



PLANNING BOARD MEETING

Tuesday, April 26, 2022 at 6:00 PM

Town Hall - 41 South Main Street Randolph, MA 02368

MINUTES

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

PRESENT

Alexandra Alexopoulos
Steve Monteiro
Tony Plizga
Nereyda Santos
Peter Taveira

B. Chairperson Comments

The chairman announces the passing of Randolph Town Councilor of Kenrick W. Clifton who died unexpectedly on April 21, 2022 recognizing his commitment to the community for more than a decade. A moment of silence was held.

C. Approval of Minutes

1. Minutes of 3-22-2022

A motion was made by Taveira, seconded by Alexopoulos, that the Minutes of 3/22/22 be approved as amended. The motion passed by the following vote:

Voting Yea: Alexopoulos, Plizga, Santos, Taveira
Voting Abstaining: Monteiro

2. Minutes of 4-14-2022

A motion was made by Taveira, seconded by Alexopoulos, that the Minutes of 4/14/22 be approved as amended. The motion passed by the following vote:

Voting Yea: Alexopoulos, Plizga, Santos, Taveira

Voting Abstaining: Monteiro

D. Public Speaks

No comments made.

E. Public Hearings

1. Perry Estates - request for continuation

Planner gave an overview of the previous two meetings. The Board requested plan corrections and modifications to be submitted for review. The applicant was not able to have plans available by the Board's requested deadline so requested a continuation to 5/10/22.

A motion was made by Plizga, seconded by Alexopoulos, that the Planning Item be continued to 5/10/22 at 6:15pm. The motion passed by the following vote:

Voting Yea: Alexopoulos, Monteiro, Plizga, Santos, Taveira

2. Kiley Circle - Rescission of a Subdivision

Hearing opened at 6:17pm by the chair. The property owner is not in attendance in the ZOOM audience.

Planner read the legal ad into the record and provided a brief history on the research on the property and why the Planning Board is considering a rescission. Planner states

Annually, the Town conducts a review and analysis of its digital maps in comparison with the data stored by the Principal Assessor to identify anomalies and disparities with a goal toward reconciling records (either the maps, the Assessor data or both if applicable).

The Town has an obligation to the Commonwealth to maintain a certain threshold of accuracy in order to comply with regulations and, in part, to retain funding that is used for our 911 system.

During one of these reviews, the Planner noted the existence of an unconstructed street Kiley Circle. Files were researched to determine the date of approval of the road layout, any decision and/or conditions and other data that would allow records to be reconciled. The research included:

- requesting/reviewing any files with the Town Engineer
- requesting/reviewing any files with the Principal Assessor
- researching files through the Norfolk Registry of Deeds online portal
- researching files through the Norfolk County Engineering Department

The information found through those records contained many conflicting pieces of information regarding the alleged lots on the purported way listed as Kiley Circle on the Town's maps. Finding significant conflict in data recorded at the Registry of

Deeds, a meeting with the Town's Principal Assessor was held with a request that he conduct research on the subdivision and lots as well. He was not able to provide any corrections to the data previously uncovered or new information to supplement what was previously found.

Next a letter was mailed to the current property owner to outline the confusing records and asked if he could provide any clarification or supporting documentation to help answer the questions. This letter was mailed May 2020. There was no response received so the letter was sent a second time in July 2020.

Given the inconsistent data, the lack of information recorded at the registry of deeds and lack of supplemental information provided by the landowner and the need to reconcile the Town's records and maps, in 2022, the Planning Board requested that an additional request be sent to the landowner advising that a public hearing would be scheduled to RESCIND the alleged layout of Kiley Circle.

In January 2022, a letter was sent to the property owner outlining all of the above, providing a copy of the original correspondence from May/July 2020 and advising of the Planning Board intention. The letter again requests information. In April, the landowner visited the Planner at Town Hall to ask about the hearing notification. The Planner again outlined the need for records to resolve the inconsistent data and asked for the owner's help in locating them.

As of the date of this meeting, no additional information has been received for the Board to consider.

Plizga states that the owner Paul Scally reached out to him in August 2020. They met at the owner's workshop located behind his primary residence. Mr. Scally had the full size copy of the Mathematical Correction drawing which was signed off by the Planning Board in the upper right hand corner and recorded by the Norfolk Registry of Deeds. Chairman Plizga also checked with Norfolk Registry and found no indication of a recording of the initial subdivision. The drawings were prepared by Donald Rosa in 2004 and referenced other prior drawings as a source of information but none were of an initial definitive subdivision. Chairman Plizga suggested to Mr. Scally that he contact Donald Rosa or the firm that he worked for to obtain any information available that may uncover a potential initial subdivision plan. In the 2 years since the request, the owner or anyone affiliated with the project has not contacted Chairman Plizga to provide additional information.

Chairman Plizga made a motion to rescind the alleged subdivision of land at 131 Oak Street, Randolph, MA listed as Assessor's parcel 31-B-4.8 pursuant to Massachusetts General Law Chapter 41 Section 81W that provides for a Planning Board, on its own motion, to rescind a plan of a subdivision. The motion was seconded by Alexopoulos.

On discussion the chair states the Planning Board has been unable to locate evidence of an approved subdivision plan recorded at the Norfolk Registry of Deeds as required by Massachusetts General Law Chapter 41, Section 81X. The Board has made numerous requests to the landowner to substantiate such approval and recording to no avail. With no such documentation, the Board should rescind the alleged subdivision of land without prejudice.

Member Monteiro inquires if the land could still be subdivided by the current or future owners. Chairman Plizga affirms that a definitive subdivision could be resubmitted to the Planning Board.

Voting yea: Alexopoulos, Monteiro, Plizga, Santos, Taveira

At 6:33pm, Plizga made a motion to close the public hearing. Seconded by Taveria.

Voting yea: Alexopoulos, Monteiro, Plizga, Santos, Taveira

F. Old/Unfinished Business

Planning Board members had a lengthy discussion on housing section of the Master Plan.

Planner reached out to Mr. Cook who is the current chair of the Historic Commission. Mr. Cook has forwarded the board members inquiry to the Commission for their preference. He believes that a joint meeting would allow both boards to have a discussion and take joint action on what would be the most appropriate decisions for the town. Planner received a message on April 19 that the chair of the Historic Commission will get back to the Planner to work with the Planning Board and Historic Commission on schedule and joint meetings.

G. New Business

1. Preliminary subdivision review of 186 Canton Street

Applicant was not present for the meeting. Board members will not take any action. The plan will be moved to a future agenda when the applicant makes a request.

2. Pham Estates - request for extension

Planner gave an overview of the approved plan. The applicant has submitted a request for an extension to 7/30/22 to continue the road construction for the subdivision. The reason for the extension is there was a moratorium from Mass DOT for road openings and that ended on 4/1/22. Once the moratorium is lifted, the developer can complete the road opening and curbing that is required on South Main Street. That particular stretch of South Main Street is controlled by MassDOT.

A motion was made by Plizga, seconded by Taveira, that the request for the extension to 7/30/22 by the applicant be approved. The motion passed by the following vote:

H. Staff Report

1. Project review checklist/reminder

Planner provided a draft version of a Site Plan & Design Review Checklist to board members that they can refer to during evaluation of proposed development plans. The chairman asked that each member review and provide comments for modification at the next meeting.

Other updates

Allen Street- the foundation, concrete walls and substructure have been constructed as of last week.

I. Board Comments

Taveira is concerned about the water demand for the town because of the continue of new developments. Brief discussion that development cannot be "prevented" due to the potential for water demand but the Board should consider impact of development and potential mitigation measures for every project.

J. Adjournment

Adjourned at 7:25pm.

Motion made by Alexopoulos, seconded by Taveira.

Voting Yea: Alexopoulos, Monteiro, Plizga, Santos, Taveira

Meeting schedule

5/10 and 5/24

6/14 and 6/28

7/12 and 7/26