



PLANNING BOARD MEETING

Tuesday, December 10, 2024 at 6:00 PM

Town Hall - 41 South Main Street Randolph, MA 02368

MINUTES

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 by the chairman at 6:08pm.

PRESENT

Araba Adjei-Koranteng

Tony Plizga

Peter Taveira

ABSENT

Alexandra Alexopoulos

Lou Sahlou

B. Chairperson Comments

None

C. Approval of Minutes

1. Minutes of 11/12/2024

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

Motion made by Plizga, Seconded by Adjei-Koranteng to approve the meeting minutes of November 12, 2024, as presented.

Voting Yea: Adjei-Koranteng, Plizga, Taveira

D. Public Speaks

None

E. New Business

1. Memorial Parkway (Shaws Plaza) Paving

Chairman Plizga asked the Planning Director, Michelle Tyler to provide an overview to the Board. Mrs. Tyler introduced Attorney Noemi Kawamoto as a panelist this evening. Attorney Kowamoto is serving as outside counsel on the matter for the Town of Randolph and was available to answer any questions of the Board.

The Planning Director provided a brief overview of what has transpired at 141 Memorial Parkway - Shaw's Plaza paving project. Mrs. Tyler stated that in mid-October she sent a series of correspondence to the Board making them aware of the paving project at Shaw's Plaza. The Planning Director noticed that on about a third of the lot they had graded down the pavement with the intent of repaving. At that time, there had not been a request for paving in the Town's permitting system.

Mrs. Tyler explained that all paving permits go to the Building Commissioner, the Town Engineer and the Planning Department for review and approval. For single family residential lots, the Planning Department signs off are not applicable. For small non-residential projects, the Planning Director reviews the site plan. For larger scale projects, the Planning Director provides an administrative review on the Planning Board's behalf.

Mrs. Tyler followed up with the Building Commissioner and Engineer and a stop work order was placed on the job since there was no permit request. A few days later, Mrs. Tyler noticed the paving work began again. When Mrs. Tyler followed up with the Building Commissioner, he stated he gave them approval. Mrs. Tyler asked the Building Commissioner how that was possible when it required site plan and design approval from the Planning Board and possibly stormwater review since the earth disturbance was greater than 5,000 square feet. The Building Commissioner disagreed that it required review and the DPW Superintendent was not sure.

There were a series of emails and discussions with the Building Commissioner, DPW Superintendent and consultants for DPW, the Town Manager, and the Town Attorney. Mrs. Tyler's assessment was that a Site Plan and Design review by the Planning Board was warranted and possibly a stormwater review given the scale of the project.

There was an in-person meeting which included the Town Manager, Town Attorney, Town Engineer, DPW Superintendent, the Building Commissioner and Mrs. Tyler. The DPW brought in a consultant. The meeting resulted in continued disagreement as to what constituted earth disturbance for stormwater. They resolved that milling and grading did not constitute an earth disturbance, however, the Planning Director contended that Site Plan and Design Review was still required, as did the Planning Board Chairman, who was able to come down to the meeting last minute.

The Planning Director explained that the property is 100% covered by asphalt which is pre-existing, and includes non-conforming dimensional regulations for lot coverage, set-backs, green space etc. Mrs. Tyler's contention is that the review was required and would be going into it with the understanding that they could not comply 100% with the zoning requirements, but that there was an ability to come closer to being in compliance.

Mrs. Tyler stated that the owner's representative Pam Hickey indicated that they are only repairing an existing lot with no change in parking and felt the Planning Board had

no authority for an Administrative Review. Ms. Hickey's attorney, Mr. Leon, agreed it was unwarranted. Mrs. Tyler contends that it is and referenced a section in the zoning ordinance section 200-21, which requires site plan and design review for any new or renovated parking lot. This was the Board's first look at zoning section 200-21.

The applicant submitted a permit request in the system. For many days it did not include a plan. Eventually, they did provide a sketch/plan (that was decades old) marked up with some of the Planning Director's requests. The plan does not meet handicap parking regulations under ADA. Mrs. Tyler feels there is still an opportunity to provide and address some issues such as traffic circulation and pedestrian safety etc.

The Planning Director pointed out that this was not the first time the owner has made modifications to the property without review or approval. They removed trees on Town land, changed the facade etc. It is Mrs. Tyler's recommendation that Site Plan and Design Review is warranted. It is now for the Board to decide if they agree with the Building Commissioner's decision or would like to appeal it.

The Planning Director asked Attorney Noemi Kawamoto if the information provided was clear. Ms. Kawamoto stated that it was very clear and did not have anything to add.

Member Taveira asked for the timeline. Mrs. Tyler stated it began mid-October.

Chairman Plizga did not notice zoning ordinance 200-21 referenced in the letters from the attorneys or the Building Commissioner, Ron Lum, so he would like to take a closer look at that language. Mrs. Tyler stated that she also provided the zoning ordinance language to the Town's Attorney.

Chairman Plizga stated that he participated in the meeting with Mrs. Tyler and other Town officials. At that time, approximately one third of the parking lot had already been milled and paved. Chairman Plizga proposed that they eliminate a row of parking near the main entrance to include a landscape island to bring it closer to compliance. At that time, Chairman Plizga was not certain if site plan and design review was warranted having only been familiar with section 200-91 of the zoning which was vague, and not section 200-21. Chairman Plizga noted that more than 5,000 square feet of land was being disturbed which he felt would have triggered Stormwater review. The Building Commissioner and DPW Superintendent explained that existing underground utilities and other infrastructure under grade precluded it from starting over as a new stormwater project, which Chairman Plizga understands, but hoped to reach a compromise, understanding it wouldn't be to today's standards. The landscape island would have been a sufficient compromise but, the Town's attorney stated that the applicant was not willing to add the landscaping island. The applicant was granted a stormwater permit with no changes required.

Member Adjei-Koranteng asked about the amount of surface that had been disturbed. Mrs. Tyler stated they removed and repaved approximately one third of the lot and planned to continue milling and repaving in stages (one third at a time).

The Planning Director provided the Board with Zoning Ordinance 200-21:

Parking Lot Design

(1) In addition to the provisions above, new and renovated off-street parking areas shall be constructed in accordance with the guidelines as defined in Article XI. Site Plan and Design Review, Section 200-94B(2)(f).

(2) Paving, alterations or installation of parking lots, driveways, or similar shall require a permit by the Building Commissioner in all districts.

Member Taveira asked the status of the trees that were removed. Mrs. Tyler stated that the trees were replaced immediately. The work was done in coordination with the DPW.

Mrs. Tyler asked the Board to decide whether to appeal the Building Commissioner's decision to grant the permit.

Chairman Plizga made a motion that this decision be appealed to the ZBA, specifically referencing section 200-21, as the primary basis for the appeal.

On discussion, there was a question as to whether to include language regarding the ADA parking and the ZBA appeal process. Mrs. Tyler feels the focus should be on the appeal. Chairman Plizga stated that his intent coming into this was to go along with the Building Commissioner's decision, as he is the Zoning Enforcement Officer. However, in light of zoning language section 200-21, which was not referenced in the Commissioner's letter, that has changed his opinion. Chairman Plizga feels there is evidence for Site Plan and Design Review and supports an appeal to the ZBA.

Motion made by Plizga, Seconded by Taveira that this decision be appealed to the ZBA, specifically referencing section 200-21, as the primary basis for the appeal.
Voting Yea: Adjei-Koranteng, Plizga, Taveira

2. EV Charging Stations - working draft of ordinance

Chairman Plizga hoped to have the participation of the entire Board for this discussion, particularly Alexandra Alexopoulos given her years of experience. Member Adjei-Koranteng asked if there was a deadline this ordinance. Planner stated there is not but reminded the Board that the charging stations are going in rapidly so encouraged them to possibly consider an Administrative Review for new applications until the ordinance is adopted. The Board agreed to briefly review the draft ordinance.

Member Adjei-Koranteng asked if under section D6 (e), if there is a minimum amount of charging stations dedicated as handicap accessible. Mrs. Tyler said there are not any specific regulations. EV charging stations that are accessible are not limited to vehicles with a handicap placard. There is proposed signage that directs folks to use the handicap accessible space last - if no other space is available. Member Adjei-Koranteng asked for further details regarding sections A3 and 4 that talks about a neighborhood electric vehicle and a medium speed vehicle. Mrs. Tyler stated that this is in reference to vehicles similar to golf carts and the like that DOT states can operate on a road.

Mrs. Tyler showed the Board a draft presentation that outlined the goals for meeting net zero emissions in 2050 and the amount of charging stations that would be necessary to reach that goal. Mrs. Tyler also showed the Board an example of the

neighborhood vehicle.

Member Adjei-Koranteng and Chairman Plizga asked if EV stations could be installed in Historical Districts. Mrs. Tyler said she believes that answer is yes, that much like solar there are restrictions on limiting green energy, so you would likely not be able to restrict them.

Planner Tyler stated that the first thing to look at under an administrative review would be the placement of the EV charging stations and the accessibility around them. That would be reviewed by fire prevention as well. If the battery or the charging station catches on fire, it is not easily put out, so placement and accessibility to them and around them is important. The review would also look at whether or not to install bollards. Another consideration is the amount of parking spaces required and if EV charging spots are included in that minimum or if they need to be in addition to minimum parking requirements. Mrs. Tyler stated she has not found clear language that defines that.

Member Taveira stated going into this discussion he was concerned about access in and around the charging stations but feels those concerns have been addressed. Member Taveira asked if they will be restricted to commercial properties. Mrs. Tyler stated there are varying levels of charging stations.

Member Adjei-Koranteng asked where the transformers for the stations are located. Mrs. Tyler stated it varies based on the site and could be protected with bollards.

Chairman Plizga read sub-section D4 regarding minimum parking requirements - An EV Charging space may count for one half of a space in the calculation for minimum parking spaces that are required pursuant to other provisions of the zoning ordinance - and recommends it be deleted. Then at the bottom of the page, where it reads - where charging spaces that are mobility device accessible shall count as two standard automobile parking spaces. Chairman Plizga feels the Town's regulations are complex enough regarding parking minimums that he recommends deleting the parking references to avoid further complicating enforcement of the ordinance.

The Planning Director, Michelle Tyler asked the Board if they prefer to require an administrative site review until the ordinance is in place, or have the Building Commissioner and Electrical Inspector perform that review. Mrs. Tyler feels it could be done collaboratively. Chairman Plizga agreed and thought they could use the draft language as a guide.

The Board agreed to require an Administrative Review on behalf of the Planning Board for any new EV Charging Stations project requests that come in.

3. Board Organization for 2025 - Chairperson & Vice chairperson

The Board agreed to defer the vote to nominate Chairperson and Vice Chairperson until after roll call on January 14, 2025.

F. Staff Report

Active Subdivision Review

With the unfortunate passing of two developers, Karl Wells and Joe Marrotta, the Planning Director will allow the families some time before reaching out regarding unfinished subdivisions. Mr. Marrotta has two unfinished subdivisions – Arredondo Circle and Lafayette Estates. Mrs. Tyler will be reaching out to his partner George Pickering on Lafayette Estates which still has a few homes under construction.

Allen Street - Convenience Store

The owner has not been maintaining any of the landscaping. The Planning Director reached out numerous times and sent it to Code Enforcement to enforce the Town's property maintenance standards.

Active Project Review

Zoning Recodification

Planner Mrs. Tyler sent notes to the consultant related to the weight and content of the zoning ordinance. Now that restructuring portion has been done, the committee will be looking at making significant modifications to its content. The Planner is pleased with the work completed thus far. They tackled the *Table of Allowable Activity* and made some recommended changes.

Accessory Dwelling Units (ADUs)

The Planning Board made a recommendation to adopt ordinance related to ADUs with amendments to Town Council. Town Council opened their public hearing last night. At the Planner's request, they've continued their deliberation until January 27, 2025. ELHOC issued draft regulations on December 6 which impacts the draft ordinance. It contains language that has restrictions in Historic Districts. Chairman Plizga asked if the effective date will be extended with these last-minute changes. The Planner has not heard if it will be extended. Ms. Adjei-Koranteng asked if the amended ordinance will come back to the Planning Board for review. The Planner stated that she would be seeking guidance from the Town's Attorney on that, particularly if the ordinance is significantly different than what Planning Board proposed. The Planner stated that she participated in a webinar and asked if more than one ADU could be restricted. The response was yes, but previous guidance was not clear on that.

Master Plan Committee

The Planning Director stated that the last Master Plan was adopted in 2017 and typically follows a 10-20-year cycle. As we grow closer to 2027, the Planner wants to put it on the Board's radar to allow enough time to create a budget for and hire a consultant if they felt an update was needed.

Permit Tolling/Permit Extensions

Governor Healey signed into law an automatic two-year extension for projects that were granted permits during the Covid years. The Planning Director will need to go through and make note of all projects that were approved during this time frame and grant them a 2-year extension.

G. Board Comments

The Planning Director invited the Board to attend the Year End Celebration for Town employees at the RICC on December 11.

H. Adjournment

Notification of Upcoming Meeting Dates

1/14/2025

1/28/2025

2/11/2025

2/25/2025

3/11/2025

Adjourned at 7:26pm