



PLANNING BOARD MEETING

Tuesday, March 14, 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

D. Public Speaks

E. Public Hearings

1. Modification of a Subdivision (Braintreeville Manor) -Discontinuance of paper street(s)
- off of North Street/Randolph Road

F. Old/Unfinished Business

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

G. New Business

H. Staff Report

***Active Subdivision Review**

***Active Project Review**

***Upcoming Project Review**

I. Board Comments

J. Adjournment

Notification of Upcoming Meeting Dates

January 10, 2023

VIA HAND DELIVERY

Town of Randolph Planning Board
41 South Main Street
Randolph, MA 02368
Attn: Michelle Tyler, Town Planner

RE: Randolph Road, Randolph, MA

Dear Mr. Chairman and Members of the Planning Board:

On behalf of Randolph Road Realty LLC and ML Real Estate Trust LLC (collectively, the “Applicant” and/or “Property Owner”), we respectfully submit the enclosed request for modification of a subdivision plan entitled: “Plan of Braintreeville Manor” Randolph Mass. Owned and developed by HUB Realty Company, Inc., Boston, Mass., drawn by A.P. Trufant, C.E., Brockton & Whitman, dated October 24, 1975 (the “Original Plan”). The Original Plan laid out various streets in a grid-like pattern but were never built and remain unimproved. The Applicant is seeking to abandon certain roads as further set forth and identified in the enclosed application package in order to develop the property.

For your consideration, enclosed please find 1 original and six (6) copies of the following materials. (Electronic copies of the enclosure will be provided to the Planning Department):

1. Application for Request for Modification to the Definitive Subdivision Plan with Addendum A;
2. Filing Fee in the amount of \$1,000.00 made payable to the Town of Randolph;
3. Project Site Plan entitled: “Road Abandonment Plan” dated January 6, 2023 prepared by DiPrete Engineering (3 – 11” x 17” and 3 – 24” x 36” sized plans).

We would respectfully request that this matter be scheduled for consideration on the agenda for the next Planning Board meeting scheduled for Tuesday, February 7, 2023.

If in the interim, you have any questions, please do not hesitate to contact me.

Very truly yours,

Robert C. Buckley

RCB:khh
Enclosure

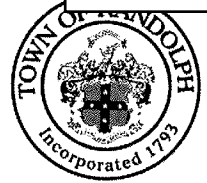
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PLANNING DEPARTMENT

Section E, Item1.

FORM C2

REQUEST FOR MODIFICATION, RESCISSION OR AMENDMENT TO A DEFINITIVE SUBDIVISION PLAN



Subdivision Name	Braintreeville Manor		Date Endorsed by Planning Board	
Norfolk Registry Recording	<i>Plan No.</i> 998	<i>Year</i> 1925	<i>Plan Book</i> 1671	<i>Page</i> End
Request	<input checked="" type="checkbox"/> Modification <input type="checkbox"/> Rescission <input type="checkbox"/> Amendment			
Description				
See Addendum "A" Annexed hereto.				

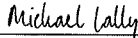
All modifications require back-up material to support the request and a filing fee per the Fee Schedule. Modifications may require review by the Planning Board consulting engineer, the expense to be borne by the Applicant.

Major Modifications require a public hearing and must meet the requirements of MGL Chapter 41, Section 81W and the Planning Board Rules and Regulations Governing the Subdivision of Land. All prior conditions of approval shall remain in full force and effect.

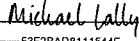
Pursuant to MGL Chapter 41, Section 81W, this Modification/Rescission/Amendment shall take effect when (1) the Plan as originally approved or a copy thereof and a certified copy of the vote of the Planning Board making such Modification/Rescission/Amendment and any additional plan referred to in such vote, have been recorded and (2) an endorsement has been made on the plan originally approved as such vote is indexed in the grantor index under the names of the owners of record of the land affected.

Permission of the owners affected by any change to the subdivision plan and of the mortgage holders must be obtained. The Modification/Rescission/Amendment approved shall not affect the lots in the subdivision which have been sold or mortgaged in good faith and for valuable consideration or any rights appurtenant thereto, without the consent of the owner of such lots, and of the holder of the mortgage(s) if any thereon. Written consent from said owners and mortgages, if any is attached hereto.

**Attach a list of lot owners, addresses and signatures of consent.*

Applicant	Randolph Road Realty LLC and ML Real Estate Trust LLC		
Contact person	Michael J. Lally		
Address	11 Randolph Road, Randolph, MA		
Phone	781-767-0090	Email	mjl@seaandshorecontracting.com
Signature	<small>DocuSigned by:</small>  <small>53F2BAD8111544F...</small>		

☐ Check if Applicant is equitable owner (purchaser on a purchase and sales agreement)

Property Owner	Randolph Road Realty LLC and ML Real Estate Trust LLC		
Address			
Address2	11 Randolph Road, Randolph, MA		
Phone	781-767-0090	Email	mjl@seaandshorecontracting.com
Signature	<small>DocuSigned by:</small>  <small>53F2BAD8111544F...</small>		

PLANNING OFFICE USE ONLY

Date Received: _____ Received by: _____

Items Received: ☐ Application ☐ Print Copies ☐ Digital File

Filing fee paid AMT: _____ Check # _____

ADDENDUM “A”**Request for Modification of a Definitive Subdivision Plan**

ML Real Estate Trust LLC, a Massachusetts limited liability company and Randolph Road Realty, LLC, a Massachusetts limited liability company both with addresses at 11 Randolph Road, Randolph, MA (collectively, the “Applicant”) respectfully request Planning Board approval for a modification of a certain Subdivision Plan, entitled: “Plan of Braintreeville Manor” Randolph Mass. Owned and Developed by HUB Realty Company, Inc., Boston, Mass., drawn by A.P. Trufant, C.E., Brockton & Whitman, dated October 24, 1925 recorded with the Norfolk County Registry of Deeds as Plan 998 of 1925 in Plan Book 1671, annexed hereto as Exhibit “A” (the “Original Plan”). The Original Plan laid out various streets in a grid-like pattern running north to south and east to west. The streets abutting the Applicant’s parcels were never built and remain unimproved, specifically, the following streets, as shown on the Original Plan:

- Genesee Street
- East Ave.
- Huntington Ave.
- Norwood Ave.
- Lincoln Ave.
- Wilson Boulevard.
- Garfield Avenue

The Applicant has prepared a plan entitled: “Road Abandonment Plan”, dated January 6, 2023 prepared by DiPrete Engineering (the “Plan”) showing the ownership of the lots as well as the consolidation of the lots and streets. The owners of record that will be affected by the modification of the Subdivision Plan are as follows:

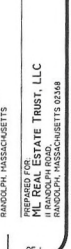
1. ML Real Estate Trust LLC (“ML LLC”) is the record title holder of the parcels identified on the Town of Randolph Assessor’s Map as Parcel IDs: 17-F-1.01 and 17-G-2.3, as shown on the Plan.
2. Randolph Road Realty LLC (“RR LLC”) is the record title holder of the parcels identified on the Town of Randolph Assessor’s Map as Parcel IDs: 17-G-1.9; 17-D-1.02; 17-1-3; 17-1-2.192; 17-1-4.201; 17-H-1.Q; 17-H-2.554-5, 17-H-3.528-5; 17-1-D-1.Y; 17-K-1.R; 17-K-2; 17-J-7.1; 17-J-8.225-2; 17-L-1.S; 17-L-2.695; 17-D-5.704-7; 34-A-2.713-7; 17-J-15.756-7; 17-J-14.785; 34-A-3.739-7, all as shown on the Plan.
3. Phil Carlino (“Carlino”) is the record title holder of the parcels identified on the Town of Randolph Assessor’s Map as Parcel IDs: 17-D-3.583-5 and 17-D-4.650-6, as shown on the Plan¹.

¹ It is noted that the Carlino Parcels have recorded Instruments of Tax Takings which were recorded with the Norfolk County Registry of Deeds on April 24, 1998 in Book 12532, Pages 514 and 515. The Applicant and Carlino are in discussions regarding the conveyance of those parcels to the Applicant. However, because Applicant does not have control of the Carlino parcels and for purposes of this Request for Modification of a Definitive Subdivision Plan, portions of Garfield Avenue will not be included in this modification.

3. The Town of Randolph is the record title holder of the parcel identified on the Town of Randolph's Assessor's Map as Parcel ID: 17-K-2, as shown on the Plan (the "Town Parcel"). The Town Parcel is an undeveloped landlocked parcel which was recently voted and declared by Town Council as surplus property at its meeting on October 17, 2022. The Town intends to sell the Town Parcel by public auction in early February 2023. This Request for Modification of a Definitive Subdivision Plan assumes that the Applicant will be the successful bidder in the public auction and if the Plan is approved by the Planning Board, the Applicant will not record the approved Plan with the Norfolk Registry of Deeds until such time as the conveyance of the Town Parcel to the Applicant is consummated.

The Applicant is seeking to modify the Original Plan by eliminating the undeveloped private roads in the areas shown on the Plan so that all the lots can be combined into one or two larger developable lots. M.G.L. Chapter 183, Section 58 and otherwise known as the Derelict Fee Statute provides that title to the way "shall be to the center line of such a way." Therefore, as shown on the Plan, the resulting lots show ownership to the centerline of each private way. Access to a public street from the newly created lots will be from Randolph Road to North Street.

3404034.2





February 22, 2023

Mr. Tony Plizga, Chair
Randolph Planning Board
41 South Main Street
Randolph, MA 02368

**Re: Trim Way Def. Subdivision- Response to Peer Review Comments
358 & 360 North Street
Randolph, MA 02368**

Dear Chairman Plizga:

Tetra Tech (TT) has reviewed the peer review letter from Nitsch Engineering dated February 7, 2023. We have responded to each of the comments and supplied and provided an updated Plan set for further review.

Nitsch Comments:

1. Several of the distances shown on the Lotting Plan differ from the record deed or plan for the parcel. See green highlighted distances on the attached plan.
 - **TT/PLS 2/22/23 Response: We have addressed the areas of differences. There was a difference in boundary line location as showcased on an AUL plan prepared by Hancock, supplied by the owner and attached to this letter. This plan and the monuments shown were used to help set the southern boundary. Other calculation differences have been called out as deed/plan.**
2. A portion of the existing driveway easement is shown on the south side of Trim Way, but it is not labeled as such. There is also a parking easement adjacent to the driveway easement that is not shown at all. If these easements have not been extinguished, they should be shown on this plan.
 - **TT/PLS 2/22/23 Response: They have been added and labeled on the updated Lotting Plan.**
3. There appears to be two (2) property lines between #312 and #314 North Street. It is unclear if this is indicating a gap or overlap in the lots, but there is no indication in the record documents that this should be the case.
 - **TT/PLS 2/22/23 Response: There appears to be a difference in the two abutters' deeds where neither deed is claiming this sliver. We have labeled this area as owner unknown.**
4. The Owner and Title reference are not given for #310 North Street.
 - **TT/PLS 2/22/23 Response: They have been added and labeled on the updated Lotting Plan.**
5. The 50-foot easement line is not fully plotted.
 - **TT/PLS 2/22/23 Response: Item has been added and labeled on the updated Lotting Plan.**
6. The lot for #304 North Street is comprised of two (2) lots under common ownership. The way the Lotting Plan shows the internal lot line makes it appear as though they are separate lots. A fee hook or some notation that the line is an internal lot line would clarify this.
 - **TT/PLS 2/22/23 Response: They have been added and labeled on the plan.**

If you have any questions or comments, please feel free to contact us at (508) 786-2200.

Very truly yours,

Steven M. Bouley, PE
Project Manager

Tucker D. Paradee, EIT
Civil Engineer

P:\37539\143-37539-22002\DOCS\03_DEFINITIVE PLAN (RE-SUBMISSION)\01_RESPONSE TO COMMENTS_2023-02-22.DOCX

Infrastructure Northeast

Marlborough Technology Park 100 Nickerson Road, Marlborough, MA 01752

Tel 508.786.2200 Fax 508.786.2201 tetratech.com

Definitive Subdivision Plan

"Trim Way"

(A Permanent Private Way)

www.tetrattech.com



TETRA TECH

PROJECT LOCATION:

358-360 North Street
Randolph, MA 02368

CLIENT INFORMATION:

Steinsharpe, LLC
15 Historical Way
Canton, MA 02021

Tt PROJECT No.:

143-37539-22002

CLIENT PROJECT No.:

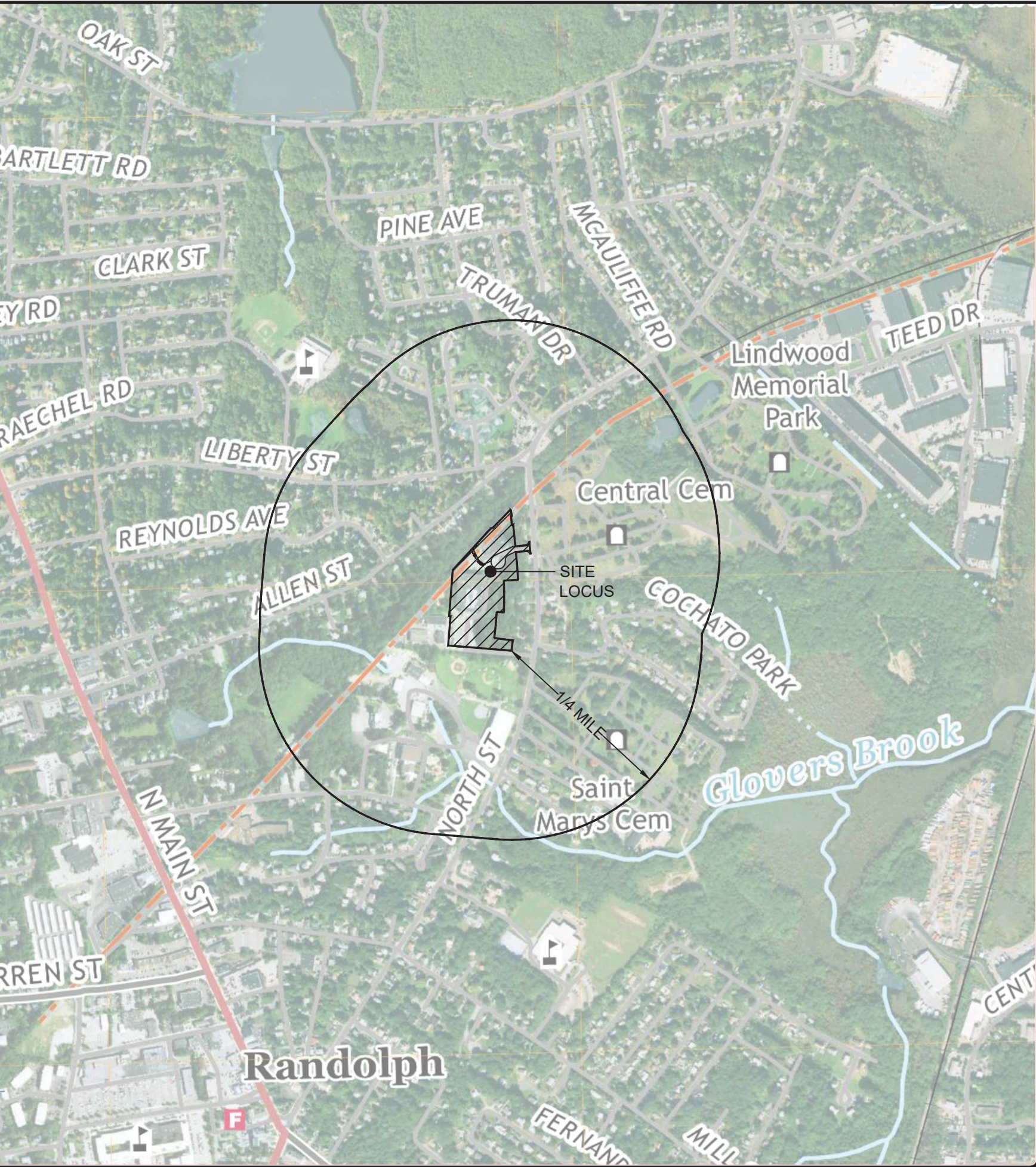
PROJECT DESCRIPTION / NOTES:

ZONING DISTRICT: INDUSTRIAL (I)

ISSUED:

OCTOBER 4, 2022: PRELIMINARY SUBDIVISION PLAN
DECEMBER 13, 2022: DEFINITIVE SUBDIVISION PLAN
FEBRUARY 22, 2023: RESPONSE TO COMMENTS

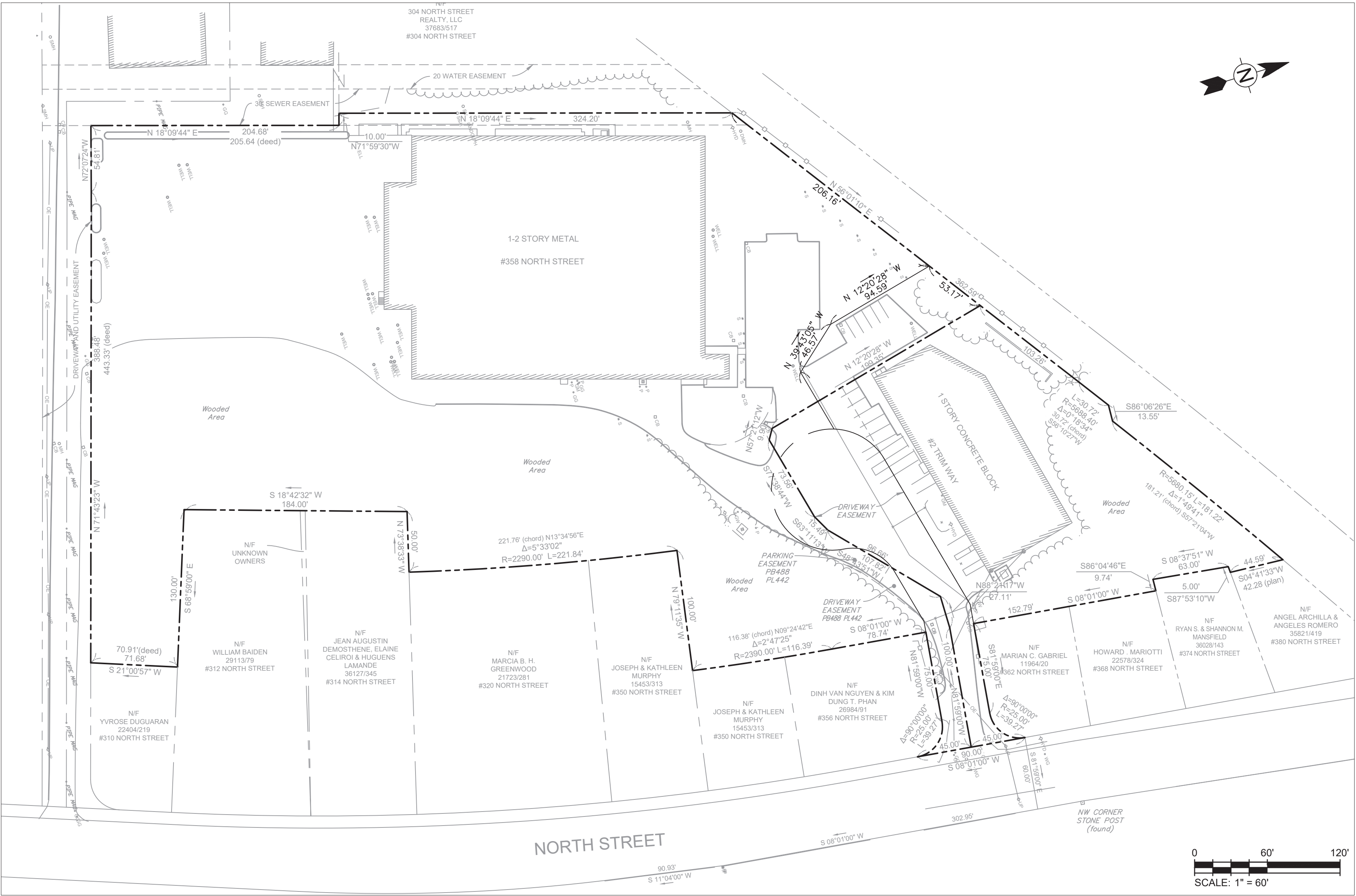
LOCUS MAP: SCALE: 1" = 800'



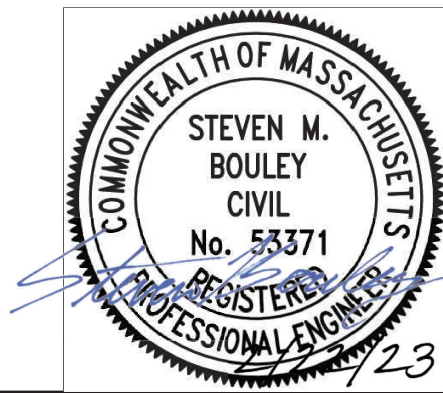
APPLICANT:
STEINSHARPE, LLC
15 HISTORICAL WAY
CANTON, MA 02021

CIVIL ENGINEER:
TETRA TECH INC.
100 NICKERSON ROAD, SUITE 200
MARLBOROUGH, MA 01752

SURVEYOR:
PRECISION LAND SURVEYING, INC.
32 TURNPIKE ROAD
SOUTHBOROUGH, MA 01772



SHEET NO.	SHEET TITLE
C-000	COVER SHEET
C-101	EXISTING CONDITIONS PLAN
C-201	LOTING PLAN
C-301	FIRE TRUCK TURNING PLAN



[illegible]

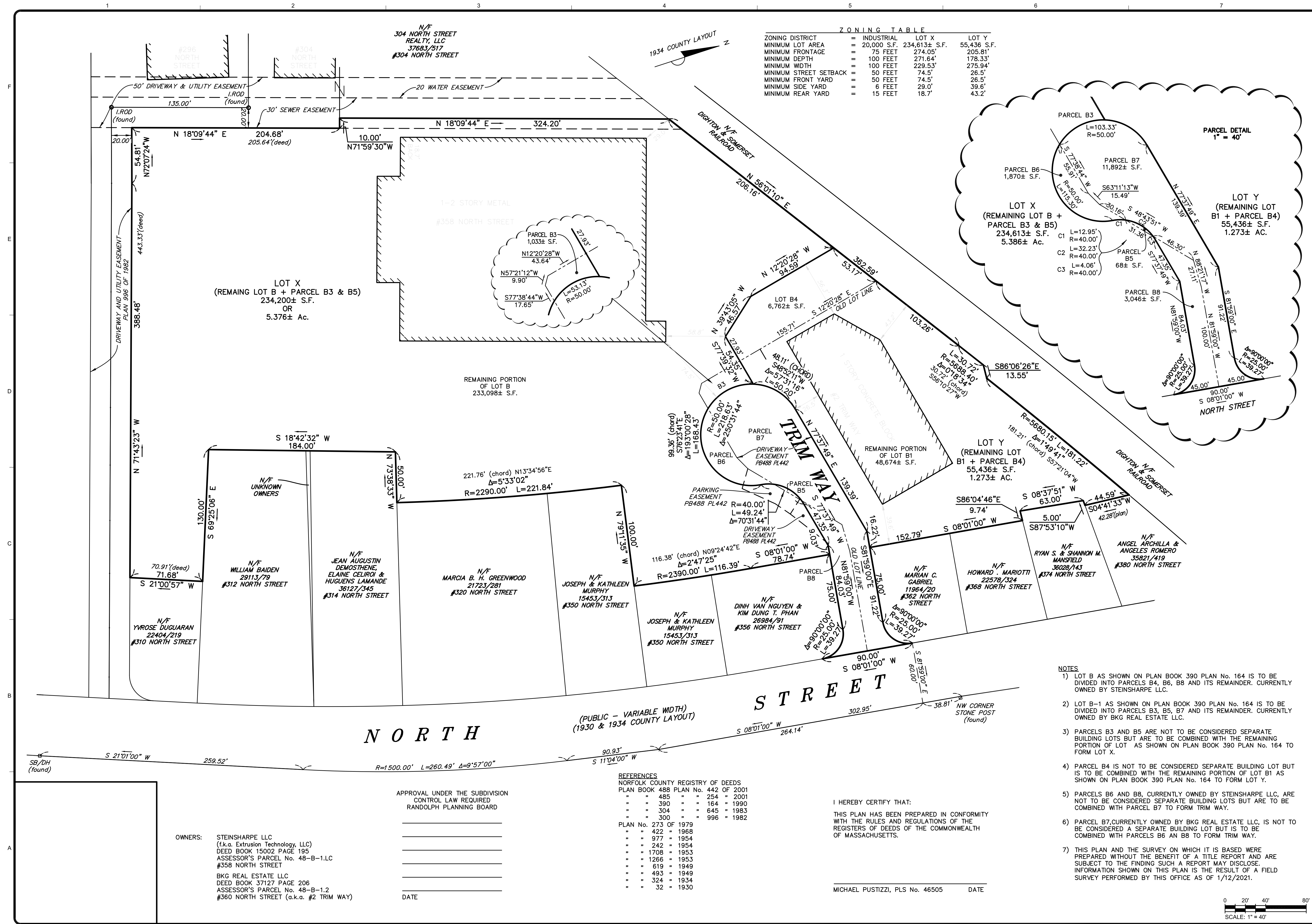
Steinsharpe, LLC
358-360 North Street, Randolph, MA
Trim Way Definitive Subdivision

PROJ:	143-37539-22002
DESN:	SMB
DRWN:	TDP
CHKD:	SMB

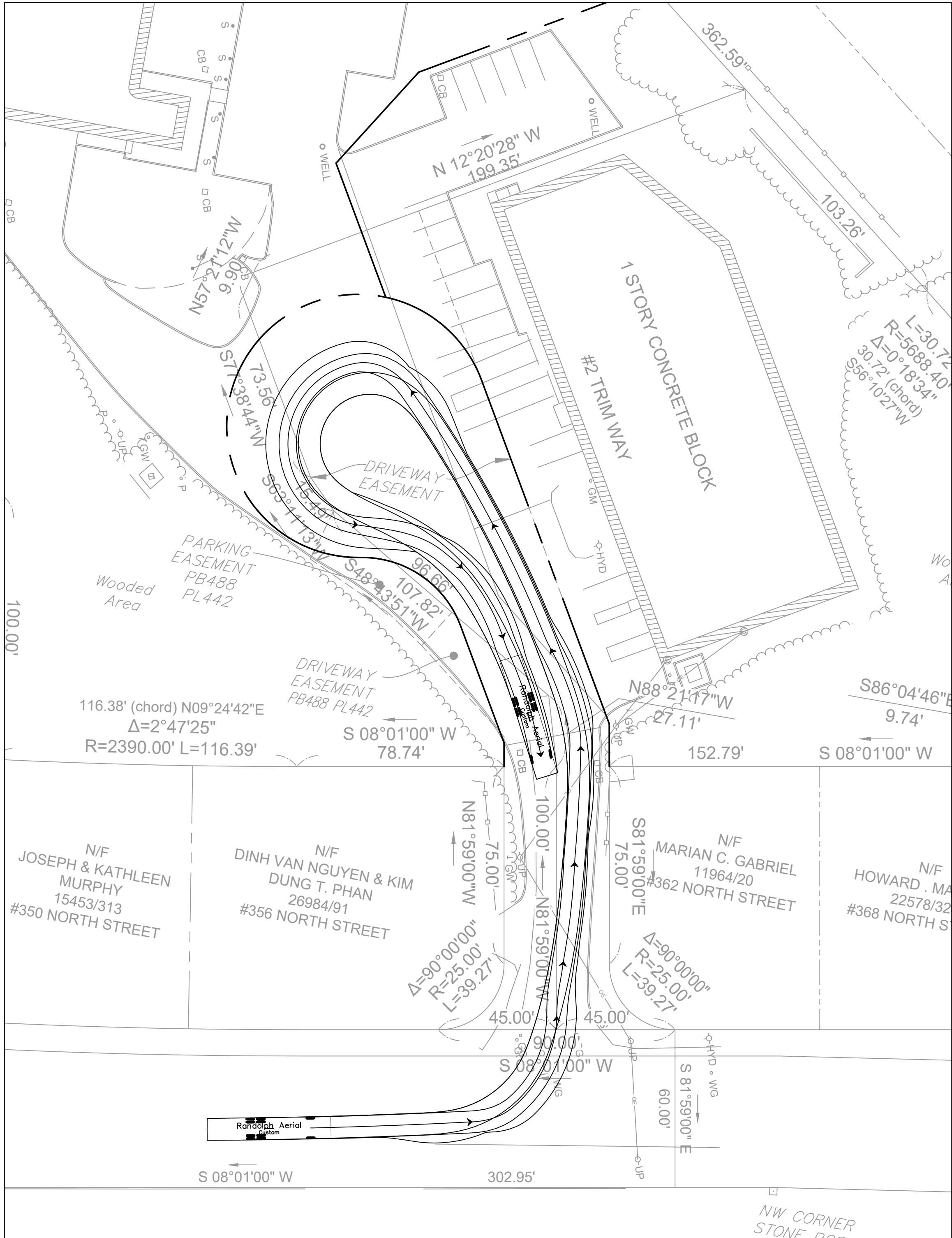
C-101

Copyright: Tetra Tech

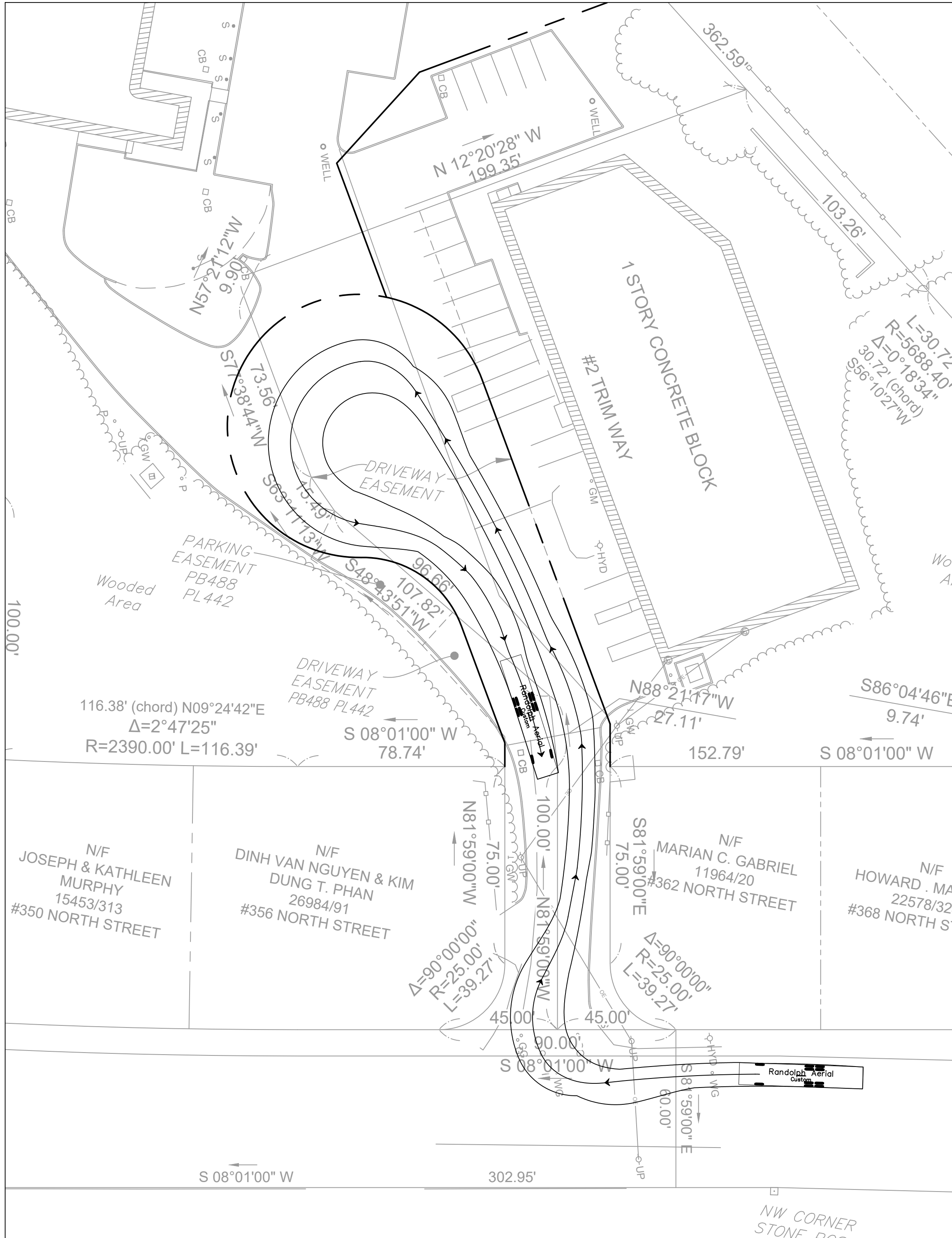
2/18/2023 11:08:19 AM - J:\SDSKPROJ\4879DWG\487901PL1.DWG - MIKE



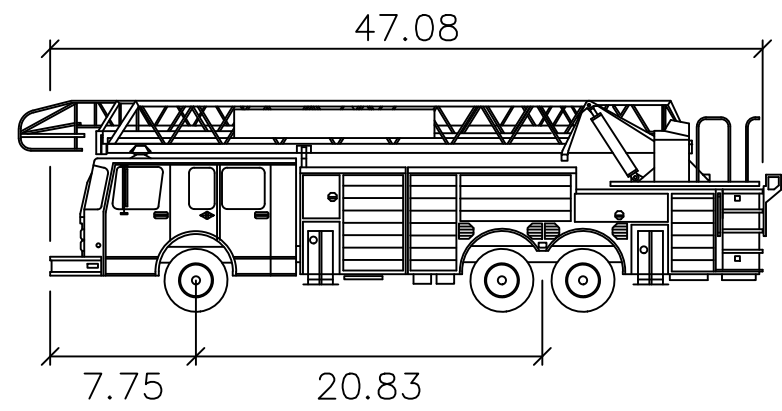
2/22/2023 11:53:56 AM - P:\37539\143-37539-22002\CAD\SHEETFILES\03_DEFINITIVE PLAN (RE-SUBMISSION)\C-301 FIRE TRUCK TURNING DWG - PARADEE, TUCKER



FIRE TRUCK TURNING TEMPLATE (LEFT TURN IN)
SCALE: 1" = 30'

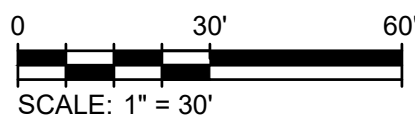


FIRE TRUCK TURNING TEMPLATE (RIGHT TURN IN)
SCALE: 1" = 30'



Randolph Aerial

	feet
Width	: 8.33
Track	: 8.33
Lock to Lock Time	: 6.0
Steering Angle	: 42.0



Bar Measures 1 inch, otherwise drawing not to scale

BY	DESCRIPTION
SMB	PRELIMINARY PLAN
SMB	DEFINITIVE PLAN
SMB	RESPONSE TO COMMENTS

MARK	DATE	DESCRIPTION
00	10/4/2022	PRELIMINARY PLAN
01	12/13/22	DEFINITIVE PLAN
02	2/22/23	RESPONSE TO COMMENTS

Steinsharpe, LLC 358-360 North Street, Randolph, MA	PROJ: 143-37539-22002
Trim Way Definitive Subdivision FIRE TRUCK TURNING PLAN	DESN: SMB
	DRWN: TDP
	CHKD: SMB

February 7, 2023

Town of Randolph Planning Board
c/o Michelle Tyler
Town of Randolph
41 S Main Street
Randolph, MA 02368

RE: Nitsch Project #11123.9
Trim Way
ANR Plan Review
Randolph, MA

Dear Members of the Planning Board:

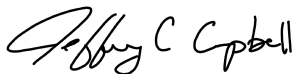
I have reviewed the survey by Precision Land Surveying, Inc. entitled "Trim Way Definitive Subdivision, Lotting Plan" dated October 4, 2022 (the Plan) for conformance with MGL 250 CMR 6.00 and the Town of Randolph's (the Town) Rules and Regulation Governing the Subdivision of Land, and I have found the following items that I believe should be addressed before the plan is approved:

- Several of the distances shown on the Lotting Plan differ from the record deed or plan for the parcel. See green highlighted distances on the attached plan.
- A portion of the existing driveway easement is shown on the south side of Trim Way, but it is not labeled as such. There is also a parking easement adjacent to the driveway easement that is not shown at all. If these easements have not been extinguished, they should be shown on this plan.
- There appears to be two (2) property lines between #312 and #314 North Street. It is unclear if this is indicating a gap or overlap in the lots, but there is no indication in the record documents that this should be the case.
- The Owner and Title reference are not given for #310 North Street.
- The 50-foot easement line is not fully plotted.
- The lot for #304 North Street is comprised of two (2) lots under common ownership. The way the Lotting Plan shows the internal lot line makes it appear as though they are separate lots. A fee hook or some notation that the line is an internal lot line would clarify this.

The cover letter for the Definitive Subdivision Plan indicates that Trim Way will be a permanent private way. Based on the very irregular composition of Trim Way, the underlying fee of Trim Way will be difficult to re-establish after Lot X and Y have been sold. I would suggest that the Planning Board make it clear who the underlying fee of Trim Way will belong to as part of their decision.

Very truly yours,

Nitsch Engineering, Inc.



Jeffrey C. Campbell, PLS
Project Manager

JCC/kwo/ajc

Enclosures: Lotting Plan with Markups

P:\10000-14999\11123.9 Trim Way\Contract\Draft Agreements\ANR Review Letter Response.Docx

