



PLANNING BOARD MEETING

Tuesday, July 25, 2023 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 via telephone or computer.

A. Call to Order - Roll Call

Called to order at 6:05pm

PRESENT

Alexandra Alexopoulos

Tony Plizga

Nereyda Santos-Pina

Peter Taveira

Lou Sahl

B. Chairperson Comments

Chairman Plizga stated that the Planning Board members represent the Town both as residents and as Planning Board members. The expectation of the residents is for the Planning Board members to make a decision on their behalf. Although the Board may not always agree, members should ask questions of the applicant and Town Planner and make their position known to the Board on any project, issue or decision that comes before them, unless there is a conflict of interest. He strongly encourages all members to cast a vote unless there is a clear specific reason to abstain.

C. Approval of Minutes

1. Minutes of 7/11/23

Minutes of July 11, 2023 were approved as presented.

Motion made by Santos-Pina, Seconded by Taveira to approve minutes of July 11, 2023.

Voting Yea: Alexopoulos, Plizga, Santos-Pina, Taveira

Voting Abstaining: Sahl

D. Public Speaks

Hearing no public comments, Chairman Plizga closed the Public Speaks portion of the meeting.

E. Public Hearings

1. Subdivision - Mill Street continuation (6:15pm)

Planner Tyler has been reaching out to the applicant, Mr. Francis Sun, and the engineer for updates on the potential water line easement. They have a draft plan showing the location of the easement but have not come to an agreement with property owner. Planner Tyler recommends continuing the public hearing until September to allow the applicant time to resolve the issue.

Motion made by Plizga, Seconded by Taveira to continue the public hearing until September 12, 2023 at 6:15pm

Voting Yea: Alexopoulos, Plizga, Santos-Pina, Taveira, Sahlu

F. Old/Unfinished Business

G. New Business

1. 19 Highland Ave - landscaping and amenities update

Planner Tyler went on a site visit to 19 Highland Avenue with Chairman Plizga last week to review a number of changes to the site requested by the applicant and engineer which will be presented this evening on updated plans.

The project engineer, Chi Man of Hardy Man Designs, was in attendance to address changes requested by the applicant beginning with the directional sign detail. The 36x24" sign will have the site logo and an arrow to direct traffic into the Highland Avenue entrance and away from the Warren Street entrance.

The last landscape plan showed 4 refrigeration and compressor units in one location and 3 more up at the building entrance. Now that they only need 5 units, the new plan shows all five units in one location screened by vegetation. Chairman Plizga feels it is an improvement over the original plan. Mrs. Santos-Pina asked for the height of the evergreens that would be used to screen the units. Mr. Man said it will be and Emerald Green Aborvitae instead of Leland Cyprus. Planner Tyler said they grow to a height of 10-15' feet high and spread 3-4' at maturity to create a living wall.

Chairman Plizga noted there is an apartment window that would be looking right out to the picnic area and asked what would be done to mitigate that? Mr. Man said they talked about fencing or screening but feels plantings provide a more organic appearance rather than some type of wall. He noted they have added a second row of evergreen to screen the picnic area from the compactor area. He requests the picnic area surface be changed to turf, which will be flush with the sidewalk and ADA accessible.

The commercial area patio is in close proximity to the first floor residential unit, so the applicant proposed a trellis along that end of the patio to provide screening. Mr.

Man showed the Board the proposed 8x4' vinyl lattice panels which will be used to create a 15' wide by 8' tall lattice wall. The patio will have a glass railing system all the way the patio including the screened area. Chairman Plizga wants to ensure the patio area has no trip hazards.

Planner Tyler recapped tonight's discussion. There was an area on the landscape plan at the Warren Street entrance that was completely neglected. Planner recommended cleaning up the area and planting Rosa Rugosa which is highly salt tolerant. An 18" wide stone drip strip was not on the original plan, but was added around the perimeter of the building. The applicant is adding 18 electric vehicle spots. The rest were punch-list items. Mrs. Santos-Pina asked if the parking ratio is met with the EV stations and if they are for residents only? The ratio is met if they do not designate the spots specifically for EV vehicles. Mr. Man noted they could be used by residents and visitors. While not having the spots designated is less than ideal, Planner Tyler believes there is value in having the charging stations on site.

Mr. Sahlu inquired about the wiring of the EV stations. Chairman Plizga responded that it would go through the Building Commissioner to ensure proper approval.

As Chairman Plizga was entertaining a motion, Mrs. Santos-Pina requested a discussion before the vote as she is not in favor of the lattice wall material proposed. She feels it is flimsy and does not compliment the design, and pointed out that the plan only shows the wall finished on one side. The Board discussed some options to finish the wall on both sides and box it in with PVC trim.

Motion made by Plizga, Seconded by Alexopoulos to approve the aforementioned discussion items that Planner and Chairman went through, based on the same set of drawings dated July 20, 2023, sheet 7 and 7A subject to the applicant modifying the lattice detail that was presented to include a minimum of 5 posts with lattice work on both the north and south sides, and some interior bracing elements made of white vinyl PVC type material and to make sure that detail is included on the as-builts.
Voting Yea: Alexopoulos, Plizga, Santos-Pina, Taveira, Sahlu

Planner Tyler recommends that the applicant give her a call before the first install of the lattice trellis wall before they get too far, especially since they changed the post and detail.

Chairman Plizga asked Planner Tyler if there is anything the Board needs to follow up on Diauto Drive? Planner Tyler received an email that indicated improvements such as lane markings for 200-300 feet and turning lanes, stripe crosswalk and general road upgrades, but noted it did not reference milling and repaving specifically. Chairman Plizga feels that when the Board asked for general road upgrades, at minimum it would include the surface. Planner Tyler will refer back to the minutes and recording to confirm and let the applicant know what was originally agreed upon.

Chairman Plizga told the Board that Taj Estates has a website advertising the units with hopes to be open by September.

Miraj Ahmed noted that they added additional trees to the landscaping. The plan called for 4 trees, when they realized it was not enough they put in about 16 trees. He also noted

that the metal railings on site will be white rather than black - he felt black would not match.

H. Staff Report

Active Project Review

Randolph Road (Warehouse) - is in the appeal period for site plan and design. Their public hearing with Town Council for a special permit to operate between the hours of midnight and 5 am was opened and continued until August. They will be meeting with Conservation again to work through any protections of the wetlands or the resource areas.

34 Scanlon Drive (Yankee Bus Lines) - Planner Tyler met with the team regarding some changes they thought could be approved administratively. While the changes are minor, they could potentially impact the storm water analysis currently underway by Weston and Sampson so Planner Tyler would like the Board to review them. The applicant wants to bump the building out 4' on the eastern side of the building to accommodate the fueling system and also would like to relocate some bus parking.

33 Mazzeo Drive (Splash Car Wash) - construction continues. The applicant provided the final detail for the graphics to be applied to the side of the building in the pattern requested by the Board.

249 Allen Street - no update since the last meeting. Possibly some interior work being done.

647 North Main Street (Daycare) - no update since the last meeting on the traffic signal. Chairman Plizga asked if some of the abutter questions have been abated? Planner Tyler stated there were questions about the validity of the project and whether or not there are pre-existing special perimeter limitations on the properties in that area - there were not. Another abutter wanted the applicant to change the type of fencing from vinyl to chain link, which the Board would not likely be in favor of so they did not bring it forward. Planner has not done a site visit, but will add it to her list.

30 South Main Street (Daycare) - they have submitted their sign permit application.

Active Subdivision Review

Planner Tyler reviewed the Subdivision Rules and Regulates as they pertain to performance guarantees. She feels some updates are needed since they were last updated by the Board in approximately 2019. It references a requirement for a performance guarantee as outlined in Mass General Law. It provides a developer or an applicant land owner approximately 4 different methods to guarantee performance of the subdivision to ensure the requirements of the Town are met. The Planning Board does not get to choose the type of performance guarantee, that is for the owner/applicant to decide. They can change the method from cash surety or bond at the outset to a covenant or vice versa. In the event the road work is left unfinished by the applicant, the cash surety or bond could be called upon to help the Town complete the road. A covenant would not allow the Town to finish the work, but helps restrict the sale of lots by not allowing it to be mortgaged until the Planning Board restrictions are met. The covenant runs with the land.

Recently, the Planning Board encountered a case where two lots were sold and occupied while the covenant is still in place. The owner of the third lot is prevented from selling due to the covenant which has not been lifted due to outstanding road work.

When the land was subdivided to create the four lot subdivision known as Orchard Estates (Cherry Circle), Mr. Hannigan was the title owner. A cash surety was put down by the developer, Todd Sandler, which was subsequently withdrawn, at the developer's request, for a covenant. At that time, the Planning Board allowed one lot to be released/sold, as this particular lot was located on the corner and not really impacted by the new street, leaving three lots covered by the covenant - two of which have been sold. The remaining lot, owned by Mr. Hannigan, cannot be sold until the covenant is lifted, as he is the original title holder.

One course of action is for the Planning Board to rescind the subdivision, which is not ideal. Or, another option would be to change the type of performance guarantee to a cash surety or bond against the outstanding items which releases the covenant and allows the parcel to be sold.

Planner Tyler noted that the work left to be done on the road, as of June 2022, includes the top course, bounds, and as-builts. Planner has been reaching out to the developer via email with no response and pointed out that Mr. Hannigan is at risk here, not the developer. Chairman Plizga feels the work should be the responsibility of the developer, but legally is the responsibility of the owner in this case. Chairman feels they should have a discussion with the developer to expedite the issue - get them to complete the work rather than have Mr. Hannigan have to come up with a cash surety or bond. The Board briefly discussed the outstanding items and their approximate cost. They felt Mr. Hannigan was getting the short end of the stick since the developer has not completed the work to have the covenant released. Mrs. Santos-Pina wonders what the contract is between the parties. Planner Tyler was not privy to their agreement. She believes the Planning Board forms could be updated to be more restrictive to prevent this in the future. Planner feels if the performance guarantee is somehow referenced on the mylar that is endorsed by the Board it will be less likely to be missed on the title search. Any draft changes to the rules and regulations will need to be voted on at a Public Hearing. Chairman Plizga asked Planner Tyler to proceed in drafting the changes. Mrs. Santos-Pina suggested tying something to receiving the as-builts, such as occupancy, so there is a motivation by the applicant to get them done. Mrs. Alexopoulos believes making these changes to the rules and regulations should be a priority so this doesn't happen in the future. Planner Tyler will follow up with the developer.

I. Board Comments

Planner Tyler noted that the Board will have an interactive joint meeting with Town Council Wednesday, August 2, regarding the MBTA Zoning requirements.

J. Adjournment

Notification of Upcoming Meeting Dates

8/15/2023	9/26/2023	10/24/2023
9/12/2023	10/10/2023	

Motion made by Taveira, Seconded by Santos-Pina to adjourn the meeting at 7:19pm.
Voting Yea: Alexopoulos, Plizga, Santos-Pina, Taveira, Sahl