



PLANNING BOARD MEETING

Tuesday, April 09, 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

Chairman Plizga called the meeting to order at 6:00 pm.

PRESENT

Araba Adjei-Koranteng
Tony Plizga
Peter Taveira
Lou Sahlu

ABSENT

Alexandra Alexopoulos

B. Chairperson Comments

C. Approval of Minutes

1. Minutes of 3/26/2024

The Board approved the minutes of March 26, 2024 as presented.

Motion made by Plizga, Seconded by Sahlu to approve the meeting minutes of March 26, 2024 as presented.

Voting Yea: Adjei-Koranteng, Plizga, Taveira, Sahlu

D. Public Speaks

None

E. Public Hearings

1. Town Council Order 2024-007 - Proposed Amendment to Zoning Ordinance (continuation 6:15pm)

Chairman Plizga stated that the Board has been tasked with reviewing Town Council Order 2024-007. The intention is to send it back with recommendations for Town

Council to consider. At the last meeting, the Board reviewed Planner Tyler's suggested changes. Since then, Planner Tyler provided an updated memo dated March 27, 2024 outlining some additional changes.

I. Amend section 200-3 concerning word usage; definitions

Chairman Plizga asked if the Board members had any comments on Section I of Section 200-3 concerning Word usage; definitions. No comments from the Board.

II. Amend the Table of Allowable Activity

Chairman Plizga asked Planner Tyler about the BHAD listed in the table. Planner said it is the Business Housing Authority District (BHAD) which includes the properties at Decelle Drive and Sunshine Avenue used as housing for seniors and disabled adults. Chairman Plizga stated the table shows that 25 units or more requires a special permit and asked the Planner about potential future development. Planner explained that those properties are owned by the Housing Authority and subject to statutes at the state level. The Planner does not anticipate that they would ever fall under the mixed-use category. Based on that, Chairman Plizga recommends changing "special permit" to "No" in the 25 units or over category of the table. Ms. Adjei-Koranteng asked for clarification. Chairman Plizga stated the change would ensure both categories are consistent and recommended switching it to "no" since mixed-use is unlikely.

III. Amend section 200-11.C (delete the following text in section 200-11.C.1.b)

No comments from the Board on this section.

IV. Add new section 200-11.2 Mixed-Use

Chairman Plizga explained that this section is where the guts of the new zoning is listed and that the Town Council draft applied to all Mixed-Use. Based on the Board's last discussion, the Planning Board is excluding all overlay districts from Mixed-Use such as the Union Crossing Overlay District.

Sections: A. Exceptions; B. Applicability; C. Dimensions

No comments from the Board.

D. Site Design Standards

Subsection D (1)

Slight modifications to section D (1) noted in italics:

(1) All permitted non-residential uses shall be limited to the ground floor and basement of the *principal structure*. The SPGA may permit non-residential uses to occupy other floors of the *principal structure* only after determining that the location and design of such spaces, including access and egress, will not impact the privacy or security of residential occupants.

Subsection D (3)

Chairman Plizga would like to change the word "*may*" to "*shall*" in the second sentence under item (3):

(3) The non-residential uses in a Mixed-Use development shall be developed prior to or concurrently with residential uses. Concurrency *may* (*change "may" to shall*) be established by approval of a Master Plan that provides a mixed of uses that includes all proposed uses.

Subsection D (4)

Chairman Plizga recommends the insertion of the word "total" before square footage of all structures. Chairman Plizga believes leaving it as is may be misinterpreted to mean *each* building in the development would have to have a minimum of 25% dedicated to Mixed-Use. By inserting "total" it may provide clarity that it is 25% of the total project square footage (ie. one building could be all residential, as long as the development reaches 25% of total project). Mr. Taveira inquired if there should be additional language to reference existing structures. Planner Tyler doesn't believe it is necessary as it doesn't amend the density requirements, explaining that the Special Permit granting authority would have some flexibility to look at it further. Planner Tyler stated that the Town Council will also be looking at the language and could make a determination if that is necessary.

(4) A minimum of 25% and a maximum of 75% of the (*insert: total*) square footage of all structures contained in a Mixed-Use Development shall be devoted to dwelling units.

Subsection D (5 a)

The Board must decide which set of language will be used for section 5 (a). Chairman Plizga explained for the first option the Town would be setting the criteria, where the second option refers to state code that could change over time. If something changed at the State level, it would be nice not to have to go back and revise it. For that reason, Chairman Plizga is leaning toward the second option and the Board agreed. Planner Tyler will delete the first option – see strikethrough text below:

(5) Minimum residential densities for a Mixed-Use development shall be 12 units per gross acre.

(a) Density shall be calculated as the total area of the parcel ~~less any land within a body of water, situated within a wetland or within fifty (50) feet of a bordering vegetated wetland (BVW).~~ **OR** less any land which is part of a Wetland Resource Area as specified in 310 CMR 10.2 (1)(a) subject to protection under the Massachusetts Wetland Protection Act, MGL, c. 131, Section 40, nor any land within 75 feet of such Wetland Resource Area.

Subsection D (5 b)

Chairman noted the first sentence sounds like a repeat and suggests it be deleted from section (5 b). The second sentence will remain, deletion in strikethrough:

~~(b) Non-residential uses developed as part of a Mixed-Use building that includes housing shall be developed to maintain a minimum density of 12 dwelling units per acre. When a development site is composed of 2 or more phases, each phase shall also meet this standard.~~

Subsection (14)

Slight modifications/additions noted in italics:

(14) Where any Mixed-Use development abuts a residentially zoned parcel(s), there shall be adequate transition between the Mixed-Use development and adjacent residentially zoned parcel(s). *Fencing, landscaping and similar items may be used to accomplish this.*

E. Parking

The Board had a brief discussion regarding section (1) regarding parking grade and structures. There will be no changes to this section.

F. Affordable Dwelling Units - Subsidized Housing Inventory

Slight modifications/additions noted in italics:

Any Mixed-Used development, whether through conversion or new construction, that includes greater than 10 dwelling units, must include dwelling units that comply with the requirements and regulations of the *Executive Office of Housing and Livable Communities (EOHLC)* as Local Action Units (LAU) through a Local Initiative Program (LIP) as specified below:

Subsection (1)

(1) Ownership units. For all Mixed-Use developments where the Affordable Dwelling Units proposed are Homeownership Units, not less than twenty percent (20%) of the total dwelling units constructed in the Mixed-Use development shall be Affordable Dwelling Units.

Chairman Plizga inquired why 20% was used instead of 25%, as a calculation of 25% was used on the Fencourt project? Planner Tyler feels 20% offers developers a better return on investment. Planner stated the percentage wasn't specified in zoning and that 25% was a level decided upon by the Plan Review Authority (PRA). Planner doesn't believe the language needs to specify levels of affordability (there are three) and explained that LIP's at a level over 10% are typically not attractive to developers as there is a lot of work behind the scenes by both the developer and Town to report on them annually. Planner stated there may be changes to how the Subsidized Housing Inventory (SHI) is calculated, but for now, you get credit for the entire amount of units in a development under 40B toward your SHI.

Subsection (3)

(3) For purposes of calculating the number of Affordable Dwelling Units required within a Mixed-Use Development, any fractional unit of 0.5 or greater shall be deemed to constitute a whole unit.

Chairman Plizga initially stated he would rather have this language read: "any fractional unit shall be rounded up to a whole unit." After discussion with the Board the recommendation was withdrawn.

Board Comments/Questions

Chairman Plizga asked the Board members if they have any questions or comments. Mr. Taveira thanked Planner Tyler for her efforts in organizing the changes in such a way that was easy to digest. Ms. Adjei-Koranteng asked for clarification about the Table of Allowable Activity that under BHAD. The change was to not allow mixed-use in units under or over 25 units. Chairman Plizga explained that by Planner Tyler's assessment, a small shop such as a barber shop within this district would be considered an accessory use as opposed to mixed-use.

Voting Thresholds

Planner Tyler reviewed the voting thresholds. A Zoning Amendment requires a super majority vote for both Planning Board (4 out of 5) and Town Council (7 out of 9). However, The Acts of 2020, included a reduction in voting thresholds for Zoning Amendments that increased housing, then the super-majority dropped down to a simple majority. In the Planner's report to Town Council, Planner made a modification to the section "Voting Threshold" to cite the reasons it will be a simple majority. Mr. Taveira inquired if they should wait to vote for Ms. Alexopoulos? Chairman Plizga stated that it was his understanding that Ms. Alexopoulos was in favor of it. Chairman also noted there was a sense of urgency to get this done tonight.

Motion made by Plizga, Seconded by Adjei-Koranteng to recommend adoption of Town Council Order 2024-007 with amendments as presented in the Memo from the Town Planner dated March 27, 2024 and including those revisions agreed upon in this evenings discussion..

Voting Yea: Adjei-Koranteng, Plizga, Taveira, Sahlu

F. New Business

1. Subdivision - Orchard Estates

Planner Tyler explained that an abutting resident has been complaining of excessive water on their property since the subdivision creating Cherry Circle went in. Planner went on a site visit during the rainy weather and noticed a lot of water on the property, but no sheet flow from the road at all. Chairman Plizga reviewed the plans to look at the contours to determine if that was a factor. Existing conditions on the plan showed clay pipes running to a drainage ditch, one of which was on the abutting property that became the road. The developer connected a new pipe to the abutters clay pipe tying into the manhole that now diverts to a Cultec System.

The Town Engineer, Jean Pierre-Louis, did a site visit and suspects the pipe may be clogged with debris. The Department of Public Works will inspect the pipe, under the Town Engineer's supervision. Aside from that they did not see anything related to development that would have caused additional water on the abutting property. Chairman Plizga guesses that the clay pipe may have collapsed due to age thereby causing the blockage. Planner will reach out to the abutter to report their findings.

G. Staff Report

1. Misc Information

Citizen Planning Training Collaborative

Planner is making arrangements for an in-person training for *Roles & Responsibilities of the Planning & Zoning Boards*. Planner Tyler stated the training has not been done in years and believes it will be beneficial for the new members of the Board, as few members were recently also appointed to the Zoning Board of Appeals. Planner will be inviting members of the Zoning Board of Appeals and Conservation Commission to attend.

The Municipal Empowerment Act

Part of this will be to decide whether remote participation will continue. Currently it will end March of 2025. There is a push to make it permanent.

Online Permitting

Planner Tyler explained that the Planning Department has submitted a request to initiate an online permitting process. Currently the Building Department and Health Department use the platform for their permitting. Code Enforcement will also be coming online soon for fines or tickets. Planner Tyler stated that the public can view permits online along with the plans and attachments. Sign-offs are also done online. There are modules for Planning, Con-Com and ZBA and each module is customizable.

Currently the Town of Easton uses the platform. The Planner has had discussions with them about how the process works. It will not eliminate the need for paper forms - that may still be required - but they could initiate the process online, submit plans and payment and this would all be available online for public view.

Once the project is fully approved, work will begin with *Full Circle Technologies* to customize the platform for the Planning Board/Department. Chairman asked when the application will be considered complete? Planner said it is typically when it is received and time-stamped by the Town Clerk, but will be speaking with Easton to see what they do.

Zoning Re-Codification

Planner Tyler held a kick-off meeting to set a time-line. The consultant's approach will be to first look at erroneous information and duplications to establish what will be

eliminated. They will be working off of a lengthy Word Document that will be marked up as changes are made.

MBTA Zoning

This week there will be a tabling exercise with the Consultants, Planning Board and Town Council. The meeting will be displayed on Zoom.

Randolph Road

Planner met with abutters and the site supervisor about some additional trees to be removed.

Request for Zoning Map Change

Planner received a petition for a zoning amendment and is asking for the Board's consent to initiate the public process to change the zoning.

The front of the property is zoned single family/residential, and the back three quarters is zoned industrial. The rear is not developable based on wetlands.

The property is under agreement and the applicant has drawn up draft plans for a proposed 15-unit Townhouse development. The applicant would donate a portion of the land in back to the Town's Conservation Commission. Access would be through North Street. There is a historical structure on the property the applicant proposed to move back on the property that would become a common space for the condo complex. Planner noted these plans are subject to change.

Chairman Plizga asked the members if they had any objection to supporting this change. No objections were made by the members of the Board.

H. Board Comments

None

I. Adjournment

Notification of Upcoming Meeting Dates

4/23/2024

5/14/2024

5/28/2024

6/11/2024

6/25/2024

Chairman Plizga may cancel the next meeting if the only business is to approve meeting minutes which is to be determined. Meeting adjourned at 7:21 pm.

Motion made by Taveira, Seconded by Adjei-Koranteng to adjourn the meeting.
Voting Yea: Adjei-Koranteng, Plizga, Taveira, Sahl