



# Guerriere & Halnon, Inc.

ENGINEERING & LAND SURVEYING

Job No.: **F-4631**

Reply To: ☒ **Franklin Office:**  
55 West Central Street  
Franklin, MA 02038-3807  
Phone: (508) 528-3221  
Fax: (508) 528-7921

☐ **Milford Office:**  
333 West Street  
Milford, MA 01757-0235  
Phone: (508) 473-6630  
Fax: (508) 473-8243

☐ **Whitinsville Office:**  
1029 Providence Road  
Whitinsville, MA 01588-2121  
Phone: (508) 234-6834  
Fax: (508) 234-6723

[www.gandhengineering.com](http://www.gandhengineering.com)

Date: March 29, 2024

To: Franklin Planning Board  
355 E Central Street  
Franklin, MA 02038  
Attn: Amy Love

**RE:**  
**Preliminary Subdivision Plan**  
**Balsam Estates**

Via Mail ☐ Certified # ☐ Express Courier X

For: ☐ Your Use ☐ As Requested ☒ Review ☐ Approval

Copies	Date	
6		11x17 prints entitled "Balsam Estates Preliminary Subdivision Plan of Land"
2		24x36 prints entitled "Balsam Estates Preliminary Subdivision Plan of Land"
1		Original Form B and notarized Certificate of Ownership
1		Certified Abutter List
1		Filing Fee - \$700.00 (Check No. 1685)

**Comments**

cc: \_\_\_\_\_ Sincerely, **Amanda Cavaliere**

*If enclosures are not as noted, kindly notify us at once.*



**Guerriere &  
Halnon, Inc.**  
ENGINEERING & LAND SURVEYING

www.gandhengineering.com

Est. 1972

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1029 Providence Road  
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Phone: (508) 473-6630  
Fax: (508) 473-8243

**Franklin Office**  
55 West Central Street  
Franklin, MA 02038-3807  
Phone (508) 528-3221  
Fax (508) 528-7921

F-4631

March 29, 2024

Department of Planning & Community Development  
Attn: Amy Love  
355 East Central Street  
Franklin, MA 02038

Re: **Balsam Estates Preliminary Subdivision Plan of Land**

Dear Ms. Love:

On behalf of the Applicant, Mr. Joel D'Errico, Guerriere & Halnon, Inc. hereby submits the application for approval of a Preliminary Plan for Balsam Estates, a private subdivision. The Applicant is proposing to construct a 4-lot single family private subdivision off Kimberlee Avenue.

In accordance with the Town of Franklin submittal requirements for filing a Preliminary Subdivision Plan, please find enclosed the following:

- Original Form B and notarized Certificate of Ownership
- Certified Abutters List
- (6) sets of 11x17 prints entitled "Balsam Estates Preliminary Subdivision Plan of Land"
- (2) sets of 24x36 prints entitled "Balsam Estates Preliminary Subdivision Plan of Land"
- Filing Fee: \$700.00 (Check No. 1685)
- Quitclaim Deed and Certificate of Trust

Please contact us at our Franklin office at (508) 528-3221 if you have any questions or require additional information.

Sincerely,  
**Guerriere & Halnon, Inc.**


Amanda Cavaliere  
Franklin Office Manager  
Enclosures

**FORM B**  
**APPLICATION FOR APPROVAL OF A PRELIMINARY PLAN**


To the Planning Board of Franklin:

The undersigned herewith submits the accompanying Preliminary Plan of a  
Subdivision entitled Balsam Estates for approval under the  
provisions of the Subdivision Control Law and your Rules and Regulations covering  
the subdivision of land.

1. Name of Applicant: Joel D'Errico  
Address of Applicant: 72 Deer View Way, Franklin, MA 02038  
Phone No.: 508-439-0022 Email: joelwderrico@gmail.com
2. Name of Owner (if not the Applicant): Lorena R. Fitzgerald Trustee of the  
Fitzgerald Family Irrevocable Trust  
Address of Owner: 656 King Street Apt 112, Franklin MA 02038  
Phone No.: \_\_\_\_\_ Email: \_\_\_\_\_
3. Name of Engineer: Guerriere & Halnon, Inc.  
Address of Engineer: 55 West Central Street, Franklin, MA 02038  
Phone No.: 508-528-3221 Email: mhassett@gandhengineering.com
4. Deed of Property recorded with Norfolk Registry of Deeds in  
Book 35754, Page 562, (or Certificate of Title No. \_\_\_\_\_)
5. Location and Description of Property: vacant parcel located easterly side of  
Kimberlee Avenue  
Assessor's Map & Lot: 242-027-000-000
6. No. of Lots: 4

  
Signature of Applicant

JOEL D'ERRICO  
Print Name of Applicant

  
Signature of Owner

Mark Fitzgerald  
Print Name of Owner

A certified list (by Office of the Assessors) of abutters within 300 feet of this site is also  
submitted with said Application.



## CERTIFICATE OF OWNERSHIP

I the undersigned Applicant, do hereby certify to the Town of Franklin, through its Planning Board, that all parties of interest to the below-listed plan are identified in Section B: below,

### SECTION A:

Type of Plan (circle one)      ANR 81-P;      Preliminary Subdivision

Definitive Subdivision.;    Site Plan;    Special Permit

Title of Plan: Preliminary Subdivision Plan of Land Balsam Estates

Date of Plan: September 5 2023  
Last Rev. 10/6/2023 Assessor's Information: 242-027-000-000

Prepared by: Guerriere & Halnon, Inc.

Applicant Name & Address: Joel D'Errico 72 Deer View Way,  
Franklin, MA 02038

### SECTION B:

Name of Record Owner(s): Lorena R. Fitzgerald Trustee of the Fitzgerald  
Family Irrevocable Trust

Address of Record Owner(s): 656 King Street Apt 112

Franklin, MA 02038

### **\*\*Attach Property Deed matching the owner name's listed above.**

\*If in the name of a Trust, Corporation or Partnership, list the names and addresses of all Trustee(s), Corporate Officer(s) or Partner(s):

\*If in the name of a Trust or Corporation, list the Beneficiary(ies) of the Trust or the Shareholder(s) of the Corporation:

\*If in the name of a Trust or Corporation, list the date, county, book and page of recording of the Trust Instrument, or the date and State of incorporation:

Fitzgerald Family Irrevocable Trust dated August 22, 2006  
Norfolk County Registry of Deeds Bk 24064 Page 423

Executed as a sealed instrument this

21<sup>st</sup>

day of

March

20 24

Signature of Applicant

Print name of Applicant

Signature of Owner

Print name of Owner

COMMONWEALTH OF MASSACHUSETTS

Norfolk

ss.

20 24

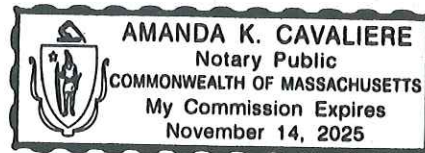
On this 21<sup>st</sup> day of March 2024, before me, the undersigned notary public, personally appeared Mark W. Fitzgerald (name of owner), proved to me through satisfactory evidence of identification, which were MA License to be the person whose name is signed on the preceding document in my presence.

Amanda K. Cavaliere

(Official signature and seal of notary)

Notary Public:

My Commission Expires: Nov. 14, 2025



Town of Franklin – Board of Assessors  
355 East Central Street  
Franklin, MA 02038  
Tel # 508-520-4920  
Fax # 508-520-4923

BOARD OF ASSESSORS  
MAR 7 2024  
RECEIVED  
TOWN OF FRANKLIN

## Abutters List Request Form

**Please Note:** A \$25.00 fee per list is required to process your request. Payment is due at the time of submission of this form. Please allow 10 days from the date of both payment and submission of the form for the Assessors office to complete processing your request. (Revised 1-1-22)

Date of Request 3/7/24 MAP 242 P. 27

Assessors Parcel ID # (12 digits) \_\_\_\_\_

Property Street Address OFF KIMBELLE 4 Hcs

Distance Required From Parcel # listed above (Circle One): 500 300 100  
(Note: if a distance is not circled, we cannot process your request)

Property Owner LORENA FITZGERALD FAN TRUST

Property Owner's Mailing Address KING ST. FRANKLIN

Town/City ~~MASS~~ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Property Owner's Telephone # 508-245-9210 - MARK FITZGERALD

Requestor's Name (if different from Owner) JOEL D'ERZICO

Requestor's Address 72 DEERVINE WAY

Requestor's Telephone # 508-439-0022

Office Use Only: Date Fee Paid 3/7/24 Paid in Cash \$ \_\_\_\_\_

Paid by Check \$ 25.00 Check # 30160 Town Receipt # 30160  
1679

Please Circle One:

Administration

Conservation

Planning

Zoning Board of Appeals

CALL AMANDA + G+H. 508-528-3221





KIMBERLEE AVE [242-027-000-000] - 300' ABUTTERS

Franklin, MA

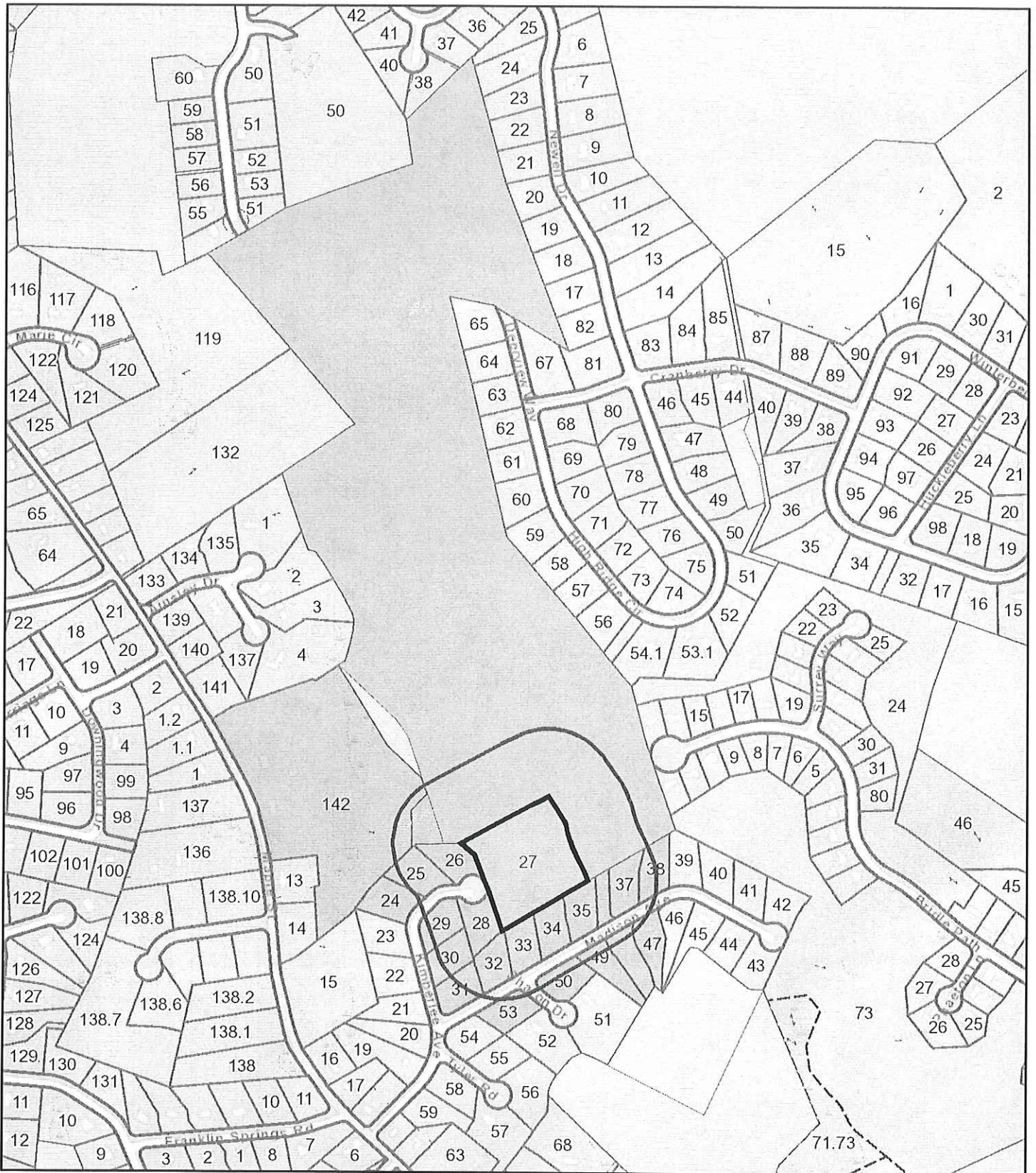


CAI Technologies  
Precision Mapping. Geospatial Solutions.

1 inch = 600 Feet

March 9, 2024

www.cai-tech.com



This information is believed to be correct but is subject to change and is not warranted.





# 300 foot Abutters List Report

Franklin, MA  
March 09, 2024

## Subject Property:

Parcel Number: 242-027-000  
CAMA Number: 242-027-000-000  
Property Address: KIMBERLEE AVE

Mailing Address: FITZGERALD LORENA R TR  
FITZGERALD FAM IRREVOCABLE TR  
512 OAK ST  
FRANKLIN, MA 02038

---

## Abutters:

Parcel Number: 234-012-000  
CAMA Number: 234-012-000-000  
Property Address: MAPLE ST

Mailing Address: FRANKLIN TOWN OF  
355 EAST CENTRAL ST  
FRANKLIN, MA 02038

Parcel Number: 235-142-000  
CAMA Number: 235-142-000-000  
Property Address: 469 MAPLE ST

Mailing Address: LABASTIE KATHLEEN A TR KATHLEEN  
A LABASTIE TRUST  
469 MAPLE ST  
FRANKLIN, MA 02038

Parcel Number: 242-012-020  
CAMA Number: 242-012-020-000  
Property Address: 469-B MAPLE ST

Mailing Address: FRANKLIN TOWN OF  
355 EAST CENTRAL ST  
FRANKLIN, MA 02038

Parcel Number: 242-024-000  
CAMA Number: 242-024-000-000  
Property Address: 28 KIMBERLEE AVE

Mailing Address: GROVE PHILIP H GROVE DARLENE A  
28 KIMBERLEE AVE  
FRANKLIN, MA 02038

Parcel Number: 242-025-000  
CAMA Number: 242-025-000-000  
Property Address: 32 KIMBERLEE AVE

Mailing Address: KESSLER AMY B  
32 KIMBERLEE AV  
FRANKLIN, MA 02038

Parcel Number: 242-026-000  
CAMA Number: 242-026-000-000  
Property Address: 36 KIMBERLEE AVE

Mailing Address: BRADY CHRISTOPHER B BRADY LISA B  
36 KIMBERLEE AV  
FRANKLIN, MA 02038

Parcel Number: 242-027-000  
CAMA Number: 242-027-000-000  
Property Address: KIMBERLEE AVE

Mailing Address: FITZGERALD LORENA R TR  
FITZGERALD FAM IRREVOCABLE TR  
512 OAK ST  
FRANKLIN, MA 02038

Parcel Number: 242-028-000  
CAMA Number: 242-028-000-000  
Property Address: 35 KIMBERLEE AVE

Mailing Address: LECHTER JOSH L LECHTER ERIN M  
35 KIMBERLEE AV  
FRANKLIN, MA 02038

Parcel Number: 242-029-000  
CAMA Number: 242-029-000-000  
Property Address: 25 KIMBERLEE AVE

Mailing Address: COLE MARK D COLE SUSAN M  
25 KIMBERLEE AV  
FRANKLIN, MA 02038

Parcel Number: 242-030-000  
CAMA Number: 242-030-000-000  
Property Address: 21 KIMBERLEE AVE

Mailing Address: MORANDI JEFFREY S & DEBORA R TRS  
JEFFREY SCOTT MORANDI LIV TR  
21 KIMBERLEE AV  
FRANKLIN, MA 02038



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This information is believed to be correct but is subject to change and is not warrantied.

3/9/2024

Page 1 of 3





# 300 foot Abutters List Report

Franklin, MA  
March 09, 2024

Parcel Number: 242-031-000  
CAMA Number: 242-031-000-000  
Property Address: 4 MADISON AVE

Mailing Address: KALLIANPUR MONISHA TR MONISHA  
KALLIANPUR REVOC TRST  
GURUMURTHY, HARSHA  
4 MADISON AVE  
FRANKLIN, MA 02038

Parcel Number: 242-032-000  
CAMA Number: 242-032-000-000  
Property Address: 6 MADISON AVE

Mailing Address: POWDERLY THOMAS TR THOMAS  
POWDERLY LIVING TRUST  
6 MADISON AVE  
FRANKLIN, MA 02038

Parcel Number: 242-033-000  
CAMA Number: 242-033-000-000  
Property Address: 10 MADISON AVE

Mailing Address: GRADY KEVIN & SUZANNE TRS GRADY  
FAMILY TR  
10 MADISON AVE  
FRANKLIN, MA 02038

Parcel Number: 242-034-000  
CAMA Number: 242-034-000-000  
Property Address: 14 MADISON AVE

Mailing Address: MAGLIARI FELICE N MAGLIARI SHELBY  
P  
14 MADISON AVE  
FRANKLIN, MA 02038

Parcel Number: 242-035-000  
CAMA Number: 242-035-000-000  
Property Address: 18 MADISON AVE

Mailing Address: WROBLESKI KENT BETRO KENDRE  
18 MADISON AVE  
FRANKLIN, MA 02038

Parcel Number: 242-036-000  
CAMA Number: 242-036-000-000  
Property Address: MADISON AVE

Mailing Address: WROBLESKI KENT  
18 MADISON AVE  
FRANKLIN, MA 02038

Parcel Number: 242-037-000  
CAMA Number: 242-037-000-000  
Property Address: 22 MADISON AVE

Mailing Address: GRIFFIN SEAN C GRIFFIN KARLY L  
22 MADISON AVE  
FRANKLIN, MA 02038

Parcel Number: 242-038-000  
CAMA Number: 242-038-000-000  
Property Address: 26 MADISON AVE

Mailing Address: MARINO DARREN MARINO ROSEANNE  
26 MADISON AVE  
FRANKLIN, MA 02038

Parcel Number: 242-047-000  
CAMA Number: 242-047-000-000  
Property Address: 25 MADISON AVE

Mailing Address: LATOUR MATTHEW DENIS LATOUR  
CAITLIN ELIZABETH  
25 MADISON AV  
FRANKLIN, MA 02038

Parcel Number: 242-048-000  
CAMA Number: 242-048-000-000  
Property Address: 21 MADISON AVE

Mailing Address: CEDARHOLM MATTHEW R  
CEDARHOLM TARA A  
21 MADISON AV  
FRANKLIN, MA 02038

Parcel Number: 242-049-000  
CAMA Number: 242-049-000-000  
Property Address: 17 MADISON AVE

Mailing Address: JONES EUGENE P JONES LISA A  
17 MADISON ST  
FRANKLIN, MA 02038

Parcel Number: 242-050-000  
CAMA Number: 242-050-000-000  
Property Address: 11 MADISON AVE

Mailing Address: MAHONEY JOSEPH & JENNIFER TR  
MAHONEY FAMILY LIV TR  
11 MADISON AV  
FRANKLIN, MA 02038



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This information is believed to be correct but is subject to change and is not warranted.

3/9/2024

Page 2 of 3



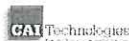
# 300 foot Abutters List Report

Franklin, MA  
March 09, 2024

Parcel Number: 242-053-000  
CAMA Number: 242-053-000-000  
Property Address: 5 MADISON AVE

Mailing Address: O'BRIEN DAVID S O'BRIEN LISA A  
5 MADISON AV  
FRANKLIN, MA 02038

*Devin M. Doyle, 3-9-2024*



[www.cai-tech.com](http://www.cai-tech.com)

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3/9/2024

Page 3 of 3



BRADY CHRISTOPHER B  
BRADY LISA B  
36 KIMBERLEE AV  
FRANKLIN, MA 02038

KESSLER AMY B  
32 KIMBERLEE AV  
FRANKLIN, MA 02038

WROBLESKI KENT  
18 MADISON AVE  
FRANKLIN, MA 02038

CEDARHOLM MATTHEW R  
CEDARHOLM TARA A  
21 MADISON AV  
FRANKLIN, MA 02038

LABASTIE KATHLEEN A TR  
KATHLEEN A LABASTIE TRUST  
469 MAPLE ST  
FRANKLIN, MA 02038

WROBLESKI KENT  
BETRO KENDRE  
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FRANKLIN, MA 02038

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COLE SUSAN M  
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FRANKLIN, MA 02038

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FRANKLIN, MA 02038

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FRANKLIN, MA 02038

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MAHONEY FAMILY LIV TR  
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FRANKLIN, MA 02038

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FRANKLIN, MA 02038

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MARINO ROSEANNE  
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FRANKLIN, MA 02038

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GROVE DARLENE A  
28 KIMBERLEE AVE  
FRANKLIN, MA 02038

MORANDI JEFFREY S & DEBOR  
JEFFREY SCOTT MORANDI LIV  
21 KIMBERLEE AV  
FRANKLIN, MA 02038

JONES EUGENE P  
JONES LISA A  
17 MADISON ST  
FRANKLIN, MA 02038

O'BRIEN DAVID S  
O'BRIEN LISA A  
5 MADISON AV  
FRANKLIN, MA 02038

KALLIANPUR MONISHA TR  
MONISHA KALLLIANPUR REVOC  
4 MADISON AVE  
FRANKLIN, MA 02038

POWDERLY THOMAS TR  
THOMAS POWDERLY LIVING TR  
6 MADISON AVE  
FRANKLIN, MA 02038

Bk 35754 Pg 562 #5964  
01-23-2018 @ 11:14a

RECEIVED AND RECORDED  
NORFOLK COUNTY  
REGISTRY OF DEEDS  
FRANKLIN, MA

CERTIFY  
*William F. O'Donnell*  
WILLIAM F. O'DONNELL, REGISTRAR

N O T

A N

O F F I C I A L

C O P Y

### QUITCLAIM DEED

I, **LORENA R. FITZGERALD**, an unmarried woman, of Franklin, Norfolk County, Massachusetts,

*for consideration paid and in full consideration of:* Less than One Hundred and 00/100 Dollars (\$100.00),

*grant to:* **LORENA R. FITZGERALD, TRUSTEE OF THE FITZGERALD FAMILY IRREVOCABLE TRUST**, under a Declaration of Trust dated August 22, 2006, as evidenced by a Certificate of Trust dated August 22, 2006, recorded with the Norfolk County Registry of Deeds in Book 24064, Page 423, of 441 Maple Street, Franklin, MA 02038,

*with Quitclaim Covenants,*

A vacant parcel of land located on the easterly side of Kimberlee Avenue in Franklin, Norfolk County, Massachusetts, containing 4.04 acres of land, being all of the remaining land conveyed to the grantor as described in deed of Robert L. Wambolt and Olive I. Wambolt, dated June 11, 1954, recorded with the Norfolk County Registry of Deeds in Book 3270, Page 94. Said parcel is also shown as Lot 27 on the Franklin Assessors' Map.

Said parcel is conveyed subject to all easements, restrictions, reservations and ways of record, insofar as the same are in force and applicable.

The Grantor named herein does hereby voluntarily release and waive any and all rights of homestead in said property as set forth in M.G.L. Chapter 188 if any, to which she may be entitled to under the laws of the Commonwealth of Massachusetts and states that no other person is entitled to any homestead rights in said property.

Meaning and intending to convey and hereby conveying the remaining portion of the premises owned by Lorena R. Fitzgerald described in deed of Robert L. Wambolt and Olive I. Wambolt, dated June 11, 1954, recorded with the Norfolk County Registry of Deeds in Book 3270, Page 94.

**PROPERTY ADDRESS: LAND LOCATED OFF KIMBERLEE AVENUE,  
FRANKLIN, MA 02038**



NOT  
Witness my hand and seal this 18 day of December, 2017.

OFFICIAL  
COPY

NOT  
OFFICIAL  
COPY

Lorena R. Fitzgerald  
Lorena R. Fitzgerald

COMMONWEALTH OF MASSACHUSETTS

Norfolk County

December 18, 2017

On this 18<sup>th</sup> day of December, 2017, before me, the undersigned notary public, personally appeared, **Lorena R. Fitzgerald**, proved to me through satisfactory evidence of identification, being a valid driver's license to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.



JOHN J. ROCHE  
NOTARY PUBLIC  
COMMONWEALTH OF MASSACHUSETTS  
MY COMMISSION EXPIRES MAY 7, 2021

[Signature]  
Notary Public  
My commission expires:

N O T R U S T E E S C E R T I F I C A T E  
A N D  
A N UNDER M.G.L. ch. 184, §35

O F F I C I A L O F F I C I A L  
I, Lorena R. Fitzgerald, of 441 Maple Street, Franklin, Massachusetts hereby certify and attest as follows:

1. On August 22, 2006, I, Lorena R. Fitzgerald as the Grantor thereof did create The Fitzgerald Family Irrevocable Trust, appointing Lorena R. Fitzgerald, as the original Trustee of said Trust;
2. As of the date hereof, Lorena R. Fitzgerald is the current Trustee of said Trust;
3. The Trustee of said Trust has the power to perform discretionary acts as Trustee without the consent, concurrence or direction of the beneficiaries;
4. Specifically, the Trustee of said Trust has the authority to sell, convey, mortgage, lease and grant restrictions or easements or any other interest in real estate;
5. Nothing in said Trust derogates from the power of the Trustee to sell, convey, mortgage, lease or grant restrictions or easements or any other interest in real estate;
6. The existence or nonexistence of a fact which constitutes a condition precedent to acts by the Trustee or which are in any other manner germane to affairs of the Trust, shall be binding on all Trustee and the trust estate in favor of a purchaser or other person relying in good faith on the certification;
7. As of the date hereof, said Trust has not been amended, revoked or terminated, and is in full force and effect;
8. All parties may rely on this affidavit without further inquiring as to my acts as Trustee.

SIGNED under the pains and penalties of perjury this 22nd day of August 2006.

Francis X. Small  
Witness: Francis X. Small

Lorena R. Fitzgerald  
Settlor: Lorena R. Fitzgerald

Francis X. Small  
Witness: Francis X. Small

Lorena R. Fitzgerald  
Trustee: Lorena R. Fitzgerald

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

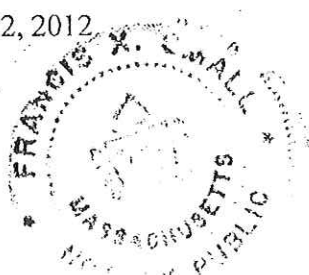
August 22, 2006

On this 22nd day of August 2006 before me, the undersigned notary public, personally appeared Lorena R. Fitzgerald, proved to me through satisfactory evidence of identification, which was photo identification to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

Francis X. Small  
Notary Public: Francis X. Small

My Commission Expires: June 22, 2012

Return to: Francis X. Small  
24 Asylum Street  
Milford MA 01757



RECEIVED AND RECORDED  
NORFOLK COUNTY  
REGISTRY OF DEEDS  
DEDHAM, MA  
CERTIFY  
William P. O'Connell  
WILLIAM P. O'CONNELL REGISTER