



# PLANNING BOARD MEETING

Tuesday, September 26, 2023 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

Called to order at 6:01pm by the chairman.

#### PRESENT

Alexandra Alexopoulos

Tony Plizga

Peter Taveira

Lou Sahlu

#### ABSENT

Nereyda Santos-Pina

### B. Chairperson Comments

None

### C. Approval of Minutes

#### 1. Minutes of 9-12-23

Motion made by Alexopoulos, Seconded by Plizga to approve the minutes of 9/12/2023 as presented.

Voting Yea: Plizga, Taveira, Sahlu

Voting Abstaining: Alexopoulos

### D. Public Speaks

Hearing and seeing no public comments, Chairman Plizga closed the public speaks portion of the meeting.

### E. Public Hearings

#### 1. Subdivision - Mill Street (continuance)

The Public Hearing for Mill Street was continued to this evening, however, the applicant is still working on an easement for the waterline and was not prepared for a discussion with the Board tonight. Hearing to be continued to allow the applicant more time.

Motion made by Plizga, Seconded by Alexopoulos to continue the public hearing to October 24, 2023 at 6:15pm.

Voting Yea: Alexopoulos, Plizga, Taveira, Sahlu

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

None

## **G. New Business**

None

### **1. 2024 Planning Board Proposed Meeting Dates**

The Planning Board reviewed the proposed 2024 meeting schedule. Meetings will be held the second and forth Tuesday of the month, except in the event of a holiday. The months of August and December will only have one meeting date. The consensus of the Board was to keep the meeting time at 6:00pm. Once the meeting schedule is approved it will be posted to the website.

Motion made by Plizga, Seconded by Taveira to approved the proposed 2024 Planning Board meeting dates, as presented.

Voting Yea: Alexopoulos, Plizga, Taveira, Sahlu

### **2. Liberty Street - potential subdivision w/hammerhead**

Henry Lee was before the Board for a discussion regarding a potential subdivision off of Liberty Street.

Planner Tyler provided an overview for the Board. Town Council turned a portion of the driveway into the Lyons School into a public way which created Lee Farm Road. Lee Farm Road created frontage for residential development. Mr. Lee rescinded a previous subdivision and paper road that had never been constructed, merged some lots and then created new lots with frontage on Lee Farm Road. At various points, there has been a review of the proposed subdivision of the large easterly lot and how that can be developed into buildable lots. The latest iteration has an undersized right of way, according to our regulations, that ends in a hammerhead instead of a cul-de-sac, which was previously denied by the Board.

Documents received from Mr. Lee include a sketch, fire prevention regulations regarding street access, a list of existing streets with hammerheads, as well as notes from the prior meeting on April 2022. The notes indicated that the access from Liberty Street would require approval from the Norfolk County Commissioners as Liberty Street is part of the County layout. Also, that the proposal for a 20 foot wide private way ending in a hammerhead, is currently prohibited by Planning Board regulations. Chairman Plizga

pointed out that the Board has allowed hammerheads in certain situations, citing Pham Estates for reference.

Mr. Lee said that since the previous meeting, he researched some of the Board's concerns. He found that within the Massachusetts Regulations 527 CMR (Fire Prevention Regulations) a lot created behind an existing building only needs a minimum of a 20 foot passageway. He also provided a list of all the hammerheads in town and asked the Board to take into consideration that all of those had to be approved by the Planning Board and signed off by the Fire Department. Regarding the Norfolk County Commissioner's approval, Mr. Lee noted that he had done a 20 foot wide hammerhead in the past without Norfolk County involvement and that when Lee Farm Road was accepted there was a 20 foot radius easement granted on the west side of the road that did not go through Norfolk County, so asked for clarification. Chairman Plizga asked Planner Tyler what Norfolk County's role is? Planner Tyler said NCC would need to check in on any changes to the layout such as curb-cut. Mr. Lee pointed out that there is an existing 20 foot deeded right-of-way that the hammerhead would be built on. Planner Tyler stated that it is a passageway not a right-of-way under the law.

Mr. Lee pointed out that after Liberty Place and the subdivision off of North Street (behind Sunoco) were developed, the flood plain was raised about 10 inches consuming a good amount of the usable area that now has become water storage. In addition to that, the Town rezoned the area to medium density residential bringing the minimum lot size from 12,000 square feet to 16,000 square feet, further burdening the property.

Mr. Lee said he owns a 66 foot lot on Liberty Street that is not large enough to build on. If the hammerhead is approved, he would plan to take a portion of his sister's land (Lawson Lot) to make the hammerhead work and then combine his vacant 66 foot lot with his sister's lot. Chairman Plizga asked why, if he is combining the land, can't he do a 24 foot passage way? Mr. Lee responded that the terrain is not great.

Chairman Plizga researched lots in Randolph with hammerheads on a 20 foot wide passageway and found 20 in total, none of which were approved in the last ten years. The Board's latest approval, Pham Estates, had a 24 foot wide passageway. Mrs. Alexopoulos feels that the Board needs to adhere to the rules of today which requires a 24 feet. Mr. Taveira is open to 20 feet, but prefers a turnaround over the hammerhead.

Planner Tyler pulled up the sketch plan for the Board to review. Chairman Plizga noted the commentary will be irrelevant of the elevations, as they are not well-defined on the plan. On the left of the plan there is a 38 foot wide portion of frontage on Lee Farm Road that Chairman Plizga wondered if a passageway could go in at with a turnaround possibly creating two lots? Mr. Lee responded that area is an open culvert with a 20 or 30 inch pipe that runs under Lee Farm Road and is within the flood plain. Knowing the area well, Mr. Lee believes the most tactful way to minimize the impact to the wetlands would be to proceed with one lot off of the hammerhead from Liberty Street. He would plan to locate the house straight back at the end of the hammerhead.

The Board discussed in length the topography, the size of the passageway, and debated if there could be a cul-de-sac instead of a hammerhead. They also discussed items to consider when moving forward, such as stormwater management and the water line. Any water lines entering the property could not be dead-ends, they would have to loop for water quality. The Planner suggested running the water line across from lots 4 & 5 and to

consider the stormwater management for those lots as well while developing the plans as a more cost-effective approach.

Chairman Plizga feels the consensus is that the Board is willing to consider the 20 foot passage way as proposed tonight. Some items that the Board would like to see on future plans include: a single street light, a fire hydrant, curbing on the Kane property side, bring the elevation contours out to Liberty Street (in the immediate area of the driveway), enlarge the road even if it's only to 22 feet wide, and to show a 90 foot diameter cul-de-sac in dash line with the hammerhead in solid line. Mr. Lee thought the sewer and underground electrical could potentially come in via lot 4 & 5 in addition to the water line.

Mrs. Alexopoulos asked Mr. Lee if he reached out to the Kane property owners to see if they could take 2 feet on their side to enlarge the road? Mr. Lee responded that their property is only 66 feet so it is not possible.

Chairman Plizga pointed out that this subdivision would possibly require stormwater and conservation review. He confirmed with Planner Tyler that approval of the 20 foot wide road would fall under subdivision control and would not require Zoning Board of Appeals approval, but that they may need to consider how close the structure on 172 is to the proposed road.

Planner Tyler recommended that Mr. Lee have the plans developed and submitted as a preliminary set for review to allow for changes. Mr. Lee will return to the Board once the plans are updated.

### 3. ANR - South Street/Desmond Ave

The applicant, Mr. Daly, is asking for a lot line adjustment in order for lot 11 and 12 South Street to be buildable. It is registered land currently before land court, which will become unregistered. In moving the lot lines, lot 9 becomes smaller but is still conforming. Lot 11 will be adequate in size and frontage on South Street and Lot 12 has adequate frontage on both Desmond and South Street. Lot 11 currently has a structure on it to be demolished.

Mr. Taveira asked about a guardrail on the property. Planner Tyler noted that with the ANR the Planning Board is charged with approving it based on lot size and frontage only. He also asked about a hydrant. Chairman Plizga responded that issue will be taken up by the Building Commissioner.

Motion made by Plizga, Seconded by Alexopoulos to approve the ANR based on the plan of land, Lot 9, Parcel 10, Lot 11 South Street, Lot 12 Desmond Avenue in Randolph, MA, dated May 9, 2023 as prepared by Norman Clapp.  
Voting Yea: Alexopoulos, Plizga, Taveira, Sahl

## H. Staff Report

### Active Subdivision Review

Planner will be going through the files and providing the Board with status updates for subdivisions.

### Active Project Review

Randolph Road - is still before Conservation. They have picked up the ANR but will only record it if they get an affirmative decision from the Conservation Commission.

33 Mazzeo Drive (Splash Car Wash) - progress continues but has slowed. Planner will follow-up.

647 North Main Street (Daycare) - Planner will make arrangements for a site visit. Nothing from Mass DOT regarding the status of the light.

259 Allen Street - the property is incomplete and currently up for sale. Chairman Plizga asked if the Planning Board decision is so that the decision is carried over to the new owner. Planner Tyler doesn't believe it is documented that way, but any changes would need to be filed with the Planning Board for them to render a new decision.

19 Highland Avenue - they have marked out some pavement lining and striping but that hasn't been completed due to the rain over the past few weeks. There is still a punch list.

34 Scanlon Drive - they are still finalizing stormwater the permit. Weston and Sampson required some additional testing that was just finalized. Reports are being consolidated to send to Weston and Sampson for peer review.

### **Upcoming Projects**

Lantana/Lombardo's property - no recent updates. The owner checks in now and then regarding uses. Some of the uses present challenges as High Street is a county layout. The terminus to High is Billings Street which is the frontage for Lombardo's. So there is a number of factors to consider in terms of parcel lines.

MBTA Zoning - Planner Tyler will be holding public workshops on Saturday, October 28 regarding the housing requirements of MBTA communities similar to the tabling sessions done with Town Council. The "save the date" has been posted on the Town's website and in many other locations, it will also be advertised in the Suburban Shopper as well as on RCTV. There will be three sessions available that day: 10:00 am -12:00 pm; 1:00 pm - 3:00 pm; and 4:00 pm to 6:00 pm. They will use the maps that Planning and Town Council came up with to help define the zoning districts.

#### **1. Subdivision - Country Way Lane Status Request**

Our last correspondence with Country Way Lane is that all the work would be done by Summer 2022 and it's still not complete. All the Board needs is as-builts to call it a complete subdivision. Communication has been sent asking the developer to provide an update in writing or to appear at the meeting on October 10 for a discussion with the Board.

#### **2. Subdivision Lafayette Estates Status Request**

The developers George Pickering and Joe Marotta were not present despite the Board's written request for them to appear before the Board. The subdivision was recorded at the registry of deeds in 2019 with a 3-year completion timeframe, which has expired. Planner Tyler has had conversations with Mr. Marotta regarding an extension. The performance guarantee for the subdivision was secured by a covenant which has restrictions. Lots

have been mortgaged off, which the restriction of covenant should have prevented. The road has a binder course, the sidewalks are in and the landscaping is done but there's no lighting. There are three lots remaining with no foundation in.

Late spring, Mr. Marotta assured Planner Tyler the light poles were ordered and awaiting their arrival. Planner reminded Mr. Marotta that he must report directly to the Planning Board, not the Town Engineer regarding these issues. Chairman Plizga feels the lighting is a public safety issue. Mr. Taveira asked if they should consult with the Town Attorney about having the Town put in the lights and having the Developer pay for them? Chairman Plizga feels the Town should not be taking on that responsibility.

Motion made by Plizga, Seconded by Alexopoulos for the applicant to either install permanent lighting or temporary lighting in the grassy strips at lots 11, 14, 6 and 3 on or before November 1, 2023. Any temporary lighting to have equal illumination to the permanent lighting.

Voting Yea: Alexopoulos, Plizga, Taveira, Sahl

Chairman Plizga asked Planner Tyler to get this out to them as soon as possible and copy any appropriate parties within the Town as deemed appropriate. Planner will send it out via certified mail.

#### **I. Board Comments**

None

#### **J. Adjournment**

Notification of Upcoming Meeting Dates

October 10

October 24

November 14

November 28

December 12

Planning Board member Alexopoulos left the meeting at 7:32 pm.

Adjourned at 7:35 pm.