



PLANNING BOARD MEETING

Tuesday, January 24, 2023 at 6:00 PM

Town Hall - 41 South Main Street Randolph, MA 02368

AGENDA

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

B. Chairperson Comments

C. Approval of Minutes

1. Minutes of 12-13-2022

D. Public Speaks

E. Old/Unfinished Business

1. Triangle sign revisions

2. Grove Ave Subdivision (Cygnet Lane) release

3. Election of Planning Board positions for 2023 (vice-chair)

F. New Business

G. Staff Report

H. Board Comments

I. Adjournment

Notification of Upcoming Meeting Dates

2/7 and 2/28

3/14 and 3/28

4/11 and 4/25



PLANNING BOARD

Tuesday, December 13, 2022 at 6:00 PM

Town Hall - 41 South Main Street Randolph, MA 02368

DRAFT 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

Called to order by the chair at 6:03pm

PRESENT

Alexandra Alexopoulos

Steve Monteiro

Tony Plizga

Peter Taveira

ABSENT

Nereyda Santos

B. Chairperson Comments

None

C. Approval of Minutes

1. Minutes of 11-15-2022

Reviewed and minor typographical edits were made.

Motion made by Taveira, Seconded by Alexopoulos to accept the minutes with edits.

Voting Yea: Alexopoulos, Plizga, Taveira

Voting Abstaining: Monteiro

D. Public Speaks

None

E. Old/Unfinished Business

1. Triangle sign revisions

Planner specifies that the sign company provided updated renderings that were forwarded to the Board for review. Also notes that an invitation to this meeting was extended to them -- but it was sent late so they likely did not receive it. Planner offered to review plans with the Board.

Plizga recommends tabling the item until member Santos-Pina can be in attendance as she presented concerns and requests originally.

Will review at the first meeting in January 2023.

2. Master Plan Initiatives

MPIC meeting with newly formed Board of Recreation in December to review initiatives.

Member Taveira and Santos-Pina still working on proposed language for ordinance(s) relative to electric vehicle charging stations.

The work conducted jointly by the Planning Board and Historic Commission relative to set-backs as they affect historic properties was formally submitted to the Town Council and referred out for public hearings to be scheduled.

F. New Business

1. Election of Planning Board positions for 2023

For the role Chairperson: Motion to nominate Plizga for chair made by Taveira and seconded by Alexopoulos.

In favor: Alexopoulos, Monteiro, Plizga, Taveira

For the role of vice chair, member Plizga indicates his intent to nominate Santos-Pina but would like to delay until she is present to accept or decline the nomination. To take up the vote for vice-chair at the next meeting.

2. Grove Ave Subdivision (Cygnet Lane) release

Planner outlined that the subdivider requested a release of covenant through his attorney in April 2020. The Planner reviewed the decision and conditions established for the subdivision against the work completed to determine compliance. The Planner submitted correspondence to the attorney and subdivider outlining the work that was completed in contradiction to the approved decision and conditions without the approval of the Planning Board. Some of this information has been previously communicated to the subdivider.

In September 2022, the attorney for the subdivider submitted correspondence repeating the request for a release of covenant specifying that the contradiction in work constructed vs. the approved plans was approved by the DPW Superintendent at the time. The correspondence also requested a retroactive waiver for granite curbing.

The DPW Superintendent who supposedly provided approval is no longer employed by the Town and there are no records to validate such approval. The Planner reached out to the Town's Engineer who confirms that the DPW Superintendent at the time gave verbal approval to the subdivider for the field changes.

The Planner points out that at no place in the Randolph Subdivision Rules and Regulations or in the Subdivision Control Law does the DPW superintendent have authority to amend the decision and conditions established by the Planning Board. While there may be modifications required due to field conditions, unless there is an emergency, they should be presented to the Planning Board for review and approval in advance. And if they are "urgent" in nature, they should be presented to the Board afterward with a request for minor modification. At no point did this happen despite correspondence to the subdivider requesting it.

Items impacting stormwater utilities fall within the DPW to review and approve as they are within the purview of the stormwater authority. However there is no record of stormwater review, approval or permit on file nor were the modifications ever presented to the Planning Board.

Plizga reminds the Board that there is a request to waive the granite curbing at the radius where Cygnet Lane meets Grove Avenue. Had previously requested the Planner make a site visit to determine what type of curbing exists along Grove Ave. Indicates that the Planner previously reported to the Board that there is no curbing - even an asphalt berm - along Grove Avenue.

Plizga indicates that given the information he thinks the Board should release the covenant. Member Taveira wonders why the subdivider is retroactively requesting a waiver of the granite curbing. A definitive set of plans was provided with plenty of opportunity to request a waiver at the outset but it wasn't. Taveira is not inclined to waive the granite retroactively. Monteiro concurs.

Plizga asks the Planner what actions could result from voting at this meeting given that it appears there may be a split vote of 2 in favor and 2 opposed. The Planner states with that vote, the Covenant would not be released and there would be additional discussion with the subdivider and/or his attorney. Discussion followed about tabling the item until the first meeting in January when there will likely be 5 members of the Board available for voting.

Alexopoulos makes a motion to table the request until the first meeting in January. Seconded by Monteiro.

On discussion, the Planner suggests the second meeting in January to ensure that there is a 5th Board member available.

Motion amended to review this item the second meeting in January.

Voting Yea: Alexopoulos, Monteiro, Plizga, Taveira

3. Complete Streets Policy

Planner provided a presentation on the Complete Streets Program and how it decisions made by the Planning Board relative to subdivisions as well as commercial projects where traffic circulation is affected. Complete Streets prioritizes safety, access and circulation for pedestrians, mobility assisted devices, bicycles and scooters over vehicles. All projects must consider those factors in the development process. The Town Council adopted the policy on December 8, 2022 and it has been sent to MassDOT for review and approval.

G. Staff Report

The Planner reminds the Board that the Registry of Deeds requires their signatures to be on file as those authorized to endorse plans. Still need signatures from 2 members.

The Board was reminded about upcoming public hearings in the new year that will include zoning amendments, a street discontinuance and the work to comply with Chapter 3A for MBTA communities multifamily zoning.

A resident abutting the Lafayette Estates subdivision contacted the office to ask if fencing or other barrier would be installed around the retention area. The Planner will review the Board's decision and conditions and will also reach out to Joe Dunn to understand if Conservation Commission included anything in their Order of Conditions.

The Planner outlined work being conducted by DPW and BETA engineering to advance a Complete Streets Policy. Upon approval of a policy, the Town could request funding for improvements to infrastructure that advance safe transportation for pedestrians and bicyclists.

H. Board Comments

Review of proposed 2023 meeting dates. Changed February meeting date from 2/14 to 2/7, correct typo of dates in June and change August 8 to August 15. Board members concur with dates.

The chairman asked Board members if the 6:00pm meeting time still met with members' schedules as the last few meetings haven't started on time. Members indicate meetings should remain at 6:00pm.

The chairman makes note that the property at 32 South Main (daycare across from Town Hall) has installed the canopy. Also notes that foundation work is underway at Pham Estates (Mary Lee Way).

Member Santos-Pina asks if there is any update from the state regarding a return to in-person meetings. The Planner indicates there has been no decision made and communicated yet. There is a possibility that legislation could be updated to permit a hybrid meeting style going forward but likely with some regulations such as methods by which members would have to identify themselves or ensure that they appear on screen.

The chairman asks if the appeal period for the Dow Street improvement has been passed and if any appeals have been made. The Planner indicates that there is another 4-5 days of the appeal timeframe remaining and there are none filed at this time.

Member Taveira asked about the Holbrook Transfer Station and whether the public comments time frame had lapsed. The Planner indicates that there are many, many public comment periods because there are so many permits required. She will try to obtain additional information to share with the Board. Additional comments were reminders about the Holbrook Old English Square project that's nearby, their associated roadwork that will include a new traffic signal. Also, Randolph DPW is working with the state for a paving plan that impacts the intersection of Union & Center Streets. There are additional locations that the state will be paving -- only on state controlled roads such as Mazzeo Drive, Warren Street and more.

I. Adjournment

Notification of Upcoming Meeting Dates

Adjourned at 6:50pm

PROPOSED SIGN

Section E, Item1.



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SALESMAN
Andy Layman

CUSTOMER
Triangle Inc.

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APPROVED BY

DRAWN BY
11-9-22

EXISTING SIGN

Section E, Item1.



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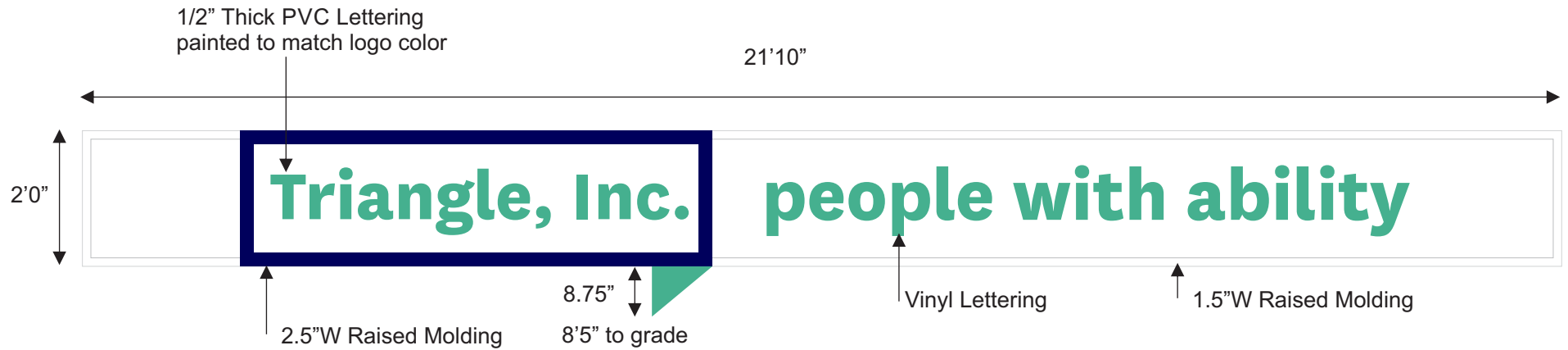
SALESMAN
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Andy Layman

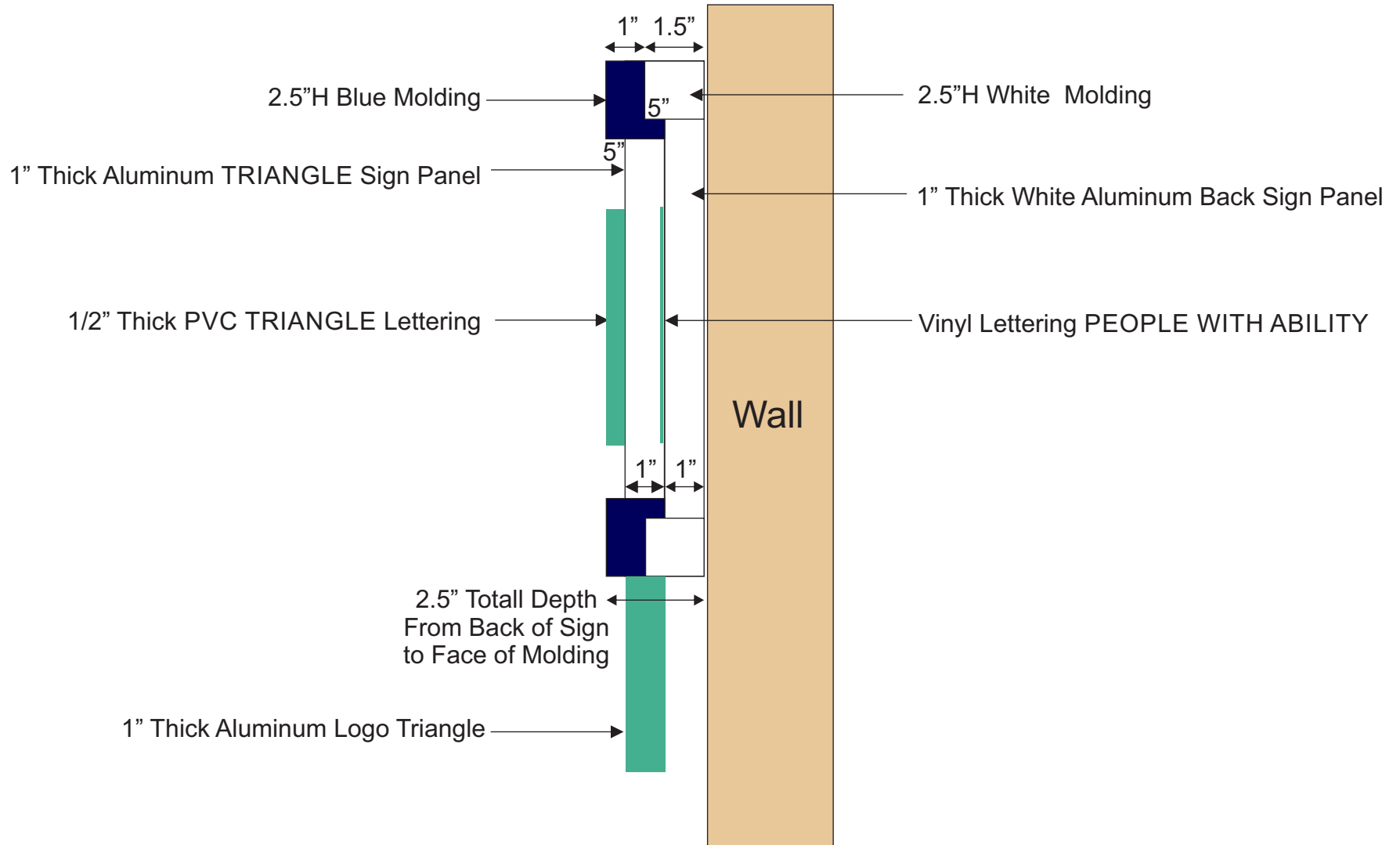
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SIDE VIEW



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11-9-22



COPY

Town of Randolph
Planning Department
41 South Main Street
Randolph, MA 02368
Phone: 781-961-0936

April 29, 2020

July 15, 2022
Resent (M&T)

Donna Road Realty Trust
P.O. Box 652
535 South Main Street
Randolph, MA 02368-5231

RE: Grove Avenue Subdivision (Cygnet Lane)

Mr. Wells~

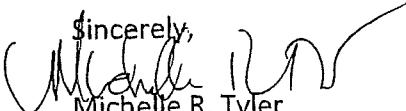
The Planning Board has received a request for a Release of Covenant from your attorney Kevin M. Reilly for the above referenced subdivision; a set of as-built drawings was provided to this office under separate cover. On review of the original endorsed plans, the Decision and Conditions established by the Planning Board in their approval of the subdivision on December 3, 2018 and the Subdivision Rules and Regulations effective at the time of approval, it has been determined that the development has not been completed in accordance with those documents. To wit:

- 1) Per the Subdivision Rules and Regulations and the details of the December 3, 2018 decision, any changes to an approved subdivision plan with any conditions approved by the Planning Board, must be submitted to the Planning Board for review and approval prior to implementation.
- 2) Correspondence between you and the Planning Office dating to June 2019 detail the fact that the driveway curb cut was relocated and requested that you submit a proposed modification to the Planning Board. No such request for modification has been received as of the date of this correspondence.
- 3) An inspection by the Town's Engineer indicates that vertical granite curbing has not been installed at the intersection of Cygnet Lane with Grove Avenue as required in the Decision and Conditions.

- 4) An inspection by the Town's Engineer indicates that granite was not used at the catch basins (section 3.11.10). A waiver for this item was neither requested nor granted.
- 5) A review of the as-built plans indicates that the placement of one catch basin has been relocated from the road layout onto the residential lot. No request for modification was submitted to the Planning Board.
- 6) A conveyance of easement utilities is required before release a covenant as specified in Section 3.3.13 of the Subdivision Rules and Regulations.

When the referenced issues have been properly addressed to the Planning Board, applicable modifications and/or waivers have been granted and endorsed forms have been received, the Board will release the Town's interest thorough release of covenant. Please contact my office for scheduling a meeting with the Planning Board.

Sincerely,



Michelle R. Tyler
Town Planner

Cc: Jean Pierre-Louis, Town of Randolph Engineering
Kevin Reilly, Attorney
Anthony Plizga, Randolph Planning Board Chairperson

LAW OFFICE



KEVIN M. REILLY

19 South Main Street
Randolph, Massachusetts 02368
Tel. (781) 961-7313
Fax. (781) 961-7343
kreilly@reillyberch.com

September 8, 2022

Planning Department
Town of Randolph
Town Hall
41 South Main Street
Randolph, MA 02368

Att: Michelle R. Tyler, Town Planner

Re: Grove Avenue Subdivision (Cygnet Lane)

Dear Mrs. Tyler:

I am writing to follow up on your response to my request on behalf of Karl Wells, Trustee of the Donna Road Realty Trust for a Release of Covenant for the above-referenced subdivision.

Your letter notes both that modifications to the original subdivision plans were made without formal approval by the Planning Board and that certain work called for in the Decision issued by the Board has not been completed by my client. I can respond as follows:

1. The relocation of the curb cut for the driveway was made as a result of unanticipated field conditions at the time of construction. This modification was made with the knowledge and approval of both the then DPW Superintendent and the Town Engineer. A final lot grading plan illustrating the revised location has previously been submitted to the Planning Department;
2. Field modifications were made with respect to the matter of the installation of vertical granite curbing at the intersection of Grove Avenue and Cygnet Lane and as part of the construction of the catch basins along the roadway. To the extent now necessary and appropriate, my client would ask that the Planning Board formally waive the requirement that granite be installed in those locations in favor of the cape cod berm now in place;

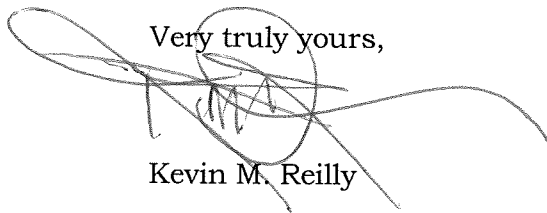
Planning Department
Att: Michelle R. Tyler, Town Planner
September 8, 2022
Page Two

3. As with the driveway curb cut, field conditions dictated an adjustment in the location of one catch basin as indicated. Again, this modification was made with the knowledge and approval of Town officials. My client would likewise request that the Planning Board now formally approve this modification.

Mr. Wells and I will be happy to meet with the Board to further discuss these matters at a convenient time so as to permit the release of the Covenant with the Town as originally requested and thus bring closure to the matter.

Please advise.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Kevin M. Reilly', is written over the typed name. The signature is stylized with a large loop at the beginning and a long horizontal stroke extending to the right.

Kevin M. Reilly

KMR:rk