



# PLANNING BOARD MEETING

Tuesday, August 23, 2022 at 6:00 PM

Town Hall - 41 South Main Street Randolph, MA 02368

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## AGENDA

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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 7-12-2022

**D. Public Speaks**

**E. Public Hearings**

1. Request for In-law Apartment at 40 Michael Road
2. 2022-038- Council Order- Request for the Town Council to Initiate An Amendment to the Randolph Zoning Ordinance – Chapter 200 of the General Code of the Town of Randolph – Concerning Density Requirements in the Union Crossing Transit District Pursuant to M.G.L. ch. 40A, sec. 5

**F. Old/Unfinished Business**

1. Master Plan Initiatives

**G. New Business**

1. Request for extension and lot release -Mary Lee Way
2. EVSE Expedited Permitting Discussion

**H. Staff Report**

**I. Board Comments**

**J. Adjournment**

Notification of Upcoming Meeting Dates



# PLANNING BOARD MEETING

Tuesday, July 12, 2022 at 6:00 PM

Town Hall - 41 South Main Street Randolph, MA 02368

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## MINUTES

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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 at 6:04pm by the chair

#### PRESENT

Alexandra Alexopoulos  
Steve Monteiro  
Tony Plizga  
Nereyda Santos  
Peter Taveira

### B. Chairperson Comments

None made

### C. Approval of Minutes

#### 1. Minutes of 6-14-22

amendments for typographical errors

#### 2. Minutes of 6-28-22

Amended to correct typographical errors

Motion made by Alexopoulos, Seconded by Taveira.  
Voting Yea: Alexopoulos, Plizga, Santos, Taveira  
Voting Abstaining: Monteiro

### D. Public Speaks

none

### E. Old/Unfinished Business

1. Preliminary subdivision review of 186 Canton Street

Joined by Robert Nichols, applicant.

Discussion about the proposed subdivision and revisions.

Planner reviewed updated plan dated 7/3/2022. Submitted to the Fire Department for review related to access by emergency services vehicle. Feedback provided from RFD indicates that that a turnaround is required that is of a size adequate to accommodate the turning radius of the largest vehicle. Subdivision rules and regulations call out the specific requirements. Chairman Plizga inquires about the adequacy of a turning radius in consideration of the proposed layout. Potential concern with the bumper of the apparatus being able to clear any vertical curbing. Additionally, based on the proposed layout, turning may further be impeded if an adjacent parcel chose to install a fence.

Robert Nichols - reviewed the proposed changes he made based on the feedback received at prior meetings. Believes the modifications make the proposal more neighborhood friendly and suggests installation of signage that would identify a FIRE LANE for no parking.

Plizga asks about existing lot and conformance with current zoning. Planner confirms and provides dimensions for conformity.

Plizga points out that proposed plans seem to have the road cul-de-sac included in the calculation of the lot sizes. So eliminating the road layout from those calculations (rough estimate) leaves both lots non-conforming. Asks planner about any additional non-conforming items.

Planner - existing structure and potential new structure may not meet additional dimensional requirements for the lot; frontage and depth requirements would not be met .

Plizga - discusses lot dimensions on the plan and points out that 2 lots would be non-conforming. Notes concern about the lack of boundary for the road and how it hugs the abutting parcels.

Alexopoulos - discusses the lot dimensions and creating non-conforming lots. Believes the project isn't feasible.

Taveira- agrees that there is an issue with the turnaround and how close it is to the abutting properties. Seems that the project isn't feasible.

Depina-Santos - thinks that the Town might be trying to increase density eventually so the non-conforming lot sizes may become a moot point. Not concerned with the non-conformity but does have concerns with the road layout and closeness to the adjacent parcels. Wouldn't have a problem with the lot size if the road layout were changed.

Plizga understands work on Master Plan that could happen but the Board must abide by the laws/requirements in place now.

Plizga makes a motion to deny the preliminary subdivision plan dated July 3, 2021, 186 Canton Street as it proposes a change to a conforming lot to make it a non-conforming lot.

Planner explains infectious invalidity: A property owner cannot create a conforming lot at the expense of a nonconforming lot; the nonconformity "infects" the conforming lot. Infectious Invalidity, is a common-law principle where a property owner may not (without additional zoning relief) create a valid building lot by dividing it from another parcel that would thereby itself be rendered non-conforming. This has been upheld in case law.

Plizga adds discussion and asks what options the applicant has. Planner indicates the applicant can seek relief from Zoning Board of Appeals to create a substandard lot. If ZBA approves, then can bring to Planning Board for subdivision review. The ZBA would only provide relief for lot depth and area. The Planning Board would then have to approve the road layout. Additionally, under MGL, the Board could dictate the size of the structure on an undersized lot.

Nichols - wonders if there is precedent or place to review prior decisions. Also asked Town Hall for referrals to land use attorneys.

Planner - not aware of lots that have been approved for non-conforming laws but applicant can research that. Can provide case law regarding infectious invalidity if interested. Not sure what ZBA has voted in the past.

## **F. New Business**

### **1. Proposed Amendment to Ordinance 200-14.3 Union Crossing Transit District**

Introduced by Chairman Plizga as a recommendation to modify zoning for the Union Crossing Transit District. Current zoning language does not take into consideration any existing wetlands on a parcel. As such, the lot area used for calculation of density is not the true "buildable" area.

Discussion by the board and agreement to forward to Town Council to initiate the public process.

Motion made by Plizga, Seconded by Monteiro.

Voting Yea: Alexopoulos, Monteiro, Plizga, Santos, Taveira

## **G. Staff Report**

Plizga notes that the Town Council project at 502 South Main (Wells/Whynott) has 2 foundations in and started some framing.

Still waiting a decision from the state on extending the remote meeting participation set to expire July 15, 2022.

19 Highland Ave - need an exhaust fan for the roof because one of their tenants is a taquiera and, as a food service provider, they need a fan. The project doesn't have a flat

roof for placement so are considering options on the structure (roof or side of building). Asked for detailed plans for review. If it's significant, will bring to the Board for review. Preliminary information about the size of the unit ....Also reminded the owner that he still owes plans on extending the retaining wall around the manhole. Planner also suggested working with him on revising the landscaping plan.

Warren Ave - reviewed concept for a potential drive through for Harbor One that is relocated to the former Cafe Bella site in the plaza on Warren Ave. They had a preliminary drawing for a pneumatic tube, they spoke with Ron Lum who thought it was okay and directed them to Planning. Planner reviewed and spoke with the chairman but then realized that, as a drive through, it's subject to a special permit by Town Council. Project won't come to Planning Board unless Town Council asks for a review/report.

Lyons School Project - project team still considering access to the parcel. If they choose to use Mitchell/Dow, it could come to the Planning Board for the improvement to Dow Street which is currently a paper street.

Mexicali Grill - still has not painted; restaurant owner hasn't responded. Spoke with the property owner and since he was the applicant and received the decision he is responsible. Reviewed the deadline dates and advised that zoning fines were possible. Plizga asks Planner to see if they can get it painted before next meeting of the Board and, if not, have an agenda item for their non-compliance.

33 Mazzeo Drive - car wash approved in February. Owners expect to submit requests for building permits by end of August.

Subdivision responses to request for status

Orchard Estates - need final asphalt and bounds then applicable paperwork

Country Way Lane - need final as-builts

Pham Estates - previously asked for an extension to July 31, 2022 waiting for a curb cut. As of this date, no curb-cut so no way the project can be complete in 2.5 weeks. Sent applicant a notice that they must request an additional extension.

Hampton Court - developer indicates the project is "complete" in October 2021. Planner sent a letter with outstanding items such as as-builts, request for completion.

## H. Board Comments

Reminder that next meeting is August 23. If there is a specific need for a meeting prior to 8/23/22 chair will reach out to the Board. Not likely there will be a need for one.

Monteiro asks about Envision Bank dumpster. Planner provided the follow-up

Santos - asks about 8/23/22 meeting (in person or virtual). Planner explains waiting for decision by Governor. Will be virtual unless the law changes. Chair confirms that meeting will be at 6pm for virtual. If in person then chair will poll members for start time.

## **I. Adjournment**

Notification of Upcoming Meeting Dates

August 23

September 13

September 27

Adjourned at 6:51pm

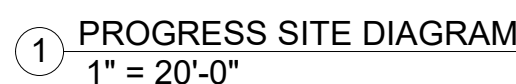
Motion made by Alexopoulos, Seconded by Taveira.

Voting Yea: Alexopoulos, Monteiro, Plizga, Santos, Taveira





**3. PLEASE REFER TO THE LOT COVERAGE PLAN FOR PROPOSED AND EXISTING IMPERVIOUS AREAS, A DISCUSSION OF THESE AREAS APPEARS IN THE ZONING SUMMARY ON THIS SHEET.**



40 MICHAEL RD, RANDOLPH, MA 'RSFHD' RES. SINGLE-FAMILY HIGH DENSITY				
ZONING TABLE				
RANDOLPH ZONING SUBDISTRICT 'RSFHD'	ALLOWED	EXISTING	PROPOSED	RELIEF REQUIRED
MIN LOT AREA SQUARE FEET	12,000	+/-16,197	NO CHANGE	N
MAX LOT COVERAGE BUILDING AS %	20%	14%	20%	N
MAX LOT COVERAGE IMPERVIOUS AS %	5%	9%	NO CHANGE	ENC
GREEN OPEN AREA AS %	75%	78%	70%	Y
MAX. COVERAGE A+B AS %	25%	22%	29%	Y
FLOOR AREA RATIO (FAR)	NA	-	-	N
BUILDING HEIGHT (STORIES)	2.5	1.5	NO CHANGE	N
BUILDING HEIGHT (FEET)	40'	14.96'	NO CHANGE	N
MINIMUM FRONTAGE (FEET)	100'	87.87'	NO CHANGE	ENC
MINIMUM LOT DEPTH (FEET)	100'	85.49'	NO CHANGE	ENC
MINIMUM LOT WIDTH (FEET)	75'	134'	NO CHANGE	N
MIN. STREET SETBACK (FEET) (MINIMUM)	25'	25.7'	NO CHANGE	N
FRONT YARD (FEET) (MINIMUM)	25'	25.7'	NO CHANGE	N
SIDE YARD LEFT (FEET) (MINIMUM)	15'	48.1'	35.2'	N
SIDE YARD RIGHT (FEET) (MINIMUM)	15'	24.2'	NO CHANGE	N
REAR YARD (FEET) (MINIMUM)	15'	15.8'	NO CHANGE	N

\* **ENC** INDICATES AN EXISTING, NON-CONFORMING CONDITION  
- LOT AREA TAKEN FROM PLOT PLAN BY RJOC, CIVIL ENGINEERS, SURVEYORS AND  
LAND PLANNERS

**ZONING MAP EXCERPT:**

1. ONLINE MAPPING DATABASE 'randolphma.mapgeo.io'  
2. ACCESSED ON 8/1/2022



## ZONING SUMMARY:

**SPECIAL PERMITTING: CHAPTER 200. ZONING. ARTICEL VIII. SPECIAL PERMITS**  
THE PROPOSED IN-LAW APARTMENT USE REQUIRES APPROVAL BY THE RANDOLPH  
PLANNING BOARD.

**RELIEF IS NEEDED FOR:**

1. IMPERVIOUS COVERAGE: THE EXISTING 1,296 SF DRIVEWAY AND 96 SF EXISTING WALK ARE AT 9%, MORE THAN THE ALLOWED 5%, WITH NO NEW IMPERVIOUS SURFACE, THE NON-CORMITY IS AN EXISTING NON-CONFORMING CONDITION.
2. COMBINED BUILDING AND IMPERVIOUS COVERAGE  $20\% + 9\% = 29\%$  (25% FOR A+B)
3. GREEN OPEN AREA IS REDUCED FROM 78% TO 70% WITH THE IN-LAW AND PORCH ADDITION. (75% GREEN OPEN AREA IS THE MINIMUM ALLOWED FOR RSFHD SUBDISTRICT).
4. USE OF INLAW APARTMENT: SECTION 200-46

**GENERAL NOTES:**

- 1. CONSTRUCTION SHALL BE CONSISTENT WITH THE 2015 EDITION OF INTERNATIONAL RESIDENTIAL CODE WITH MASSACHUSETTS AMENDMENTS IN THE 9TH EDITION.**
- 2. INSULATION AND CONSTRUCTION JOINT SEALING TO BE CONSISTENT WITH THE MASSACHUSETTS STATE ENERGY CODE. (AND THE 2015 INTERNATIONAL ENERGY EFFICIENCY CODE WITH NEW MASSACHUSETTS AMENDMENTS).**
- 3. G.C. SHALL ALERT STRUCTURAL ENGINEER AND ARCHITECT TO ANY DISCREPANCIES BETWEEN STRUCTURAL AND ARCHITECTURAL DRAWINGS OR SITE CONDITIONS, AS THEY ARE DISCOVERED IN A TIMELY FASHION SO THEY MAY BE PROPERLY ADDRESSED.**
- 4. IT IS THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR AND THE RESPECTIVE SUBCONTRACTORS TO ENSURE THAT ALL INSTALLATIONS ARE DONE IN A WORKMANLIKE MANNER AND COMPLY WITH APPLICABLE CODE REQUIREMENTS.**

### CODE SUMMARY:

**EXISTING SINGE-FAMILY RESIDENTIAL STRUCTURE:**

THE EXISTING SINGLE-FAMILY AT 40 MICHAEL ROAD WAS ORIGINALLY BUILT IN 1960  
ACCORDING TO THE ASSESSOR'S RECORDS.

**PROJECT SCOPE:**

1. PROPOSED NEW CONSTRUCTION EXTERIOR ADDITION TO THE LEFT REAR OF THE EXISTING SINGLE-FAMILY HOME. PLEASE REFER TO SITE PLANS AND ENCLOSED PROPOSED PLOT PLAN. NEW INLAW APARTMENT INCLUDING NEW KITCHENETTE, FULL BATH, BEDROOM AND MODEST LIVING AREAS AS PART OF PROPOSED ADDITION.
2. NEW BULKHEAD STAIR AT EXISTING BASEMENT, CUT DOWN EXISTING BASEMENT WINDOW ON SIDE OF HOUSE.
3. STRUCTURAL PLANS TO FOLLOW.
4. PLEASE REFER TO ZONING NOTES AND TABLE ON THIS SHEET FOR ZONING.

## LIMITED STRUCTURAL DESIGN SCOPE:

THESE DRAWINGS AND DESIGNS CONTAINED HEREIN ARE NOT INTENDED TO MAKE A COMPLETE INVENTORY OF EVERY EXISTING CONDITION AND DO NOT REPRESENT AN OFFICIAL CERTIFICATION OF THE EXISTING STRUCTURE.

## DRAWING LIST

SHEET NO.	DRAWING TITLE
-CS1.1-	PROJECT COVERSHEET
-PP-1-	PROPOSED PLOT PLAN
A151	PLANNING APPLICATION

**SMOKE ALARM KEY:**

- (CO)** CARBON MONOXIDE DETECTOR
- (HD)** HEAT DETECTOR
- (SD)** SMOKE DETECTOR

## SMOKE ALARM NOTES

- |   |  |
|---|--|
| 1. INSTALL AT A MINIMUM ONE SMOKE ALARM IN EACH BEDROOM   | 8. THE BUILDING WIRING SYSTEM SHALL PROVIDE POWER TO THE INTEGRATED ALARM SYSTEM AND THE SYSTEM SHALL HAVE BATTERIES TO SUPPLY BACKUP POWER WHEN PRIMARY POWER IS INTERRUPTED. |
| 2. INSTALL A SMOKE ALARM IN THE IMMEDIATE VICINITY OF ALL BEDROOMS  | 9. THE SMOKE ALARMS SHALL BE INTERCONNECTED SO THAT THE ACTIVATION OF ONE ALARM WILL SOUND ALL OF THE ALARMS   |
| 3. PROTECT ALL STAIRS WITH A SMOKE ALARM AT THE TOP OF THE STAIRS   | 10. LOCATE CO (CARBON MONOXIDE) DETECTORS OUTSIDE OF BEDROOMS IN A CENTRAL LOCATION  |
| 4. PROTECT ALL STAIRS WITH A SMOKE ALARM AT THE BOTTOM OF ALL STAIRS  | 11. LOCATE ALL DETECTORS PER BEST PRACTICES AND CODE REQUIREMENTS TO AVOID NUISANCE ALARMS   |
| 5. SELECT AND INSTALL AN ALARM SYSTEM IN CONFORMANCE WITH ALL STATE, LOCAL AND NATIONAL CODES INCLUDING BUT NOT LIMITED TO THE 8TH EDITION OF THE MASSACHUSETTS STATE BUILDING CODE, NFPA 72 AND UL 217 | 12. INSTALL DETECTORS AS REQUIRED IN MECHANICAL AND ELECTRIC CLOSETS IN THE BASEMENT AND THROUGHOUT  |
| 6. SMOKE ALARMS MUST PROVIDE 70 db MINIMUM PRESSURE AT THE PILLOW OF EACH BEDROOM   |  |
| 7. INSTALL A MINIMUM OF ONE SMOKE DETECTOR ON EACH LEVEL INCLUDING THE ATTIC AND BASEMENT LEVELS  |  |



[www.KWHdesign.net](http://www.KWHdesign.net)

**KWH design, inc.**  
Keith Hinzman, LEED AP BD+C  
PO BOX 51644  
BOSTON, MA 02205  
(617) 913-4714  
keith@kwhdesign.net  
[www.KWHdesign.net](http://www.KWHdesign.net)

**TRUE HALFSIZE SET**  
(WHEN ON 11x17 SHEETS)

[illegible]

40 MICHAEL RD  
RANDOLPH, MA

# PROJECT COVERSHEET

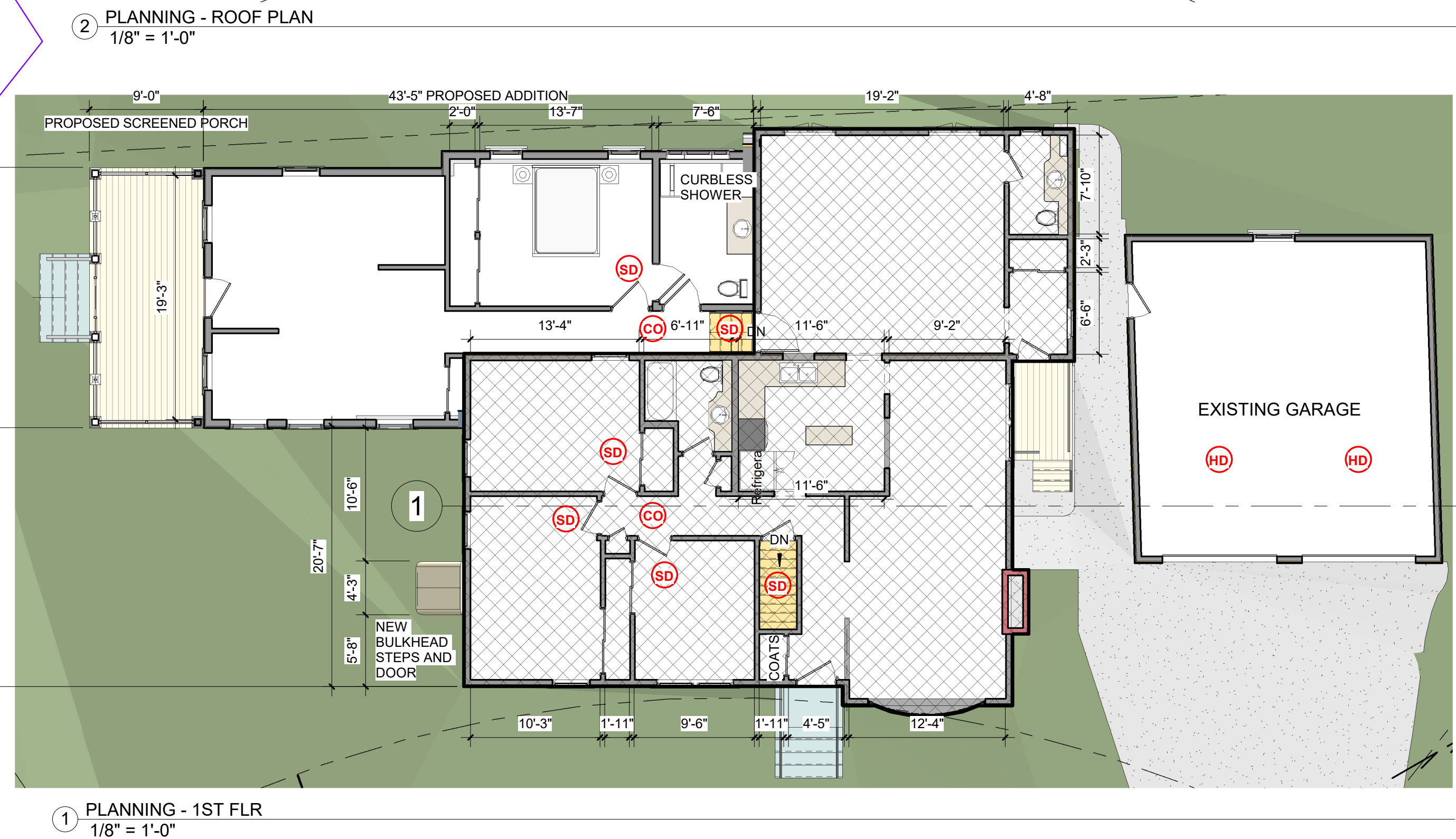
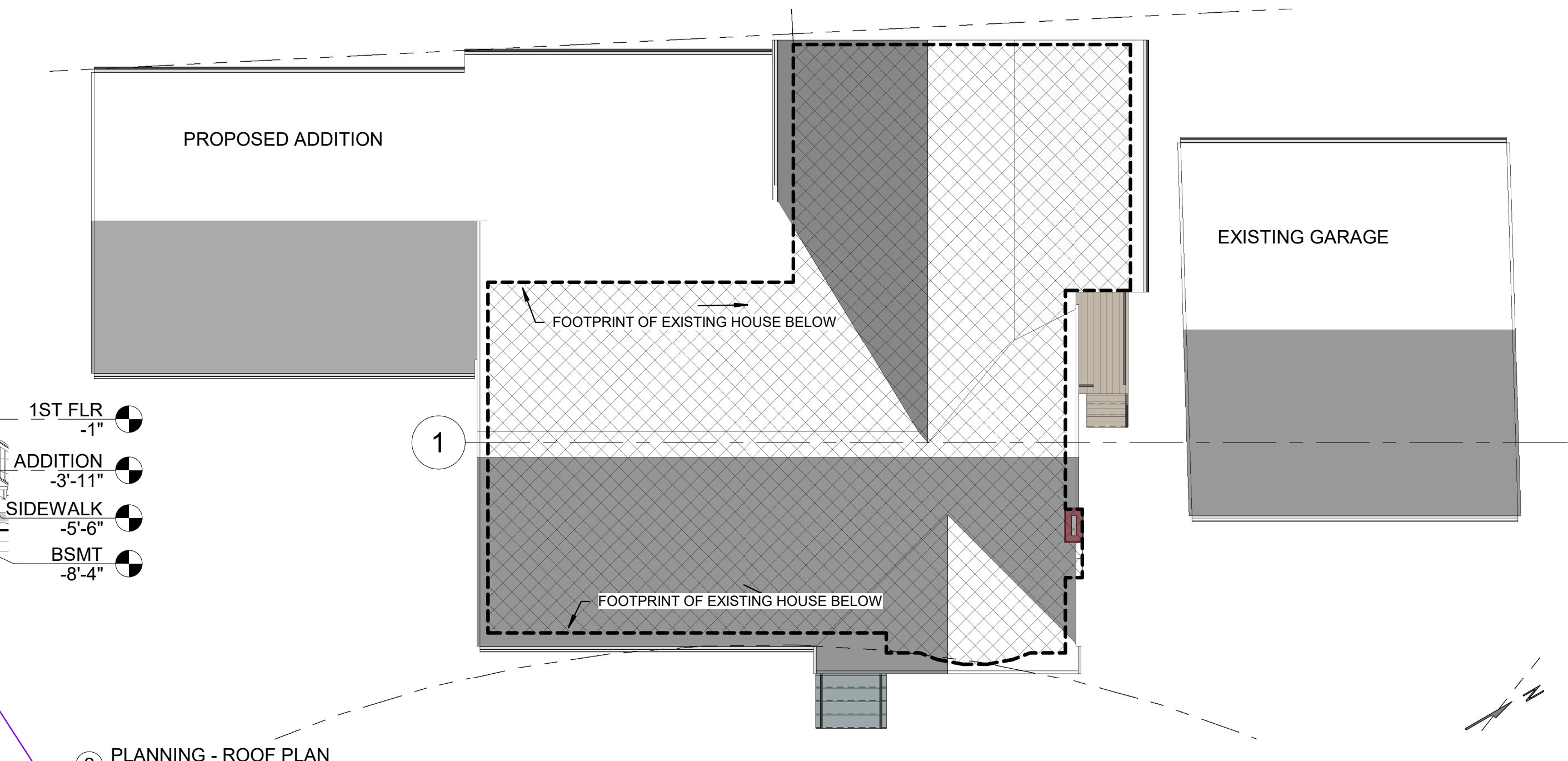
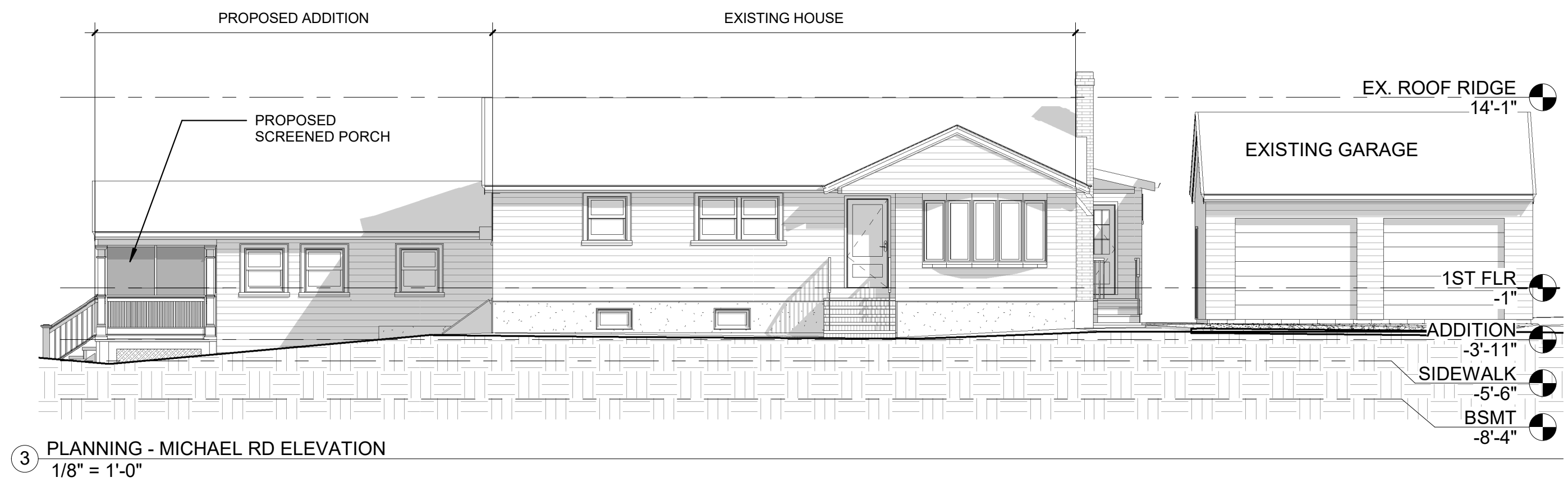
Project number	Project Number
Date	2022-08-03
Drawn by	Author
Checked by	Checker

-CS1.1-

Scale	1" = 20'-0"
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**KWH design, inc.**  
Keith Hinzman, LEED AP BD+C  
PO BOX 51644  
BOSTON, MA 02205  
(617) 913-4714  
keith@kwhdesign.net  
[www.KWHdesign.net](http://www.KWHdesign.net)

[illegible]

Project number	Project Number
Date	2022-08-03
Drawn by	Author
Checked by	Checker
A151	
Scale	As indicated



# RJOC

## Record Owner:

BRIAN & DANIELLE STARUK  
40 MICHAEL RD  
RANDOLPH, MA 02368  
CERT. #203381

## Location:

PARCEL ID: 10 D 14.7  
40 MICHAEL RD  
RANDOLPH, MA

## PREPARED BY:

**RJO'CONNELL  
& ASSOCIATES, INC.**

CIVIL ENGINEERS, SURVEYORS & LAND PLANNERS  
80 MONTVALE AVENUE, SUITE 201 STONEHAM, MA 02180  
PHONE: 781.279.0180 RJOCONEILL.COM

## PREPARED FOR:

**DANIELLE STARUK**

40 MICHAEL ROAD  
RANDOLPH, MA

## PROJECT NAME:

**40 MICHAEL ROAD**

RANDOLPH, MA

## SEAL



PROFESSIONAL LAND SURVEYOR FOR  
RJ O'CONNELL & ASSOCIATES, INC

DRAWN BY: EC

REVIEWED BY: ML

SCALE: 1" = 20'

FIELD CREW: TDB / JEO

FIELD BOOK: FIELD BOOK 47 / PG. 53

DATE: 7/19/2022

REVISED:

DRAWING NAME:

**PROPOSED  
PLOT PLAN**

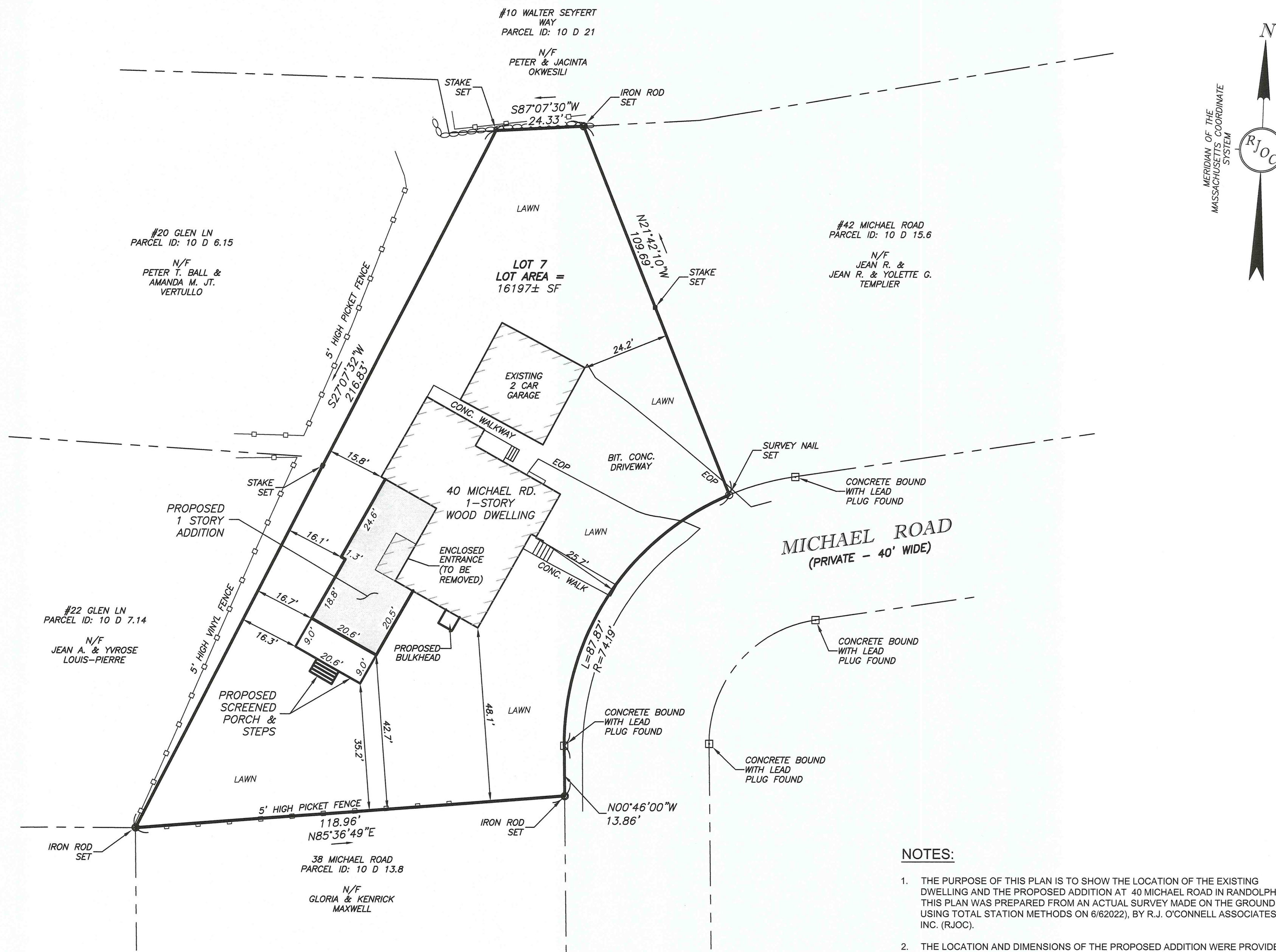
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**PP-1**

PROJECT NUMBER:

**22542**

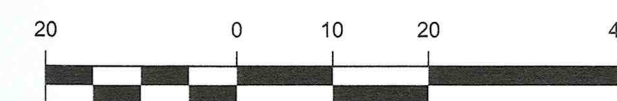
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**DIG SAFE**



BEFORE YOU DIG  
CALL 811



GRAPHIC SCALE IN FEET



## PLANNING DEPARTMENT

# APPLICATION FOR A SPECIAL PERMIT OR SITE PLAN & DESIGN REVIEW



<b>Project Type</b>	<input type="radio"/> Tier 1 Review <input checked="" type="radio"/> In-Law <input type="radio"/> Tier 2 Review <input type="radio"/> Two-Family <input type="radio"/> Tier 4 Site Plan/Design Review <input type="radio"/> Special Permit		
<b>Assessor Parcel ID</b> <i>map-block-parcel</i>	10 D 14.7	<b>Norfolk County</b> <b>Registry of Deeds</b>	<i>Book/Page or Cert #</i> C#203381/0
<b>Parcel Address</b>	40 MICHAEL ROAD, RANDOLPH, MA		
<b>Current use</b>	SINGLE-FAMILY HOME		
<b>Zoning District</b>	RSFHD	<b>Size of Parcel</b>	16,197 SF
<b>Parcel Attributes</b>	<input type="radio"/> Wetland <input type="radio"/> Flood Plain <input type="radio"/> Wetland Resource		
<b>Project Description</b>	PROPOSED ADDITION FOR INLAW SUITE LESS THAN 800 SF    		

<b>Applicant</b>	DANIELLE STARUK		
<b>Contact person</b>	KEITH HINZMAN		
<b>Applicant Status</b>	<input checked="" type="radio"/> Owner <input type="radio"/> Tenant <input type="radio"/> Licensee <input type="radio"/> Buyer <input type="radio"/> Other _____		
<b>Address</b>	40 MICHAEL ROAD, RANDOLPH, MA		
<b>Phone</b>	(617) 435-3009	<b>Email</b>	daniellestaruk@gmail.com

<b>Surveyor</b>	RJOC CIVIL ENGINEERS, SURVEYORS & LAND PLANNERS		
<b>Contact person</b>	BRIAN DUNDON		
<b>Address</b>	80 MONTVALE AVE, STONEHAM, MA 02180		
<b>Phone</b>	781.279.0180	<b>Email</b>	brian.dundon@rjoconnell.com

Designer	KWH DESIGN, INC.		
Contact person	KEITH HINZMAN		
Address	47 KENBERMA STREET, HULL, MA 02045		
Phone	617.913.4714	Email	KEITH@KWHDESIGN.NET

*\*If property owner is not the Applicant, authorization from the owner is required\**

Property Owner			
Address			
Phone		Email	

I hereby certify, under the pains and penalties of perjury, that the information contained in this application is true, accurate and complete to the best of my knowledge and belief. I agree to abide by the Randolph Zoning Ordinances and complete construction of the project in accordance with said rules and any conditions of the Planning Board.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Agent/Representative

\_\_\_\_\_  
Date

Council Order: 2022-038

Introduced By: Council President William Alexopoulos  
July 25, 2022

**Request for the Town Council to Initiate**  
**An Amendment to the Randolph Zoning Ordinance –**  
**Chapter 200 of the General Code of the Town of Randolph –**  
**Concerning Density Requirements in the Union Crossing Transit District**  
**Pursuant to M.G.L. ch. 40A, sec. 5**

That the Town Council of the Town of Randolph hereby initiates an amendment to the Randolph Zoning Ordinance, Chapter 200 of the General Code of the Town of Randolph, pursuant to M.G.L. ch. 40A, Section 5, concerning density requirements in the Union Crossing Transit District and hereby amends the Zoning Ordinance as follows:

**1. Zoning § 200-14.3(F), which currently reads as follows, is hereby deleted:**

F. Development intensity.

- (1) The maximum residential density of a UCTD project shall be fifteen (15) dwelling units per acre.

**2. A new zoning § 200-14.3(F) is hereby inserted, as follows:**

F. Development intensity.

- (1) The maximum residential density of a UCTD project shall be fifteen (15) dwelling units per acre.
- (2) Permitted basic density shall be calculated as follows:
  - a. Total area of the lot(s) less any land within a body of water or situated within a wetland or within fifty (50) feet of a bordering vegetated wetland (BVW).





Town of Randolph  
**PETITION FOR ZONING AMENDMENT**

~Clerk's Use~  
Date referred to Planning \_\_\_\_/\_\_\_\_/\_\_\_\_  
Order # \_\_\_\_\_

**RESPECTFULLY SUBMITTED TO TOWN COUNCIL BY (check one)**

- ☐ TOWN COUNCIL    ☐ BOARD OF APPEALS    ☒ PLANNING BOARD  
☐ SUBJECT LAND OWNER(s)\*

PETITIONER'S NAME Randolph Planning Board

AGENT/REPRESENTATIVE/CONTACT (if any) Michelle Tyler

ADDRESS 41 South Main Street, Randolph, MA02368

PHONE 781-961-0936 EMAIL mt Tyler@randolph-ma.gov

REASON FOR PROPOSED AMENDMENT (attach additional justification as warranted) \_\_\_\_\_

This amendment would further define Development Intensity in a UCTD development by considering the existence of wetlands on any parcel and eliminating it from buildable parcel size. Without this amendment, if wetlands covered half of a lot, the effective density on the buildable portion could be significantly higher and defeat the intent of a "village style" development.

PETITIONER'S SIGNATURE *Michelle R Tyler* DATE 7-13-2022  
\*all parties must sign

**ZONING TEXT AMENDMENT (if applicable)**

ARTICLE(s)/SECTION(s) 200-14.3.F

☒ **REQUIRED:** attach proposed ordinance TEXT using exact wording. Use strikethrough to show text to be deleted and bold to indicate text to be added

**ZONING MAP AMENDMENT (if applicable)**

PROPERTY LOCATION/STREET ADDRESS \_\_\_\_\_

CURRENT ZONING \_\_\_\_\_ TOTAL ACREAGE TO BE REZONED \_\_\_\_\_

PROPOSED ZONING \_\_\_\_\_

ASSESSOR'S MAP(s) & PARCEL(s) \_\_\_\_\_

CURRENT USE(s) \_\_\_\_\_

ANTICIPATED USE (if known) \_\_\_\_\_

DESCRIPTION OF EXISTING LAND USES OF SURROUNDING AREA \_\_\_\_\_

☐ **REQUIRED:** attach MAPS clearly showing existing & proposed zoning districts, including parcel lot lines (8.5 x 11" preferred size)

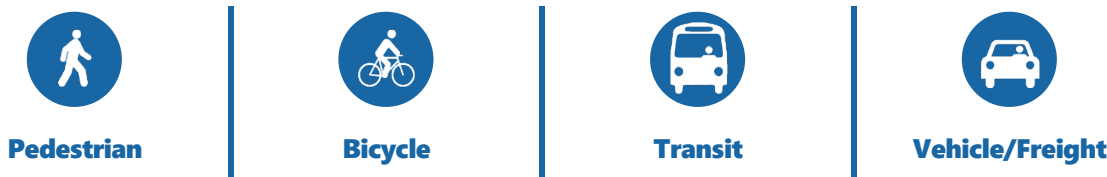
## **Proposed amendment to 200-14.3 Union Crossing Transit District (UCTD)**

### **F. Development intensity.**

- (1) The maximum residential density of a UCTD project shall be fifteen (15) dwelling units per acre.**
- (2) Permitted basic density shall be calculated as follows:**
  - a. Total area of the lot(s) less any land within a body of water or situated within a wetland or within fifty (50) feet of a bordering vegetated wetland (BVW).**

# Introduction: Program Purpose and Overview

Complete Streets make travel safe, comfortable, convenient, and accessible for people of all ages, abilities, and travel modes. By designing streets for a wide range of users, streets become more than just links that people pass through. They can contribute to the safety, health, economic viability, and quality of life in a community by expanding transportation options between home, school, work, recreation, and retail destinations. Embedding Complete Streets principles in policy and practice help promote more livable and equitable communities.



Launched in 2016, the [MassDOT Complete Streets Funding Program](#) is a first-in-the-nation program that dedicates state transportation funds to plan and implement Complete Streets. After just five years of operation, MassDOT has seen the power of the dedicated funding program and has made the program permanent with more than half of Massachusetts communities involved in the program at some level. To view up-to-date program participation by municipality, visit the online [participation map](#).

**FIGURE 1: MEASURING PROGRAM SUCCESS, 2016 TO 2020**



Local participation in the Complete Streets Funding Program is bringing on-the-ground changes that benefit people across the Commonwealth. Ultimately, MassDOT’s goal is for all 351 cities and towns in Massachusetts to be actively engaged in the Complete Streets Funding Program and to integrate Complete Streets principles into all local transportation planning and design practices.

This Complete Streets Funding Program Guidance describes the goals, benefits, and requirements for participating in the program. After a review of the program’s first five years of operation, this guidance document has been updated to respond to feedback provided by participating municipalities, municipalities that haven’t yet enrolled in the program, and a broad stakeholder group. This updated guidance is simplified, more accessible, and more directly addresses the unique transportation needs of rural municipalities.

# 2017 COMPREHENSIVE MASTER PLAN IMPLEMENTATION GRID

LAND USE		Primary Responsibility	Time Frame				NOTES
			Short	Medium	Long	Ongoing	
<b>Master Plan Task</b>							
LU1	Review and update zoning to encourage mixed-use and strategic commercial development.	PLANNING BOARD Town Council	X				
LU2	Update the current design review regulations to enhance design guidelines and extend design review to more types of development.	PLANNING BOARD Town Council	X				
LU3	Identify and market priority sites to attract new development.	Planning Dept.	X				
LU4	Clearly “brand” and promote the Crawford Square area as the Town Center.	PLANNING BOARD Town Council	X				
LU5	Continue working to protect open space resources through investment, reforestation, zoning, and design review regulations.	PLANNING BOARD Town Council				X	
LU6	Promote sustainable land use and development practices.	PLANNING BOARD Town Council	X				
LU7	Provide for the mitigation of negative impacts associated with development through developer’s contributions to the provision of new infrastructure, the creation of public amenities, or user fees.	PLANNING BOARD Town Council	X				



ECONOMIC DEVELOPMENT		Primary Responsibility	Time Frame				NOTES
			Short	Medium	Long	Ongoing	
<b>Master Plan Task</b>							
<b>ED1</b>	Produce marketing and promotional materials and events.	Planning		X			
<b>ED2</b>	Facilitate broader outreach to the business community	Planning Chamber of Commerce		X			
<b>ED3</b>	Provide developers and owners of vacant and underutilized properties with information and guidance through town regulations and ordinances to guide appropriate development of these parcels.	<b>PLANNING BOARD</b> Planning Dept	X				
<b>ED4</b>	Develop curriculum and workshops to assist businesses with parcel development.	Planning Dept Chamber of Commerce		X			
<b>ED5</b>	Engage the local business community	Planning Dept Chamber of Commerce		X			
<b>ED6</b>	Identify areas in the town that are appropriate for employers of Professional and Technical Services and Accommodation and Food Services.	<b>PLANNING BOARD</b> Planning Dept Chamber of Commerce		X			
<b>ED7</b>	Market under-utilized parcels for mixed use, including the development of medical office space.	<b>PLANNING BOARD</b> Planning Dept Town Council		X			
<b>ED8</b>	Use results of the retail gap analysis described herein to promote retail development in target areas.	<b>PLANNING BOARD</b> Planning Dept Chamber of Commerce		X			

HOUSING		Primary Responsibility	Time Frame				NOTES
			Short	Medium	Long	Ongoing	
Master Plan Task							
H1	Increase affordable housing availability in appropriate locations to ensure the needs of current and future residents are met.	Planning Dept Housing Authority		X			
H2	Preserve, maintain, and upgrade existing affordable housing units.	Housing Authority				X	
H3	Promote homeownership throughout the town.	Housing Authority				X	
H4	Expand the mix of housing choices throughout town for a range of incomes, ages, and family types.	PLANNING BOARD Planning Department Town Council		x			4/26/22 – discussion by the Board to research opportunities bearing in mind potential affect of MBTA communities zoning requirements to be enacted by December 2023. Also notes that zoning has been updated to permit “tiny house” development to scale down sizes. Includes a bonus density when a developer includes affordable units.

OPEN SPACE AND RECREATION		Primary Responsibility	Time Frame				NOTES
			Short	Medium	Long	Ongoing	
Master Plan Task							
OSR1	Continue the protection of existing open space parcels and acquire new lands.	PLANNING BOARD ConCom Planning Dept Town Council				X	3/22/22 PB to incorporate protection of green space, where feasible, in review of all development proposals. Will research cluster development and open space design regulations to determine if they can be incorporated in Randolph regulations
OSR2	Preserve and maintain sufficient habitats for native plant and wildlife species.	PLANNING BOARD ConCom Planning Dept Town Council				X	3/22/22 Planner to ensure native pollinator species are included with the recommended landscaping plant listing made available to developers. Need to find a way to incorporate it in a checklist of items reviewed. -incorporate question about rare/endangered habitat and species check on applications -incorporate requirement to address impacts in the Development Impact Statement
OSR3	Create multi-modal links between open space and recreation areas.	Recreation DPW Conservation Planning		X			3/22/22 – Planner provided list of Conservation parcels to the MPIC and to Conservation. Requested to send to Planning Board  4/28/22 – Complete Streets policy/participation in development with BETA Engineering and DPW. To go before TC for approval. Identification of 15+ projects some of which would address this
OSR4	Improve public access at and within land managed by the Conservation Commission.	ConCom Planning Dept	X				
OSR5	Continue working to protect open space resources through investment, reforestation, zoning, and design review regulations.	PLANNING BOARD Conservation Commission Planning Dept Town Council				X	3/22/22 – Research clear-cutting ordinances in the state to consider recommending updates to Randolph laws - Research potential of tree bank ordinance
OSR6	Maintain and provide sufficient active recreation facilities.	Recreation				X	
OSR7	Provide for the mitigation of negative impacts associated with development activities through impact fees to assist in the funding of open space and recreation oriented initiatives.	PLANNING BOARD ConCom Planning Dept Town Council		X			3/22/22 – This should be ONGOING and the PB should consider reasonable mitigation when impacts of development affect greenspace.

NATURAL AND CULTURAL RESOURCES		Primary Responsibility	Time Frame				NOTES
			Short	Medium	Long	Ongoing	
<b>Master Plan Task</b>							
<b>NHC1</b>	Continue working to preserve natural resources through the acquisition of vulnerable open space areas to protect them in perpetuity.	<b>PLANNING BOARD</b> ConCom Planning Dept Town Council				<b>X</b>	4/14/22 - (see OSR1)
<b>NHC2</b>	<p>Review Town ordinances to consider impact of zoning and other regulations on historic properties to introduce coordinating measures, such as:</p> <ul style="list-style-type: none"> <li>Monitor impact of Site Plan and Design Review process on historic resources.</li> <li>Amend Residential District Setback Provision, Section 200-28. A (2), and allow for relief from strict adherence to the 25' setback to match the setback of adjacent historic houses.</li> <li>Notify the Historical Commission of buildings 50 years old or older that are cited under Chapter 83, Security and Maintenance of Abandoned and/or Dilapidated Buildings.</li> </ul>	Historic Commission <b>PLANNING BOARD</b> Planning Dept Town Council		X			<p>4/14/22 – Board suggests joint meeting with Historic Commission to determine a collective approach to any potential zoning amendments. Board suggests adjusting the project checklist for site plan development to include a confirmation that a parcel (or neighboring parcels) are not historic in nature. Tony Plizga to suggest language to amend 200-28A to provide setback relief when abutting historic structures are affected.</p> <p>4/26/22 – M. Tyler reached out to the chair of the Historic Commission asking for a joint meeting. Waiting on their calendar.</p>
<b>NHC3</b>	Change threshold of Demolition Delay Ordinance to the national standard of 50 years old or older, and extend the delay period to nine months or more.	Historic Commission <b>PLANNING BOARD</b> Planning Dept Town Council		X			<p>4/14/22 – ask to meet with Historic Commission</p> <p>4/26/22 – M.Tyler reached out to chair of Historic Commission asking for a joint meeting. Waiting on their calendar.</p>
<b>NHC4</b>	Expand availability of HRI documents by including links to them on the Town's webpage.	Historic Commission Planning Dept	X				
<b>NHC5</b>	Add historic designations to online GIS.	Historic Commission Planning Department	<b>COMPLETED 2021</b>				



NHC6	Establish a History Room in the Turner Free Library to provide better access to historic material about Randolph.	Historic Commission Library		X			
NHC7	Restart historic marker program, and establish historic street signage program.	Historic Commission		X			
NHC8	Encourage the use of historic properties as economic development tools by using state and federal Historic Rehabilitation Tax Credits.	Historic Commission Planning Department		X			
NHC9	Work with Preservation Massachusetts to utilize their Circuit Rider Program.	Historic Commission Planning Department		X			
NHC10	Take advantage of all funding sources for historic preservation, including: <ul style="list-style-type: none"> <li>Massachusetts Preservation Projects Fund</li> <li>Massachusetts Historical Commission Survey and Planning Grants</li> <li>CPA Funds</li> <li>Preservation Massachusetts Predevelopment Loan Fund</li> <li>The MCC</li> </ul>	Historic Commission Planning Department Mass Cultural Council		X			

SERVICES AND FACILITIES		Primary Responsibility	Time Frame				NOTES
			Short	Medium	Long	Ongoing	
Master Plan Task							
SF1	Prioritize allocation from the local budget towards improving aged utilities and educational facilities.	DPW Town Council	X				
SF2	Assess the needs for upgrades to school facilities on a regular basis.	DPW RPS				X	
SF3	Provide access to areas and amenities of all schools’ building interior, including ADA-accessible restrooms, elevators, drinking fountains, and parking.	RPS	X				
SF4	Review the needs of residents to ensure programs that are offered by the Town reflects the needs and interests of all Randolph residents.	Town Manager				X	
SF5	Centralize social services information at one location to make it easier for residents and visitors to get the information they need.	DPW Health Dept Planning Dept Town Manager		X			
SF6	Replace the Randolph-Holbrook Treatment Plant.	DPW	IN PROGRESS				
SF7	Complete the cleaning and lining of the water mains.	DPW	X				
SF8	Provide new 8-Inch water mains.	DPW	X				
SF9	Increase fire flow protection.	DPW	X				
SF10	Remove sump pumps from the sewer system.	DPW	X				
SF11	Continue inflow/infiltration detection and removal.	DPW				X	
SF12	Educate the public about proper disposal of grease and cleaning products.	DPW	X				

TRANSPORTATION		Primary Responsibility	Time Frame				NOTES
			Short	Medium	Long	Ongoing	
Master Plan Task							
T1	Decrease congestion along roads that are operating at an unacceptable level.	DPW Planning Dept		X			4/28/22 – Complete Streets policy/participation in development with BETA Engineering and DPW. To go before TC for approval. Identification of 15+ projects some of which would address this
T2	Make changes to parking policy to organize the public parking supply to be more efficient and reflect current demand.	DPW	X				
T3	Increase pedestrian and bicyclist safety.	Planning Dept DPW	X				4/28/22 – Complete Streets policy/participation in development with BETA Engineering and DPW. To go before TC for approval. Identification of 15+ projects some of which would address this
T4	Expand viable transit options for all Randolph residents and employees.	DPW		X			
T5	Develop local capacity to address transportation and circulation needs on an ongoing basis.	DPW Planning Dept Town Manager		X			



Michelle Tyler &lt;mtyler@randolph-ma.gov&gt;

## Historical Commission determinations regarding outstanding Master Plan items

2 messages

Henry Cooke &lt;hcooke4@verizon.net&gt;

Tue, Jun 14, 2022 at 8:44 PM

Reply-To: Henry Cooke &lt;hcooke4@verizon.net&gt;

To: "mtyler@randolph-ma.gov" &lt;mtyler@randolph-ma.gov&gt;

Cc: "veggies4me@comcast.net" &lt;veggies4me@comcast.net&gt;, "lynnfeingold0@gmail.com" &lt;lynnfeingold0@gmail.com&gt;, "jpggeg2001@gmail.com" &lt;jpggeg2001@gmail.com&gt;, "haynesclifton@yahoo.co.uk" &lt;haynesclifton@yahoo.co.uk&gt;

Michelle,

Please convey to the Chair of the Planning Board that the Historical Commission, following our joint meeting with the Planning Board, met with our fourth member Elsie Gray, who was unable to attend the joint meeting, and after additional discussion voted unanimously that we support keeping the threshold for Demolition reviews and notifications at 100 years, and support extending the delay period for "Preferably Preserved" buildings, as defined in the Demolition of Historic Buildings Ordinance, from the present six (6) months to nine (9) months.

The Historical Commission as part of our own discussion relative to determining buildings less than 100 years old as historic per our authority as a Commission, will be pursuing a Survey and Planning Grant from MHC as well as a matching grant from the CPC to enable a professional preservation planner to update our list of "Century Buildings", and to also survey those buildings in the town that are less than 100 years old, but are architecturally, historically, or culturally significant, and that MHC forms be prepared for them and that they be logged into the MHC MACRIS database so that they may be updated on the GIS map. If approved, we would be carrying this plan out in the summer of 2023.

The Commission will also take under advisement the further suggestions of the Planning Board members about historical waysides, monuments, and other aspects of the natural or built environment that might be of historical significance and develop strategies for their preservation and appreciation by the wider community.

Respectfully Submitted  
Henry Cooke, Chair  
Historical Commission  
Town of Randolph

Michelle Tyler &lt;mtyler@randolph-ma.gov&gt;

Wed, Aug 17, 2022 at 6:23 PM

To: Henry Cooke &lt;hcooke4@verizon.net&gt;

I found it Henry!



**Michelle R. Tyler**  
**Director of Planning**  
**Town of Randolph**  
**781-961-0936**

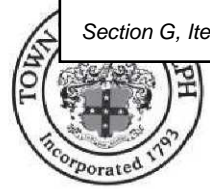
*Please be advised that the Massachusetts Secretary of State considers e-mail to be a public record, and therefore subject to the Massachusetts Public Records Law, M.G.L. c. 66 § 10.*

[Quoted text hidden]



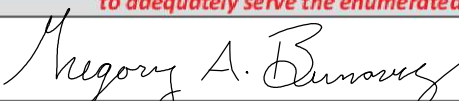
# PLANNING DEPARTMENT

Section G, Item 1.



## FORM L REQUEST FOR RELEASE OF LOTS

<b>Subdivision Name</b>	PHAM ESTATES			
<b>Norfolk Registry Recording</b>	Plan No. 30123 B	Year 2019	Plan Book	Page
<b>Applicant</b>	HUNG PHAM			
<b>Address</b>	631 SOUTH MAIN STREET, RANDOLPH, MA 02368			
<b>Address2</b>				
<b>Phone</b>	617-818-4199	<b>Email</b>	jpham300@yahoo.com	

<b>Surveyor/P.E.</b>	GREGORY A. BUNAVICZ, PE, PLS	<b>Registration #</b>	PE# 45851 PLS# 50300
<b>Full Release of Lots</b>	Lot numbers	<b>Partial Release</b>	Lot numbers 2
<p><b>The requirements for the construction of ways and municipal services for the referenced subdivision of land have been COMPLETED in compliance with the approved Definitive Plan, the Decision of Approval, the conditions therein and the regulations of the Planning Board to adequately serve the enumerated lots requested for release.</b></p>			
<b>Signature</b>		<b>Date</b>	8-17-22

CONSTRUCTION ITEMS REMAINING: TOP COURSE PAVEMENT, INFILTRATION SHOULDER AND BOUNDS.

<b>Town Engineer</b>		<b>Lots Approved for Release</b>	
<p><b>The requirements for the construction of ways and municipal services for the referenced subdivision of land have been COMPLETED in compliance with the approved Definitive Plan, the Decision of Approval, the conditions therein and the regulations of the Planning Board to adequately serve the enumerated lots requested for release.</b></p>			
<b>Signature</b>		<b>Date</b>	

The undersigned, being a majority of the Planning Board, hereby certify that the requirements for work on the ground called for by the conditional approval of the above referenced subdivision of land have been completed to the satisfaction of the Planning Board and **Lots** \_\_\_\_\_ **are approved for Release** are released from restrictions as to sale and building specified thereon.

Do conditions apply to the release of lots?    NO    YES (see attachment)

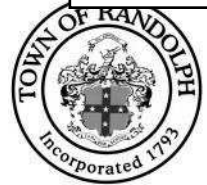
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# FORM K

## REQUEST FOR TIME EXTENSION – DEFINITIVE SUBDIVISION

Subdivision Name	PHAM ESTATES - MARY LEE WAY		
Date of Approval	12-2-2019	Initial Expiration Date	4-30-2022
Requested Date	8-30-2023	# Previous Extensions	2

Property Owner	HUNG PHAM		
Address	631 S MAIN STREET, RANDOLPH, MA 02368		
Address2			
Phone	617-818-4199	Email	JPHAM300@YAHOO.COM

Applicant	HUNG PHAM		
Address	631 S MAIN STREET, RANDOPH, MA 02368		
Address2			
Phone	617-818-4199	Email	JPHAM300@YAHOO.COM

**REASON**

*Describe progress made towards meeting the conditions of approval of the subdivision and reasons for the time extension request*

Currently, we have finished the installation of the sewage pump. We are waiting on the materials for the curb cut and the street sign to be delivered.

**SURETY CONSENT**

*If performance was secured by a surety, a letter from the Financial Institution must be attached to this request concurring the request of an extension time and shall affirm that the Letter of Credit/Bond issued by them remains in effect and that the terms are valid and binding.*

Signature of Applicant

HUNG PHAM

Printed Name

Date

7/12/22

**PLANNING BOARD DECISION**

Hearing Date \_\_\_\_/\_\_\_\_/\_\_\_\_

☐ Approved

New Date of Expiration \_\_\_\_/\_\_\_\_/\_\_\_\_

☐ Denied

Reason: \_\_\_\_\_

Colleagues and Leaders,

Since 2018, greenhouse gas emissions from transportation have exceed those form any other sector of society. The transition from internal combustion engines to electric vehicles will be critical as we attempt to minimize the impact of climate change. If Massachusetts is to meet its climate goals, electric vehicle charging stations will need to be installed in thousands of locations throughout the Commonwealth.

To meet this coming demand for electric vehicle charging, the permitting of charging stations will need to be transparent and free from duplicative processes and avoidable administrative delays. Submission requirements will need to be clearly documented, with a central point of contact for applicants and easy to follow checklists provided.

The following Electric Vehicle Charging Station Expedited Permitting Ordinance has been drafted by a task force of advocacy organizations, utility representatives, charging station installers, and governmental departments to allow Massachusetts municipalities to adopt a framework to provide charging station permitting that is safe, fair and timely. We encourage you to review this ordinance and provide input on its' contents. Thank you for your assistance in this important project.

Susan Buchan, Task Force Organizer

[sbuchan@e4thefuture.org](mailto:sbuchan@e4thefuture.org)

## SEC. XX.XXX- ELECTRIC VEHICLE CHARGING STATIONS REVIEW PROCESS.

(A) DEFINITIONS. The following words and phrases as used in this section are defined as follows:

- (1) "Adverse impact" means a significant, quantifiable, direct, or unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.
- (2) "Association", any association of homeowners, community association, condominium association, cooperative or any other nongovernmental entity with covenants, bylaws and administrative provisions with which a homeowner's compliance is required.
- (3) "Electronic submittal" means the utilization of the City's online permitting portal or the internet in (pdf/other) format.
- (4) "Electric Vehicle Charging Station", "Electric Vehicle Supply Equipment (EVSE)" or "charging station" means an electric component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles by permitting the transfer of electric energy to a battery or other storage device in an electric vehicle.
- (5) "Owner", a person who owns a separate lot, unit, or interest, including an undivided interest or membership interest in the common area of the entire project, including but not limited to condominiums, planned unit developments and parcels subject to a homeowners' association.
- (6) "Reasonable restrictions", restrictions that do not significantly increase the cost of the station, significantly decrease its efficiency or specified performance or effectively prohibit the installation altogether.

(B) PURPOSE. The purpose of this chapter is to promote and encourage the use of electric vehicles by creating an expedited, streamlined permitting process for electric vehicle charging stations while promoting public health and safety and preventing specific adverse impacts in the installation and use of such charging stations.

### (C) ELECTRIC VEHICLE CHARGING SYSTEM PERMITTING REQUIREMENTS

1. All electric vehicle charging systems shall meet the requirements of a Nationally Recognized Testing Laboratory, such as Intertek (ETL mark) or Underwriter's Laboratory (UL mark) and bear the mark on the permitted station. All permitted electric vehicle charging stations shall also meet all requirements of Section 625 of the National Electric Code and shall be subject to inspections as deemed necessary by the Chief Building Official, or other appropriate contact, or other appropriate contact.
2. Installation of electric vehicle charging stations shall be incorporated into the load calculations of all new or existing electrical services and shall meet the requirements of the Massachusetts Electrical Code. Electric vehicle charging equipment shall be considered a continuous load. C. Anchorage of either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the Massachusetts Building or Residential Code if applicable, and the provisions of the manufacturer's installation instructions. Installation of charging stations shall not adversely affect building elements.

(D) APPLICABILITY. This section applies to the permitting of all electric vehicle charging stations in the (city/town). All electric vehicle charging stations legally established or permitted prior to the effective

date of this ordinance shall not require a permit issued under this section unless physical modifications or alterations are undertaken that materially change the size, type, or components of an electric vehicle charging station. Routine operations and maintenance or like-kind replacements of the components of an electric vehicle charging state shall not be considered a material change.

(E) PUBLICALLY AVAILABLE EXPEDITED PERMITTING INFORMATION. Upon passage of this ordinance, the Chief Building Official, or other appropriate contact, shall comply with the following process elements within (30/60/90) days of passage:

- 1) By resolution, the (city/town council or other) shall adopt a checklist of all requirements with which electric vehicle charging systems shall comply to be eligible for expedited review.
- 2) All documents required by the (city/town) for submission of an electric vehicle charging system application and the permitting checklist shall be made publicly available at the city's/town's permitting website (link here) and shall be easily accessible from any (city/town) webpage through the search function.
- 3) All required documents for the initial administrative review shall be able to be submitted simultaneously through the (city/town) permitting website or through electronic means such as email or fax.
- 4) Any additional reviews and permits required for electric vehicle charging stations located in a public right of way shall be clearly documented, including the sequence of reviews and approvals, on the (city/town) permitting website. When multiple (city/town) commissions, councils, or administrative bodies need to approve installation in a public right of way, the required documents for each body shall be clearly listed on a "EV Charging Station Permitting in a Public Right of Way" Checklist on the (city/town) permitting website.
- 5) Reviews by (city/town) commissions, councils, or administrative bodies that need to approve installation in a public right of way shall be concurrent as long as the required documents are submitted to each body simultaneously.
- 6) The Chief Building Official, or other appropriate contact, shall allow the electronic submittal of the electric vehicle charging station application.
- 7) The Chief Building Official, or other appropriate contact, shall appoint an appropriate employee of the (city/town) to serve as an electric vehicle charging station permitting ombudsman, whose contact information shall be clearly posted on the (city/town) permitting webpage.

(F) PERMITTING REVIEW REQUIREMENTS

- 1) Review of the permit application shall be limited to the Chief Building Official's, or other appropriate contact's, review of whether the application meets local, State and Federal health and safety requirements. The application shall be administratively reviewed by the Chief Building Official, or other appropriate contact, as a nondiscretionary permit.
- 2) An application for an electric vehicle charging station shall be deemed complete and the permit available for issuance, when the Chief Building Official, or other appropriate contact, determines that the application satisfies all the requirements found in the checklist.
- 3) The City shall not condition approval of an application on the approval of an association, as that term is defined in Section XXX.XX A.2 of this document.



- 4) An application for an electric vehicle charging station shall be deemed complete and the permit available for issuance, when the Chief Building Official, or other appropriate contact, determines that the application satisfies all the requirements found in the checklist.
- 5) If an application is deemed incomplete, a written plan check correction notice will be available to the applicant within ten (10) working days, detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be given to the applicant for resubmission.

DRAFT

**Part I** ADMINISTRATION OF THE GOVERNMENT

**Title II** EXECUTIVE AND ADMINISTRATIVE OFFICERS OF THE COMMONWEALTH

**Chapter 25A** DIVISION OF ENERGY RESOURCES

**Section 16** PUBLIC ELECTRICAL VEHICLE CHARGING STATIONS

---

Section 16. (a) For the purposes of this section, the following words shall have the following meanings unless the context clearly requires otherwise:

"Electric vehicle", a battery electric vehicle that draws propulsion energy solely from an on-board electrical energy storage device during operation that is charged from an external source of electricity or a plug-in hybrid electric vehicle with an on-board electrical energy storage device that can be recharged from an external source of electricity which also has the capability to run on another fuel.

"Electric vehicle charging services", the transfer of electric energy from an electric vehicle charging station to a battery or other storage device in an electric vehicle and billing services, networking and operation and maintenance.

"Electric vehicle charging station", an electric component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles by permitting the transfer of electric energy to a

battery or other storage device in an electric vehicle.

"Network roaming", the act of a member of 1 electric vehicle charging station billing network using a charging station that is outside of the member's billing network with the member's billing network account information.

"Public electric vehicle charging station", an electric vehicle charging station located at a publicly available parking space.

"Publicly available parking space", a parking space that has been designated by a property owner or lessee to be available to and accessible by the public and may include on-street parking spaces and parking spaces in surface lots or parking garages; provided, however, that "publicly available parking space" shall not include a parking space that is part of or associated with a private residence or a parking space that is reserved for the exclusive use of an individual driver or vehicle or for a group of drivers or vehicles including employees, tenants, visitors, residents of a common interest development or residents of an adjacent building.

(b) A person shall not be required to pay a subscription fee to use a public electric vehicle charging station or be required to obtain a membership in a club, association or organization as a condition of using the station; provided, however, that owners and operators of public electric vehicle charging stations may have separate price schedules conditional on a subscription or membership.

(c) The owner or lessee of a publicly available parking space, whose primary business is not electric vehicle charging services, may restrict the use of that parking space, including by limiting use to customers and visitors of the business.

(d) The owner or operator of a public electric vehicle charging station shall provide payment options that allow access by the general public.

(e) The owner or operator of a public electric vehicle charging station or a designee shall disclose on an ongoing basis to the United States Department of Energy National Renewable Energy Laboratory, or other publicly available database designated by the department of energy resources, the station's geographic location, hours of operation, charging level, hardware compatibility, schedule of fees, accepted methods of payment and the amount of network roaming charges for nonmembers, if any.

(f) Nothing in this section shall preclude an electric company or distribution company, as defined in section 1 of chapter 164, from submitting a proposal to the department of public utilities for approval of cost recovery to construct, own, and operate publicly available electric vehicle charging infrastructure including charging stations; provided, however, that approval shall be granted only if a proposal is in the public interest, meets a need regarding the advancement of electric vehicles in the commonwealth and does not hinder the development of the competitive electric vehicle charging market.

## Section V-T Electric Vehicle Charging Stations and Electric Vehicle Battery Exchange

**Stations:** Reference should be made to the most recent addition of the Massachusetts Electrical Code

### 1) Definitions

- a) **Battery charging station** means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth.
- b) **Battery electric vehicle (BEV)** means any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries, and produces zero tailpipe emissions or pollution when stationary or operating.
- c) **Battery exchange station** means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meet or exceed any standards, codes, and regulations set forth.
- d) **Charging levels** means the standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged. Levels 1, 2, and 3 are the most common EV charging levels, and include the following specifications:
  - i) Level 1 is considered slow charging.
  - ii) Level 2 is considered medium charging.
  - iii) Level 3 is considered fast charging.
- e) **Electric vehicle** means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for motive purpose. "Electric vehicle" includes: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; and (4) a medium-speed electric vehicle.
- f) **Electric vehicle charging station** means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle. An electric vehicle charging station equipped with Level 1 or Level 2 charging equipment is permitted outright as an accessory use to any principal use.
- g) **Electric vehicle infrastructure** means structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations.
- h) **Electric vehicle parking space** means any marked parking space that identifies the use to be exclusively for an electric vehicle.
- i) **Non-electric vehicle** means any vehicle that does not meet the definition of "electric vehicle."

- j) **Rapid charging station** means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels, which meets or exceeds any standards, codes, and regulations set forth
- 2) **Applicability:**
- a) **Electric vehicle charging station(s) with a level 1 or 2 charging level** shall be permitted in a single-family or multi-family zone designed to serve the occupants of the home and in all other zones.
  - b) **Electric vehicle charging station(s) with a Level 3 or greater charging level** must be installed in a parking lot at a commercial or municipal destination, or located in a vehicle service station. These stations are expected to have intensive use and will be permitted to have multiple “rapid charging stations” to serve expected demand.
  - c) **Battery exchange stations** are permitted in the BN, BH, BL and IL zoning districts with a special permit from the ZBA. This use is specifically prohibited in all residential zones.
- 3) **Process for review:**
- a) **Electric vehicle charging station:**
    - i) **New residential construction:** If associated with new residential construction, installation of a Level 1 or 2 battery charging station shall be processed in association with the underlying permit(s).
    - ii) **Retrofitting single family or multi-family residential:** If retrofitting a single-family home for a battery charging station, an electric permit shall be required.
    - iii) **New commercial, industrial construction:** If associated with new construction, installation of a battery charging station shall be processed in association with the underlying permit(s).
    - iv) **Retrofitting a commercial site:** If retrofitting an existing commercial site for a battery charging station(s), an electric permit and review of a site plan by the Building Inspector to confirm the proposed locations will be required. Additional permits may be required based upon the location of the proposed station(s).
  - b) **Battery Exchange Station (s):** A special permit from the ZBA is required in all zones. Additional permits may be required based upon the location and size of the proposed station(s).
- 4) **Design Criteria:** The following criteria shall be applied to the location and design of all electric vehicle charging facilities.
- a) Parking spaces for electric vehicles must not be located in the most convenient spots because this will encourage use by non-electric vehicles.
  - b) Design should be appropriate to the location and use. Facilities should be able to be readily identified by electric cars users but blend into the surrounding landscape/architecture for compatibility with the character and use of the site.
  - c) Where provided, spaces should be standard size parking stalls but designed in a way that will discourage non-electric car vehicles from using them.



- d) **Number:** No minimum number of electric vehicle charging spaces is required however, No more than 10% of the total number of parking spaces may be designated as electric vehicle charging stations.
- e) **Minimum Parking Requirements:** An electric vehicle charging space may count for  $\frac{1}{2}$  of a space in the calculation for minimum parking spaces that are required pursuant to other provisions of the Zoning Ordinance.
- f) **Signage:** Each charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. Days and hours of operations shall be included if time limits or tow away provisions are to be enforced by the owner. Information identifying voltage and amperage levels or safety information must be posted.
- g) **Accessibility:** Where Charging Station equipment is provided within an adjacent pedestrian circulation area, such as a sidewalk or accessible route to the building entrance, the charging equipment must be located so as to not interfere with accessibility requirements. Site plan of existing parking lot layout and proposed charging stations must be reviewed and approved by the Building Inspector.
- h) **Maintenance:** Charging station equipment shall be maintained in all respects, including the functioning of the charging equipment. A phone number or other contact information shall be provided on the charging station equipment for reporting when the equipment is not functioning or other problems are encountered.