



**SPECIAL PERMIT EXTENSION
DECISION DETAILED RECORD
THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF RANDOLPH
December 4, 2023**

The members of the special permit granting authority (SPGA), hereby certify that the following is a detailed record of all the board's proceedings regarding the Special Permit Extension Application of 502 South Main Holding LLC regarding property located at 502 South Main Street, Randolph, Massachusetts which is the property affected by the existing special permit and the request to extend the special permit.

The Randolph Town Council is the SPGA for the special permit and special permit extension request. The application to the SPGA for an extension of the special permit is dated October 11, 2023.

On December 11, 2020, the Randolph Town Council, in its capacity as the SPGA, issued a Special Permit to 502 South Main Holding LLC for a project to be located at 502 S. Main Street in Randolph pursuant to the Union Crossing Transit District Zoning Ordinance. That special permit contained the following condition:

(11) The Special Permit is issued based on a construction period of 3 years. The Applicant may request an extension of that three year period in increments of 2 years from the Town Council. However, no extension shall be granted for items 1-8 of the phased construction plan as outlined in Section N of the PRA Report.

The application now requests an extension of the special permit decision, which expires on December 11, 2023. A true copy of the original special permit decision (with attachments) is attached as Exhibit 1 and is made a part of this record. A true copy of the special permit extension application is attached as Exhibit 2 and is made a part of this record.

A notice of public hearing was issued on this special permit extension application, a true copy of which is attached as Exhibit 3, and is made a part of this record. Other required notice was also provided.

The public hearing on this special permit extension application was held on November 20, 2023, at 6:15p.m. at Randolph Town Hall in a hybrid meeting where attendance was permitted in person, by internet or by phone. The Applicant presented the extension request and answered questions. The Town Council reviewed the Application, including the plan(s) and supporting materials, as well as materials and information submitted during the public hearing. The Town Council received and gave due consideration to the testimony given at the public

hearing. Opportunity was given to all those interested to be heard in favor or opposition to said special permit extension. The public comments portion of the hearing was closed. Substantial evidence was presented in support of the Applicant's Application for a Special Permit Extension. The Town Council then deliberated and the public hearing was closed.

The following members of the Town Council were present:

Council Member Christos Alexopoulos
Council Member William Alexopoulos
Council Member James F. Burgess, Jr.
Council Member Richard Brewer
Council Member Natacha Clerger
Council Member Ryan Egan
Council Member Jesse Gordon
Council Member Katrina Huff-Larmond
Council Member Kevin O'Connell

After the close of the public hearing on November 20, 2023, the special permit granting authority granted the requested special permit extension until December 11, 2023, via the following vote:

Councilor Clerger moved to grant the requested special permit extension for a period of two (2) years, with an extended special permit extension date of December 11, 2023. Councilor Clerger's motion specifically states as follows: After due consideration of the Applicant's request for relief and based on the facts that have been submitted to the Town Council, including the Applicant's written submissions and the testimony and comments presented to the Council during the public hearing, and based on the recited findings in the original Special Permit Decision and as part of this extension, I move that the Town Council grant the requested Special Permit extension pursuant to the Randolph Zoning Ordinance and all other applicable law to permit the construction and operation of a Union Crossing Transit District Project at 502 South Main Street, Randolph, Massachusetts, as described in the Applicant's Application, and incorporating all findings from the original Special Permit Decision, with the following additional conditions to the Special Permit.

The Motion was seconded by Councilor Burgess.

The members present and voting were as follows:

Council Member Christos Alexopoulos voting to grant the special permit extension, with additional conditions.

Council Member William Alexopoulos voting to grant the grant permit extension, with additional conditions.

Council Member James F. Burgess, Jr. voting to grant the special permit extension, with additional conditions.

Council Member Richard Brewer voting to grant the special permit extension, with additional conditions.

Council Member Natacha Clerger voting to grant the special permit extension, with additional conditions.

Council Member Ryan Egan voting to grant the special permit extension, with additional conditions.

Council Member Jesse Gordon voting to grant the special permit extension, with additional conditions.

Council Member Katrina Huff-Larmond voting to grant the special permit extension, with additional conditions.

Council Member Kevin O'Connell voting to grant the special permit extension, with additional conditions.

Roll Call Vote:

9 in favor, 0 opposed

Motion is passed.

And the conditions being:

Special Permit Extension Condition 1: Within six months, the Applicant shall submit a revised plan to the Town which reflects the private ways that exist within the project. That plan shall reflect the private ways that are currently labelled, at the project site, as Simmonds Blvd and Toscano Way. These two private ways, with those names, are hereby permitted by the special permit granting authority as part of the Special Permit. The other paved passageways for automobiles within the project site are parking areas or driveways and shall be so labelled on the revised plan. All references to driveways in the Special Permit shall be private ways.

Special Permit Extension Condition 2: Within six months, the Applicant is to address any inconsistencies concerning the names of the private ways and the addresses of the existing and future dwelling units contained in the project, including resolving issues concerning the way the addresses are listed with the Town Assessor's Office, the Town Engineer's Office, the Town Planning Department, the Norfolk County Registry of Deeds (specifically, any deeds recorded at the Registry concerning dwelling units or private ways contained in the project), and with the Massachusetts E911 System.

Special Permit Extension Condition 3: Within six months, Applicant is to address any ambiguity about the ownership of parcels within the project site such that ownership records are accurate with the Town of Randolph Assessor's Office and the Norfolk County Registry of Deeds.

Special Permit Extension Condition 4: In accordance with Condition (10) of the Special Permit, Applicant is to provide "two sets of interim as-builts" as items 1-8 of Section N in the Report of the PRA are deemed completed. Updated as-builts to include duplex spacing, outside dimensions of duplexes, utility as-builts, etc., as listed in the Special Permit, to be provided within sixty days and with each extension of the permit.

Special Permit Extension Condition 5: On or before July 1, 2024, Applicant is to provide a plan for fulfilling the following commitment by the end of 2024: E.(5) "The Applicant has proposed walking trails throughout the parcel and on the adjacent lot (Town property) to allow convenient access to public transportation and commercial amenities. The walking trail on Town property shall be subject to the review and approval of applicable departments." Applicant shall work with the Town, including any departments with oversight over this Town property, to develop the walking trail as approved in the Special Permit.

Special Permit Extension Condition 6: Subcommittees of the PRA, to be appointed by the Chair of the PRA and currently to include Councilor Burgess, the Chair of the PRA and the District Councilor, are authorized to do ongoing reviews of the progress of the project under the Special Permit.

This list of conditions includes conditions that shall be applied to pre-construction, construction, post-construction and in perpetuity, respectively, each as noted in the PRA report, the original Special Permit Decision, or as otherwise noted above.

Based on the above vote, the Special Permit Extension was deemed granted.

FILING OF DECISION AND RIGHTS OF APPEAL:

This Decision is issued in compliance with the statutory requirements for the issuance of a Special Permit Extension.

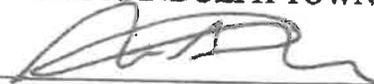
It is hereby certified that copies of this Decision have been filed with the Planning Board and Town Clerk of the Town of Randolph.

This Decision is filed with the Randolph Town Clerk on December 4, 2023.

A certified copy of this Decision shall be issued to the Property owner and to the Applicant.

APPEAL: M.G.L. c. 40A, §9 states that "appeals [of special permit decisions], if any, shall be made pursuant to section seventeen and shall be filed within twenty days after the date of filing of ... [the special permit granting authority's written decision] in the office of the ... town clerk.

**SPECIAL PERMIT DECISION ISSUED ON December 4, 2023
BY THE RANDOLPH TOWN COUNCIL:**



William Alexopoulos – President

Richard Brewer – Vice President

Christos Alexopoulos

James F. Burgess, Jr.

Natacha Clerger

Ryan Egan

Jesse Gordon

Katrina Huff-Larmond

Kevin O'Connell



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SPECIAL PERMIT DECISION DETAILED RECORD
THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF RANDOLPH
December 11, 2020

RANDOLPH
TOWN CLERK/REGISTRAR

The members of the special permit granting authority, hereby certify that the following is a detailed record of all the board's proceedings regarding the application of 502 South Main Holding LLC regarding property located at 502 South Main Street, Randolph, Massachusetts, which is the property affected by this special permit.

The application to the board is dated August 3, 2020. The application requests a special permit pursuant to Section 200-14.3 of the Town of Randolph zoning ordinances to permit a development consisting of 60 residential units in 17 buildings, 26 attached garages and 2 detached parking structures with 18 units total, 1 new commercial building and surface parking. A true copy of the special permit application is attached as Exhibit 1, and is made a part of this record.

A notice of public hearing was issued on this special permit, a true copy of which is attached as Exhibit 2, and is made a part of this record. That notice was:

1. Published in the Patriot Ledger, a newspaper of general circulation in the town on November 20, 2020 and November 27, 2020.
2. Posted in a conspicuous place in town hall at least 14 days before the hearing on November 20, 2020 and;
3. Mailed on November 20, certified, notification to abutters, whose property is located within 300 feet of the property line of the property in question. The notice was mailed to the names of persons at the addresses as provided by the most recent tax list kept by the town assessor, with the assessor certifying such names and addresses.

The Applicant filed a letter with the Town agreeing to extend all applicable deadlines under the Zoning Ordinances, M.G.L. ch. 40A or otherwise. The public hearing on this special permit application was held on December 7, 2020 at 6:15p.m. at which time opportunity was given to all those interested to be heard in favor or opposition to said special permit.

The following members of the Town Council were present:

Council Member Christos Alexopoulos
Council Member William Alexopoulos
Council Member James F. Burgess, Jr.

Council Member Richard Brewer
Council Member Natacha Clerger
Council Member Kenrick Clifton
Council Member Ryan Egan
Council Member Katrina Huff-Larmond
Council Member Paul McDermott

A true copy of the minutes of that hearing is attached as Exhibit 3.

After close of the hearing on December 7, 2020, the special permit granting authority granted the requested special permit with the following members present and voting. Councilor McDermott moved to approve the Special Permit under the UCTD to 502 South Main Street Holdings as outlined in the PRA report with all conditions as stated wherin, and that upon the council approval 3 sets of plans approved shall be initiated by the Town Council.

Council Member Christos Alexopoulos voting to grant the special permit.
Council Member William Alexopoulos voting to grant the grant permit.
Council Member James F. Burgess, Jr. voting to grant the special permit.
Council Member Richard Brewer voting to grant the special permit.
Council Member Natacha Clerger voting to grant the grant special permit.
Council Member Kenrick Clifton voting to grant the special permit.
Council Member Ryan Egan voting to grant the special permit.
Council Member Katrina Huff-Larmond voting to grant the special permit.
Council Member Paul McDermott voting to grant the special permit.

The special permit granting authority granted the above special permit based on the following findings and reasons:

That the use is in harmony with the intent and purpose of the zoning by-law, and that the use does meet the other provisions of the zoning by-law. Each member voting as follows:

Council Member Christos Alexopoulos_ voting to find that the use is in harmony with the intent and purpose of zoning because it conforms to zoning by-law.
Council Member William Alexopoulos voting to find that the use is in harmony with the intent and purpose of zoning because it conforms to zoning by-law.
Council Member James F. Burgess, Jr. voting to find that the use is in harmony with the intent and purpose of zoning because it conforms to zoning by-law.
Council Member Richard Brewer voting to find that the use is in with the intent and purpose of zoning because it conforms to zoning by-law.
Council Member Natacha Clerger voting to find that the use is in harmony with the intent and purpose of zoning because it conforms to zoning by-law.
Council Member Kenrick Clifton voting to find that the use is in harmony with the intent and purpose of zoning because it conforms to zoning by-law.
Council Member Ryan Egan voting to find that the use is in harmony with the intent and purpose of zoning because it conforms to zoning by-law.

Council Member Katrina Huff-Larmond voting to find that the use is in harmony with the intent and purpose of zoning because it conforms to zoning by-law.

Council Member Paul McDermott voting to find that the use is in harmony with the intent and purpose of zoning because it conforms to zoning by-law.

The special granting authority voted to grant the special permit with conditions:

Council Member Christos Alexopoulos voted to approve the special permit with conditions.
Council Member William Alexopoulos voted to approve the special permit with conditions.
Council Member James F. Burgess, Jr. voted to approve the special permit with conditions.
Council Member Richard Brewer voted to approve the special permit with conditions.
Council Member Natacha Clerger voted to approve the special permit with conditions.
Council Member Kenrick Clifton voted to approve the special permit with conditions.
Council Member Ryan Egan voted to approve the special permit with conditions.
Council Member Katrina Huff-Larmond voted to approve the special permit with conditions.
Council Member Paul McDermott voted to approve the special permit with conditions.

And those conditions being:

- (1) All conditions, recommendations and requirements contained in the Union Crossing Transit District (UCTD) Report of the PRA dated November 12, 2020 ("PRA Report") and attached hereto as Exhibit 4 shall be complied with and that upon the council approval 3 sets of plans approved shall be initiated by the Town Council
- (2) Following a favorable vote by the Special Permit Granting Authority (SPGA) the Applicant shall provide 4 sets of construction drawings and Site Master Plan that include all approved changes by the PRA and Town Council for compliance review prior to signature by the SPGA.
- (3) The SPGA shall sign all pages and only plans with the signatures of the SPGA shall be used to apply for any and all Town Permits for construction. The SPGA shall also sign the approved Site Master Plan. (Note to PRA: this requires that SPGA sign all subsequent drawings, such as duplexes etc.)
- (4) Wetland remediation and basin construction shall be as specified in the PRA Report and any supporting application materials.
- (5) The Applicant shall submit design drawings of the duplexes, townhouses, garden style condos and the commercial building to the PRA for review and approval as the work progresses and prior to receipt of a Building Permit for those structures. The design drawings shall include plans, elevations and renderings showing all details such as, but not necessarily limited to the following, architectural details, dimensions, setbacks, slopes, offsets, materials, colors, etc. The Applicant shall allow 3 weeks for the PRA to review and to schedule a working meeting with the Applicant.

- (6) The Applicant shall submit the Residents Association Agreement to the PRA Subcommittee for review and comment within one year of receiving a Special Permit or requesting a building permit, whichever comes first.
- (7) The Applicant shall meet with the local postmaster and obtain approval of post office box system.
- (8) The project site shall be maintained in a neat and orderly fashion.
 - a. All project materials shall be stockpiled safely and stabilized;
 - b. Dust control and erosion control measures shall be utilized over the course of all construction;
 - c. A stabilized entrance/exit to the site (gravel or other material) shall be installed to prevent tracking of mud/debris onto adjacent streets. The Applicant shall be responsible for sweeping adjacent streets when any construction debris is present;
 - d. Fencing and/or staking shall be employed to demarcate the project boundaries;
 - e. The Applicant is responsible for proper waste collection and disposal including provisions for comfort stations;
 - f. Streets, driveways, sidewalks, etc. shall not be blocked, closed or otherwise rendered impassable; and
 - g. Rodent control stations shall be installed at the time of grubbing and clearing and shall be maintained for the duration of construction.
- (9) The gate located between the two commercial buildings shall remain closed except for emergency use or during Applicant maintenance activities.
- (10) Two sets of interim as-builts shall be provided upon completion of items 1-8 of the Project Phasing section, and every 2 years thereafter until project is completed.
- (11) The Special Permit is issued based on a construction period of 3 years. The Applicant may request an extension of that three year period in increments of 2 years from the Town Council. However, no extension shall be granted for items 1 – 8 of the phased construction plan as outlined in Section N of the PRA Report.
- (12) Any conditions provided by the Conservation Commission and the Storm Water Authority are hereby included as conditions to this Special Permit by reference.

This list of conditions includes conditions that shall be applied to pre-construction, construction, post-construction and in perpetuity, respectively, each as noted in the PRA report or as otherwise noted above

A true copy of the PRA Report is attached as Exhibit 4.

SPECIAL PERMIT GRANTING AUTHORITY

Councilor Christos Alexopoulos

Councilor William Alexopoulos

Council James F. Burgess, Jr.

Councilor Richard Brewer

Councilor Natacha Clerger

Councilor Kenrick Clifton

Councilor Ryan Egan

Councilor Katrina Huff-Larmond

Councilor Paul McDermott

The image shows handwritten signatures of councilors on a lined background. From top to bottom, the signatures are: a signature for Christos Alexopoulos, a signature for William Alexopoulos, a signature for James F. Burgess, Jr., a signature for Richard Brewer, a signature for Natacha Clerger, a signature for Kenrick Clifton, a signature for Ryan Egan, a signature for Katrina Huff-Larmond, and a signature for Paul McDermott.