



PLANNING BOARD MEETING

Tuesday, February 28, 2023 at 6:00 PM

Town Hall - 41 South Main Street Randolph, MA 02368

MINUTES

In accordance with Governor Baker's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 COVID 19 emergency, the Planning Board shall meet remotely to avoid group congregation.

A. Call to Order - Roll Call

Chairperson Plizga called the meeting to order at 6:03pm

PRESENT

Alexandra Alexopoulos
Tony Plizga
Peter Taveira
Lou Sahlu

ABSENT

Nereyda Santos-Pina

B. Chairperson Comments

None

C. Public Speaks

None

D. Public Hearings

1. Subdivision: Trim Way Definitive Plan REVISIONS (continuation)

Continuation of the public hearing for the proposed subdivision. The Board was joined by Mike Khoury, Steve Bouley of TetraTech and Debby Stein Sharp.

The Planner provided a summary of the last meeting and notes that the agenda packet includes an affidavit from the adjacent property owner at 360 North Street whose property is impacted by the subdivision as well as responses to the Nitsch Engineering peer report made by TetraTech. The Planner also provided a draft decision and conditions for the Board to use as a template should they come to a conclusion and vote at the end of this hearing.

Steve Bouley of TetraTech provided a revised plan and reviewed each of the changes made from the initial submission as a result of the peer review report from Nitsch.

Discussion was held regarding the draft decision and conditions. Because there is no construction intended, many of the sections in the decision seem to be unnecessary. The Planner, however, states a belief that some of the language should remain in the decision and perhaps be edited to make it clear which items must be addressed with a Planning Board for any future owners or any future construction plans -- or to identify the triggers that would require those with rights in the way to come before the Planning Board for modification.

The applicant's team provided their proposed revisions to the draft decision and conditions suggesting removal of most of them since the current applicant does not intend construction. Lengthy deliberation about the long term impact of the decision if there were new property owners and what actions would require the Planning Board to require construction of the way. The Planner specifies that the language suggested in the draft decision mirrors the requirements for improvement of a paper street as outlined in the Board's subdivision rules and regulations and is worded to provide a future Planning Board flexibility in waiving requirements for construction. The goal of the decision is also to make the Board's vote as clear as possible so that a future Board 10 or 20 years down the road would understand the intent of the decision. The Board collectively agrees that the language should remain in the decision.

Debby Stein Sharpe asked about the addresses proposed for the two parcels listed in the decision as #2 and #3 Trim Way. She notes that one of the parcels has been listed as 80 Trim Way for their mailing address for years and asks if it can be used. The Planner indicates that the Town's regulations stipulate address conventions and having parcel address #2 next to address #80 doesn't seem likely, however, she will relay the request to the Town's Engineer for his determination. The address of 80 Trim Way is not a legal address on the Town's records at all since there is no road named Trim Way at this point.

The subject of the Performance Guarantee requirement was discussed at length. The applicant's team doesn't believe one should be required since there is no construction planned there is nothing to secure. The Planner indicates that the requirement is is Mass General Law and not a local ordinance. As such, she doesn't believe the Board has the right to waive or otherwise ignore the requirement and suggests the applicant consider a covenant. The applicant's team points out that a covenant wouldn't allow for modification of the properties. After coming to no conclusion on the Performance Guarantee topic, the Planner agreed to pose the question to the Town's Attorney for review.

Chairman Plizga makes a motion to approve the definitive subdivision as presented on TetraTech plan sheets dated February 22, 2023 with the waivers identified on attachment A since no construction activities are planned at this time any subsequent revisions, such as right away, construction, sidewalk construction utility, improvements, drainage, revisions, street light additions, etc. Shall be submitted to the planning director for review, and to the Planning Board for review and approval prior to the start of construction activities. Seconded by Taveira

On discussion Member Alexopoulos voices concerns that the Board would be voting without a final agreement on the decision and conditions. Chairman Plizga indicates the Board has determined which changes need to be made on the document. There was further discussion that there is no knowledge of what information will come back from the Town's Engineer or from the Town's Attorney which would impact the written decision. The Planner recommends that the Board not take a vote at this meeting but close the public hearing while these details are being worked out.

Chairman Plizga withdraws the motion and makes a motion to close the public hearing. Seconded by Alexopoulos.

Voting yea: Alexopoulos, Plizga, Sahlu, Taveira

Chairman Plizga makes a motion to continue to March 14. Seconded by Alexopoulos.

Voting yea: Alexopoulos, Plizga, Sahlu, Taveira

E. Old/Unfinished Business

F. New Business

1. 19 Highland Avenue - plan updates

Chi Man of Hardy + Man Design Group joined the meeting on behalf of the 19 Highland Avenue project. Chi reviewed the latest plan for landscaping the parcel as well as reviewing the location of some of the site structures including the retaining wall, air conditioning compressor units, refrigeration units, transformer pad with bollards, landscaping, etc. A plan was sent to the Planner in January that corrected all of the previous requests by the Planning Board.

The current revision of landscaping adds trees along Highland Avenue diversifying the species of trees. It also provides additional landscaped screening along Warren Ave to better shield the gas meters.

Chairman Plizga notes that there is an error on the plan page referencing the height of the compressor units as no higher than the top of wall. That is an error that should be remedied.

Member Alexopoulos voices concern about whether the sign to be installed at the corner of Highland and Warren that directs visitors to the main entrance will be obscured by any landscaping. Discussed proposed plant species in that location to ensure that they are either short enough or will be maintained so as not to obscure the signage in any way. Planner suggests changing the PJM and hydrangeas to daylilies to ensure low enough growth.

Motion made by Plizga, Seconded by Alexopoulos to approve the revised plan on drawing sheet 7 of 11 with a revision date of January 8, 2023 with a change to the

vegetation at the corner by switching out the PJM and hydrangea to daylilies.

Voting Yea: Alexopoulos, Plizga, Taveira, Sahl

Chairman Plizga reminds Chi that there remain a number of open items from the Board's initial approval such as sidewalk construction and curbing, trim board as well as additional notes that have been sent out previously. He suggests that a meeting be scheduled with the Planner to review the items to ensure they are completed. He also notes that the paint color currently on the commercial units on the first floor does not appear to be the color that was previously approved by the Board. Mr. Ahmed (property owner) indicates that is only a base color and not the final installation. Mr. Plizga asks for a color code or sample in order for the Planner to confirm the selection.

2. 33 Mazzeo Drive - Splash Car Wash - Request for Modifications

Tracy Duarte from MBL joined the meeting to request minor modifications to the Splash Carwash at 33 Mazzeo Drive. The plans were presented on screen and Tracy reviewed each of the proposed changes that were outlined on the plans.

Chairman Plizga asked for confirmation that the proposed changes do not impact the zoning table as it relates to pervious and impervious surface covering. Per Tracy, it does not; the impact is to the interior building and not the footprint. Additional changes were in the right of way and not the owner's property. There was discussion about grading and drainage changes. Chairman Plizga asked for confirmation that DPW has reviewed the changes and has no issue with them. The Planner concurs that there is no issue identified by DPW.

Chairman Plizga reiterates a desire for the vacuum arms to remain silver/gray or other muted color. Tracy to relay that to the contractor.

Motion made by Plizga, Seconded by Alexopoulos to approve the modifications for 33 Mazzeo Drive on the drawing set dated February 21, 2023 as presented.

Voting Yea: Alexopoulos, Plizga, Taveira, Sahl

3. Zoning Audit Interview - Barrett Planning, LLC

Planner Tyler introduced the topic to the Board reminding members that the Planning Department issued an RFP seeking consultants to conduct a Zoning Analysis of the Randolph Zoning Ordinance. Through the Planning Department budget, the firm of Barrett Planning Group, LLC was contracted to provide the services. Judi Barrett and the team have been reviewing the Zoning Ordinance, General Ordinance, Rules & Regulations of the Planning Board and Town Council for Special Permits. Their goal is not to comment subjectively on the merits of the Town's zoning but instead to review its usability, conformity with state and federal statutes including case law, consistency in terms and layout, incorporation of user aids and more.

Discussion times with Barrett Planning Group were offered to the Town Council, Zoning Board of Appeals, Building Commissioner and Town Attorney. This was an

opportunity for those members to identify issues they may have with understanding, interpreting and/or finding information in zoning.

Tyler Marin from Barrett Planning Group joined the meeting to receive feedback from Planning Board members. Lengthy discussion followed about the challenges in using the current zoning code due to contradictory information between sections, the number of zoning districts, the extent of The Table of Allowable Activity and whether there are sections missing from the zoning code that should be included.

The Board discussed whether the review period should be left open to incorporate additional comments before any final report is issued. There were questions by the Board about what the deliverable would include: is a report? a plan for action? suggestions? There was further discussion about the need to post a zoning map online rather than merely the thematic overlay on the GIS.

Mr. Marin completed his information collection from Planning Board.

G. Staff Report

The Planner reminds members that there are a number of documents that require signatures including 2 mylars and 2 decisions so that things can be recorded at the Registry of Deeds. Please make arrangements to affix your signature to the documents.

The Planner advises the Board that a part-time Planning Clerk will be joining the team. She will work 3 days per week in the office (Tuesday through Thursday) and not expected to attend evening meetings but will transcribe minutes from the recording. She will also handle administrative functions including sending out subdivision status requests for all unfinished projects. That should take place some time in April with responses expected in May.

The Planner references comments/questions/issues raised at a recent Town Council meeting regarding tree removal at a commercial property under development. At least one Town Councilor suggested that the Planning Board had violated regulations for the property under development at 33 Mazzeo Drive (Splash Car Wash) noting that they had grubbed and cut the majority of the parcel in advance of grading, pouring foundations, etc. The Planner reviewed all current zoning and general ordinances as well as Planning Board regulations to find any language that referenced prohibitions for clearing, grubbing or tree cutting. None were found. As such, it does not appear that the Planning Board violated any regulation in approving or monitoring the project in question. That information was relayed to the Town's Attorney and Town Manager on behalf of the Planning Board.

259 Allen Street construction has been on hold seemingly due to financial issues.

Planning has taken on a Randolph senior through the tax abatement program. She has a great skill set so she is working on a Business Development Guide on behalf of the Planning Department.

Chairman Plizga referenced a Town Council meeting where a resident asked about the construction on Mazzeo Drive and no one at that meeting was able to identify the project for the resident. Mr. Plizga wonders if it makes sense to send an email or other notification to the Town Manager and/or Town Council after a Planning Board decision so they know

what's going on. The same situation happened with the daycare under construction on North Main Street.

Lengthy discussion amongst the Board members and the Planner about whether such an effort is necessary, for which threshold project and if it would be applicable to other land use projects by other Boards such as Zoning Board of Appeals or Conservation Commission that have more impact than a project that is allowed by right. This issue has been discussed many times over the years and no solution has worked. Agenda and minutes are posted for all to see, should the Planning Board do more work so the Councilors don't have to?

H. Board Comments

I. Adjournment

Notification of Upcoming Meeting Dates

3/14

3/28

4/11

4/25

Adjourned at 8:13pm