per Board discussion

Motion made by Taveira, Seconded by Alexopoulos to approve the minutes as corrected from February 28, 2023

Voted Yea: Plizga, Sahlu, Alexopoulos, Taveira

Voted Abstaining: Santos-Pina

3. Minutes of 3/14/23 – reviewed and amended per Board discussion

Motion made by Alexopoulos, Seconded by Santos-Pina to approve the minutes of February 7, 2023, as amended

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

Voted Abstaining: Taveira

#### **D. Public Speaks**

None

#### **E. Public Hearings**

##### **1. Definitive Subdivision - Mill Street**

Project Engineer, Patrick Magoon of Decelle-Burke-Sala & Associates, Inc. is present to discuss the project. He noted that applicant Francis Sun and his boss, James Burke, may be in the audience, but he plans to do the speaking.

Chairman Plizga read the Public Hearing legal notice into the record to open the hearing.

Planner Tyler gave an overview of the project. The applicant filed a Form C for definitive subdivision application and affidavit from the current property owner. They also filed a list of Waivers requested on Form D and a Designer Certificate under subdivision control law. A Peer Review fee and application fee was collected from the applicant. The abutters' notices were date stamped by the U.S. Postal Service on March 8, 2023 and went out to abutters within 300 feet.

The plan was submitted to Nitsch Engineering for Peer Review. It was also submitted to the Randolph Department of Public Health as required under subdivision control law. There is a letter from Gerard Cody, Public Health Commissioner regarding any requirements to be denoted in the decision and conditions of the Planning Board should they make approval.

The report from Nitsch Engineering arrived just this morning and was provided to Patrick Magoon of Decelle-Burke-Sala.

Planner Tyler prepared a list of street name recommendations that have been vetted through engineering, fire and police to ensure that there is not mix-up with existing street names for our 911 system.

The project request is to sub-divide a single-family residential lot at 217 Mill Street by creating a road with a conforming cul-de-sac including four single-family house lots, all with applicable utilities: water, sewer, underground electric and stormwater management.

Planner Tyler noted that the proposed stormwater management plans are under review by DPW Superintendent, Chris Pellitteri, DPW, with no comments back yet. She will have Patrick discuss stormwater further. Chairman Plizga asked if she had received comments back from Fire. The road's grade which is at 7% which falls within the Board's limit of under 10%. The turning template was a concern which she believes Patrick Magoon has addressed.

Patrick Magoon went over the Peer Review and did not find anything major on their end they can't address. In regard to the turning radius, they will be increasing the size in the next submission to address the Fire Department's concerns.

Patrick Magoon reviewed the subdivision plan and existing conditions with Board. He described it as an existing single-family lot, roughly 1.8 acres in size. The majority of the lot is behind the house and largely wooded with topography that slopes upward pretty steep from the street to a high point - somewhat center on the lot - then sheds down from there west to east. He showed the edge of clearing on trees and identified any significant trees roughly over 10" in size (diameter). The plans have not changed since the last time the Board had seen it. No work has been done.

Patrick Magoon wanted to address an item from the Peer Review. When they submitted the definitive subdivision plan they hadn't conducted test pits on site due to scheduling conflicts. They have since been completed, which will be reflected in the next submission. The material was better than expected – more sand than loam. They encountered large boulders, but no ledge.

Construction management plan shows limits of work, erosion control - possibly a mulch waddle, snow fence, silt fence – whatever that particular area of the site needs will be put in place. Right off the roadway, there will be a stone apron to reduce tracking of disturbed earth onto Mill Street. The existing building will be removed and utilities disconnected. In the engineering report, there is a storm water pollution Prevention plan. The layout sheet of the plan shows the four lots. Originally 6 were proposed, but the building inspector was not happy with configuration. Drainage lots were removed due to size constraints. There are several easements with a drainage system that collects runoff in catch basins along the side of the road towards Mill Street. They have proposed a utility easement for underground electric and transformer. All the proposed drainage structures will be located within an easement. All the lots are 12,154 square feet or larger. They were able to save approximately 20 existing trees by using some tree wells due to the grading.

The grading sheet showed that they increased the radius on the road entry from 18 to 25 to make turning onto the street easier by shifting the roadway to the west. By sliding roadway over, they were also able to shift the retaining wall off of the property line. This lowered the height of the retaining wall from about 9 feet to 5 feet tall. He showed which catch basins will collect flow at certain points along the road and which infiltration sites they flow to and discharge to. There is a surface detention pond on lot one.

The utility sheet shows the proposed public gas, water, sewer and electric. All three underground systems are contained in 4'x4'x4' concrete galleys surrounded by stone. Overflows during larger weather events are directed to the two surface basins behind lots one and 3 which are designed to handle everything up to a 100-year storm, beyond that they slightly overflow into the rip rap outlet protection area. All other storms are completely detained and will be infiltrated.

Patrick Magoon showed the proposed roadway profile in relation to the existing slope and explained that some cut will be required. They maxed out the slopes allowed so that they will not need a waiver.

Chairman Plizga opened up the hearing for Public comment.

Reggie Charles of 2 Hart Circle, Randolph, lives directly behind the property. He asked about rodent control. Chairman Plizga explained that it is standard practice for the

applicant and construction team to come have a rodent control management plan to address those concerns. Mr. Charles also had concern about sewage draining off onto his property. Chairman Plizga stated that it will be on town sewer.

Natacha Julien of 54 Prospect Avenue, Randolph has property next to the project. She asked when construction will begin and end? Chairman Plizga noted that once the Board reaches a decision it will be up to the applicant to determine their schedule. Patrick Magoon said that he cannot give a finite schedule at this time. Chairman Plizga gave a range for like projects of anywhere from 18-months to 2-years, assuming it is approved. Patrick Magoon's rough estimate is closer to a 2-year time-line.

Caleb Charles of 6 Hart Circle has concerns about his chain link fence being disrupted. Chairman Plizga explained that if the chain link fence is on his property the construction team would be obligated to protect it. If it is not on, it would be a different matter.

Chairman Plizga closed the public comment portion of the meeting after hearing no other questions.

The Board took up deliberation. Chairman Plizga asked Patrick Magoon where the water main will be installed and if it will eliminate all dead ends. When Mr. Magoon spoke with DPW they said if it is not tied into the adjacent street, they would like to see it looped. The property doesn't technically have frontage on that abutting property (Prospect), so they don't have the right to tie across. He will start a conversation with the applicant to looking into tying it in, as that would be favorable to the loop. Chairman Plizga requested it be shown on updated plans.

Chairman Plizga stated a homeowner's association will be established for maintenance of the stormwater management system.

Mr. Magoon noted due to the delay for soil test pits they held off on submitting stormwater permits. When he submits the revised submission to Planning Board, he will submit the application for stormwater.

Chairman Plizga asked Mr. Magoon to review the post site layout sheet.

Chairman Plizga asked Mr. Magoon to make a correction to the legend in "Peer Reviewers Comments" where it says "existing and existing" opposed to "existing and proposed." Also, there were inconsistencies in the "List of Waivers" that he would like corrected and would like them updated as waivers are added. Chairman Plizga had questions regarding the "Zoning Schedule" and possibly a few items missing. Planner Tyler clarified that its language varies from the creation of a road versus looking at an individual lot. Chairman Plizga asked if vegetation could be planted to shield the transformer at the end of the street. But, in a way that would still maintain access for maintenance. Mr. Magoon will look into it. Chairman Plizga would like to see detail for the light poles. Planner Tyler explained that the light poles and globes are the Town of Randolph standard and she will provide the specifications. There should however be a lighting plan, presumably on the utility sheet that indicates where the light will be. Planner Tyler explained that the Town

uses a standard light pole and globe so that in the event of an accident or the pole comes down it is easily replaced.

Taveira has concerns with how close to the proposed cul-de-sac is to the Prospect Avenue cul-de-sac on the plan and if they will be at the same height/elevation. Chairman Plizga asked if a retaining wall would be necessary? Mr. Magoon does not anticipate any issues and does not foresee the need for a retaining wall, based on the existing grading. Taveira asked if the telephone pole at the road entrance would need to be moved since the roadway shifted. Mr. Magoon said it will stay in its current location.

Santos-Pina felt her concerns were addressed regarding the transformer and the buffer from the intersection, as well as the light poles. She proposed rather than shrubs, perhaps installing bollards to protect the transformer. Santos-Pina was satisfied with the changes to the topography regarding the retaining wall which is now considerably lower than originally proposed.

Mr. Taveira asked if there is a plan for erosion control due to the steep grade, mud and rocks. Chairman Plizga and Mr. Magoon noted there is a section in the report and on the plan for erosion control.

Chairman Plizga noted that he would not have any problem with the changes or revisions to the plans being labeled as a "total revision" if perhaps the clouds notating changes became too cumbersome on the plan. Presently it is not overly busy. Mr. Magoon will provide a revision cloud where on the plan it is reasonable. If not, it was agreed that it could be a total revision noted in the change block.

Chairman Plizga noted that the current street name of Mill Court is too close Mill Street. Planner Tyler explained that she typically works with the owner/applicant and then engineering, police and fire to come up with 3 name suggestions for the Board to consider. Her recommendations are as follows:

1. Clifton Court – honoring former Town Councilor Kenrick Clifton who represented the district
2. Benjamin Way – as requested by the property owner/subdivider
3. Talbot Way – the surname of a family of the Ponkapoag people from Randolph. Joseph Talbot was a shoemaker

Chairman Plizga requested that the Board take an informal poll of the Board with the majority vote to be approved with the drawings at a future meeting.

Alexopoulos is strongly in favor of Clifton Court. Sahlu seconded. Taveira and Santos-Pina liked all three nominees, but will go with the majority. Chairman Plizga selected Clifton Court. Chairman Plizga asked Mr. Magoon to call the road Clifton Court on the next set of drawings.

After a brief discussion, Chair Plizga and Mr. Magoon agreed that they will continue the hearing on April 25, 2023 at 6:15p.m.

Motion made by Chair Plizga, seconded by Alexopoulos to continue the public hearing to April 25 at 6:15pm

Voted Yea: Taveira, Santos-Pina, Plizga, Sahlu, Alexopoulos (5-0-0)

Chairman Plizga suggested to Mr. Magoon that it would be helpful if he address each of the Nitsch comments individually, making it easier for the Board to go through one by one.

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

None

## **G. Staff Report**

259 Allen Street – Planner Tyler sent an email to the owner for an update. Construction of the convenience store has stopped and the site has not been properly maintained. She will follow up with the owner and the contractor listed on the permits.

50 Thomas Patten Drive – the owner of that property has submitted - post construction - some information regarding storm water management to DPW. Planner Tyler is awaiting a response from DPW. She reminded the owner that she expects a report on their proposed layout of the field stone and landscaping. The information previously provided does not adequately address the needs of the Planning Board for review.

Rocco's Tavern property on Short Street - had submitted a Building Department request for locating two refrigerator units, an additional door at the rear of the building, a cover stairway and a dumpster enclosure. Planner Tyler was not comfortable with the plan layout. She did a site visit and denied it. Upon the owner's request, she did a second site visit with Chairman Plizga with the same result. They were not comfortable with the proposed dumpster layout and the access to it on an 11' wide easement as there was no ability for a truck to make the turn to remove the dumpster. In addition, there were no details on the refrigeration unit type, and how they were going to be accessed. They were also lacking details on the staircase, covered walkway and additional door. The applicants were asked to provide those details for the Board to review.

19 Highland Avenue – The property owner asked to meet regarding the color selection for the ground floor commercial unit. The owner no longer has the samples for the existing color, and nothing was documented. Planner Tyler and Chairman Plizga went for a site visit to discuss the paint selection and to go over a list of punch list items provided by the Town's Attorney, June 16, 2021. Planner Tyler recommended that the owner provide the Planning Board with 3 paint colors and 2 grout line colors. The ground floor façade was meant to have the texture of brick but is appearing flat. She has asked the team to provide the feasibility of applying a stone veneer over the commercial unit. The plans the Board reviewed and approved showed brick. Planner Tyler also followed up with about 8 items outstanding of work to be completed or corrected on the site.

Remote participation – A package to be signed by the Governor includes language that would extend the COVID-19 relief measures until March 31, 2025. This is not a requirement. The decision will be made locally with the Town Manager. Planner Tyler had

a discussion with the Town Manager about adding technology to make the meeting space more conducive to a hybrid model.

34 Scanlon Drive – The Board will hold a public meeting on April 11, 2023 for the transportation hub. The Board has a civil set of plans about to change. The applicant learned that State Regulation 3.10 CMR in section 22 actually has some specifications regarding protection of surface ground water areas. They must keep the construction 200 feet from the edge which will require the building to be relocated 75 feet to the west. Planner Tyler anticipates a new civil set of plans, as well as architectural plans on Tuesday. Due to the abbreviated time for review prior to the hearing on April 11, the applicant understands that the Board will not have had enough time to really consider the application. Changes are anticipated to the storm water plan which is before the DPW. No changes expected on the Conservation Commission plan for the buffer around the Hunt River.

Subdivisions – letters will go out the first week of April on requesting status updates. Lafayette Estates needs and extension. The Board discussed policies for deadlines on future projects.

The Board had a brief discussion about additional details of the Rocco's Tavern project proposal. Planner Tyler also noted some excavation work had been done for a retaining wall and the applicant had been digging onto the abutting property.

Advisory Concerning Enforcement of the MBTA Communities Zoning Law – Planner Tyler noted they have engaged with a firm, RKG Associates, through a planning grant from the State to help reach our goal of reaching compliance for Chapter 3A zoning. The latest advisory we have yet to comply. Non-compliance results in the loss of funding for things like Mass Works which provides millions of dollars for road construction. Our interim compliance has been accepted. The Town has until December 2024 to submit compliance with zoning unless there are any legislative changes. RKG has experience with establishing this compliance with other communities. They are working to identify sites where potential residential development could go. Randolph's required total is 48 acres. The land does not have to be contiguous, but some is required to be around the commuter rail station. The land must allow for 15 units per acre, cannot be age restricted and has no requirement for affordability. Planner Tyler explained that the zoning amendment will be written by the consultant. The most difficult part of the process is identifying the properties.

## **H. Board Comments**

### **I. Adjournment**

Notification of Upcoming Meeting Dates

April 11, 2023

April 25, 2023

May 9, 2023

May 23, 2023

Adjourned at 7:31pm