

## FRANKLIN TOWN COUNCIL

### Agenda & Meeting Packet

April 6, 2022

Meeting will be held at the **Municipal Building**  
2nd floor, Council Chambers  
355 East Central Street  
**7:00 PM**

**A NOTE TO RESIDENTS:** All citizens are welcome to attend public board and committee meetings in person. Meetings are [live-streamed by Franklin TV](#) and shown on Comcast Channel 11 and Verizon Channel 29. In an effort to maximize citizen engagement opportunities, citizens will be able to continue to participate remotely via phone OR Zoom.

Link to access meeting via Zoom for April 6, 2022 Town Council Meeting:

- Zoom Link [HERE](#) -- Then click "Open Zoom".
- Or copy and paste this URL into your browser: <https://us02web.zoom.us/j/87987584971>
- Call-In Phone Number: Call 1-929-205-6099 and enter **Meeting ID # 879 8758 4971** --Then press #

#### 1. ANNOUNCEMENTS FROM THE CHAIR

- This meeting is being recorded by Franklin TV and shown on Comcast channel 11 and Verizon Channel 29. This meeting may be recorded by others.*
- Chair to identify members participating remotely.*
- ISO Class-1 Announcement, Franklin Fire Department*

#### 2. CITIZEN COMMENTS

- Citizens are welcome to express their views for up to three minutes on a matter that is not on the agenda. The Council will not engage in a dialogue or comment on a matter raised during Citizen Comments. The Town Council will give remarks appropriate consideration and may ask the Town Administrator to review the matter.*

#### 3. APPROVAL OF MINUTES - None Scheduled.

#### 4. PROCLAMATIONS / RECOGNITIONS - None Scheduled.

#### 5. APPOINTMENTS

- New Employee: Fire Department - James Koch
- New Employee: Fire Department - Michael Eaton

#### 6. HEARINGS - 7:00 pm

- [Street Acceptances: Brandywine Drive and Portion of Charles Drive](#)
  - Legislation for Action Item: 9b

#### 7. LICENSE TRANSACTIONS

- [License Modification: Change of Location - NDO Enterprises, LLC d/ b/a Pour Richard's Wine and Spirits, Located at 14 Grove Street](#)

- b. [License Modification: Alteration of Premises - Let's Eat Franklin, LLC d/b/a 3 Restaurant, Located at 461 West Central Street](#)
- c. [New Section 12 Restaurant Common Victualer All Alcohol License and Approval of Veronika Matunin as the Manager - Windtop Acres d/b/a Birchwood Bakery, Located at 17 East Central Street](#)

**8. PRESENTATIONS / DISCUSSIONS**

- a. [Presentation: ARPA Update - Town Administrator Jamie Hellen](#)

**9. LEGISLATION FOR ACTION**

- a. [Resolution 22-24: Authorization for Town Administrator to Submit American Rescue Plan Act Applications to Norfolk County \(Motion to Approve Resolution 22-24- Majority Vote\)](#)
- b. [Resolution 22-12: Order of Acceptance of Brandywine Drive and Portion of Charles Drive as Public Ways \(Motion to Approve Resolution 22-12- Two Thirds Majority Vote\)](#)
- c. [Bylaw Amendment 22-876: Chapter 153 Stormwater Management - Corrective Legislation \(Motion to Approve Bylaw Amendment 22-876 - Majority Roll Call Vote\)](#)
- d. [Bylaw Amendment 22-877: Chapter 82, Municipal Service Fees, Amended at Section 82-6 Schedule of Service Fees, Subsection A. Administration: Stormwater Utility Fee \(Motion to Approve Bylaw Amendment 22-877 - Majority Roll Call Vote\)](#)
- e. [Bylaw Amendment 22-878: Chapter 82, Municipal Service Fees, Amended at Section 82-6 Schedule of Service Fees, Subsection A. Administration: Passport Photo Fee \(Motion to Approve Bylaw Amendment 22-878 - Majority Roll Call Vote\)](#)
- f. [Resolution 22-25: Gift Acceptance: Conservation Commission \(\\$1,000.00\) and Veterans' Services Dept. \(\\$300\) \(Motion to Approve Resolution 22-25 - Majority Vote\)](#)

**10. TOWN ADMINISTRATOR'S REPORT**

- a. FY23 Budget Update

**11. SUBCOMMITTEE & AD HOC COMMITTEE REPORTS**

- a. Capital Budget Subcommittee
- b. Budget Subcommittee
- c. Economic Development Subcommittee

**12. FUTURE AGENDA ITEMS**

**13. COUNCIL COMMENTS**

**14. EXECUTIVE SESSION**

**15. ADJOURN**

*Note:*

*Two-Thirds Vote: requires 6 votes*

*Majority Vote: requires majority of members present and voting*



# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
[www.franklinma.gov](http://www.franklinma.gov)

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

April 1, 2022

To: Town Council  
From: Jamie Hellen, Town Administrator  
Alecia Alleyne, Assistant to the Town Administrator  
Re: **Resolution 22-12: Order of Layout, Acceptance and Taking of Brandywine Road and a Portion of Charles Drive and Drainage and Utility Easements**

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The action before the Council is to approve Resolution 22-12, Order of Layout, Acceptance, and Taking of Brandywine Road and a portion of Charles Drive and Drainage and Utility Easements. This Resolution was referred to the Planning Board at the February 2, 2022 Town Council Meeting and on February 28, 2022 the Planning Board voted unanimously to recommend street acceptance to the Town Council.

For further information please see the attached memo from Town Attorney Mark Cerel dated January 28, 2022 which includes the Abutters List & Map, as well as the Planning Board recommendation letter dated March 1, 2022 from Gregory Rondeau, Chairman.

If you have any questions, please feel free to contact me.

# Town of Franklin

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OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

January 28, 2022

To: Town Council

From: Mark G. Cerel, Town Attorney

**Re: Resolution 22-12: Order of Layout, Acceptance and Taking of Brandywine Road and a Portion of Charles Drive and Drainage and Utility Easements: Referral to Planning Board**

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When a developer constructs a roadway to provide access to a residential development, that road is private unless and until the Town accepts it as a public way. The Town is prohibited by statute from performing significant maintenance and repair work on a private road, but most residential property owners expect that the Town will perform this work. As a result, the Town has been committed to an aggressive public way acceptance program. This involves compliance with a statutory process, the first step of which is: referral of the proposed public way acceptance to the Planning Board to review and make a recommendation. (Although the Town was successful in obtaining legislative authorization to employ a simplified acceptance process which is applicable to roadways in planning board-approved subdivisions, the Planning Board previously declined to make the positive recommendation required by that legislation because Brandywine Village was developed pursuant to G.L. Chapter 40B, the affordable housing statute, without Planning Board approval.) The currently-proposed planning board referral is pursuant to the original statutory process applicable to laying-out and acceptance of all public ways, not just those located in planning board-approved subdivisions.

If you have any questions, please feel free to contact me.



# BRANDYWINE & CHARLES ROADWAY ABUTTERS

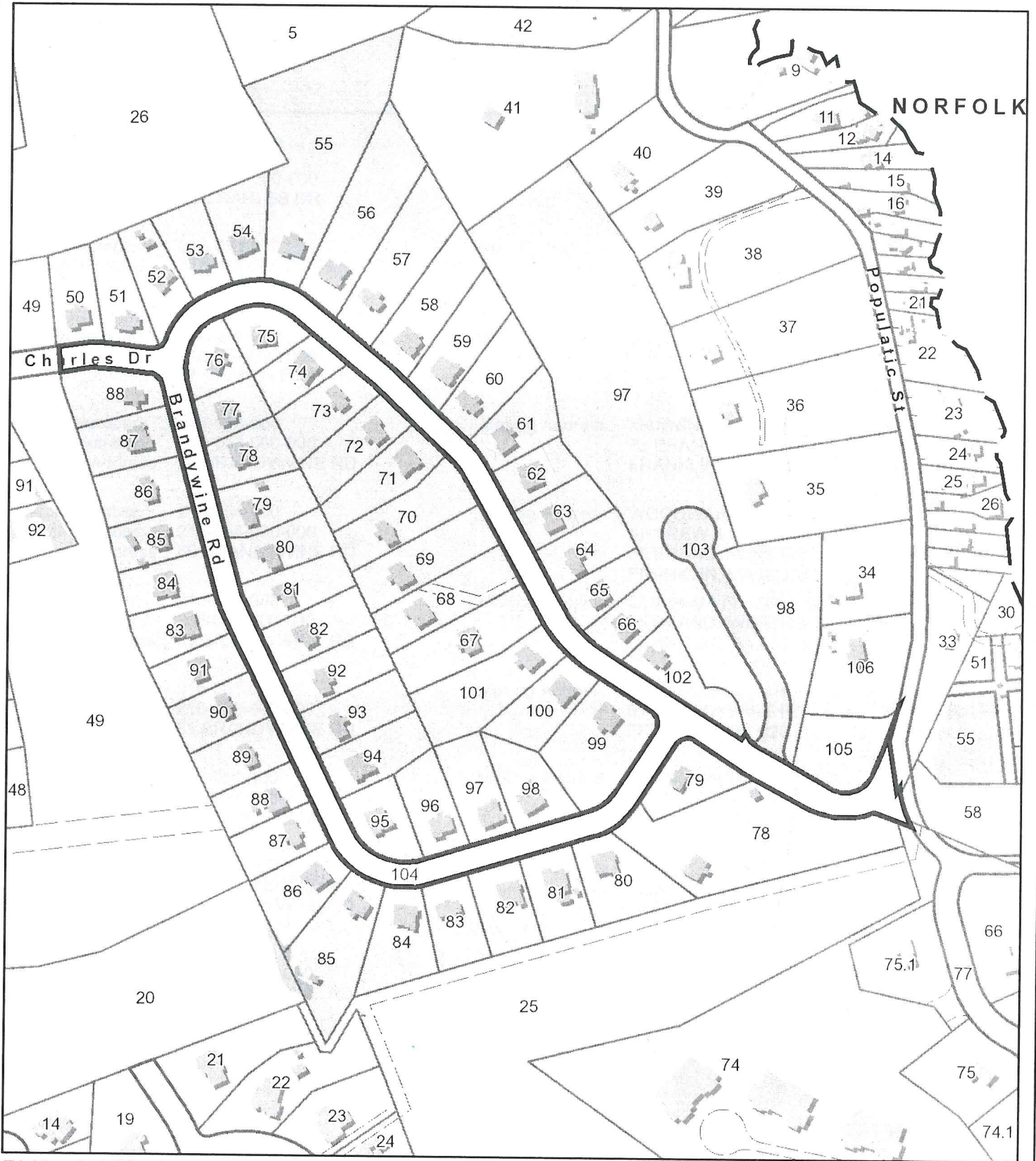
Franklin, MA



January 14, 2022

1 inch = 300 Feet

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



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



# 1 foot Abutters List Report

Franklin, MA  
January 14, 2022

## Subject Property:

Parcel Number: 218-104-000  
CAMA Number: 218-104-000-000  
Property Address: BRANDYWINE RD

Mailing Address: MARINELLA DEVELOPMENT, LLC  
PO BOX 411  
FRANKLIN, MA 02038

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## Abutters:

Parcel Number: 216-050-000  
CAMA Number: 216-050-000-000  
Property Address: 70 CHARLES DR

Mailing Address: KUDISH BRIAN H KUDISH DEBRA S  
70 CHARLES DR  
FRANKLIN, MA 02038

Parcel Number: 216-051-000  
CAMA Number: 216-051-000-000  
Property Address: 74 CHARLES DR

Mailing Address: RUSSO JR WAYNE RUSSO HEATHER  
74 CHARLES DR  
FRANKLIN, MA 02038

Parcel Number: 216-052-000  
CAMA Number: 216-052-000-000  
Property Address: 77 BRANDYWINE RD

Mailing Address: MARINO KATHLEEN MARINO JOSEPH W  
77 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-053-000  
CAMA Number: 216-053-000-000  
Property Address: 73 BRANDYWINE RD

Mailing Address: MANNING COLLEEN A  
73 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-054-000  
CAMA Number: 216-054-000-000  
Property Address: 69 BRANDYWINE RD

Mailing Address: WOODWARD ANDREW B AMY B TRS  
ANDREW & AMY WOODWARD LIV TR  
69 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-055-000  
CAMA Number: 216-055-000-000  
Property Address: 65 BRANDYWINE RD

Mailing Address: QUINN MATTHEW J QUINN ABBY E  
65 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-056-000  
CAMA Number: 216-056-000-000  
Property Address: 61 BRANDYWINE RD

Mailing Address: EDMONDS SARAH J EDMONDS SEAN  
61 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-057-000  
CAMA Number: 216-057-000-000  
Property Address: 57 BRANDYWINE RD

Mailing Address: CHENG MICHAEL & TINA M  
57 BRANDYWINE ROAD  
FRANKLIN, MA 02038

Parcel Number: 216-058-000  
CAMA Number: 216-058-000-000  
Property Address: 53 BRANDYWINE RD

Mailing Address: LI XIA YAN SHU  
53 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-059-000  
CAMA Number: 216-059-000-000  
Property Address: 49 BRANDYWINE RD

Mailing Address: BERRY TARA TYLER BERRY JACOB  
ALBERT  
49 BRANDYWINE RD  
FRANKLIN, MA 02038



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



# 1 foot Abutters List Report

Franklin, MA  
January 14, 2022

Parcel Number: 216-060-000  
CAMA Number: 216-060-000-000  
Property Address: 45 BRANDYWINE RD

Mailing Address: KUCICH JENNIFER KUCICH ROBERT  
45 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-061-000  
CAMA Number: 216-061-000-000  
Property Address: 41 BRANDYWINE RD

Mailing Address: LEWIS KEVIN WILLIAM LEWIS SIOBHAN  
41 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-062-000  
CAMA Number: 216-062-000-000  
Property Address: 37 BRANDYWINE RD

Mailing Address: VOZELLA ANTHONY J VOZELLA  
COLLEEN E  
37 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-063-000  
CAMA Number: 216-063-000-000  
Property Address: 33 BRANDYWINE RD

Mailing Address: HAMILTON JENNIFER L  
33 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-064-000  
CAMA Number: 216-064-000-000  
Property Address: 29 BRANDYWINE RD

Mailing Address: TOMAINO ANGELO P TOMAINO  
CONCETTINA  
29 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-065-000  
CAMA Number: 216-065-000-000  
Property Address: 25 BRANDYWINE RD

Mailing Address: TAYLOR SCOTT NOLAN TAYLOR  
ASHLEY ANNE  
25 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-066-000  
CAMA Number: 216-066-000-000  
Property Address: 21 BRANDYWINE RD

Mailing Address: LANDERS CONNOR LANDERS ASHLEY  
21 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-067-000  
CAMA Number: 216-067-000-000  
Property Address: 28 BRANDYWINE RD

Mailing Address: SONG HAN JIN WENJIE  
28 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-068-000  
CAMA Number: 216-068-000-000  
Property Address: 32 BRANDYWINE RD

Mailing Address: ZAKI MAGED A ZAKI MARY E  
32 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-069-000  
CAMA Number: 216-069-000-000  
Property Address: 36 BRANDYWINE RD

Mailing Address: ROGERS MICHAEL ROGERS MEGAN  
36 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-070-000  
CAMA Number: 216-070-000-000  
Property Address: 40 BRANDYWINE RD

Mailing Address: DURKIN BRIAN J  
40 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-071-000  
CAMA Number: 216-071-000-000  
Property Address: 46 BRANDYWINE RD

Mailing Address: HENDER RICHARD J JR HENDER KIM A  
46 BRANDYWINE RD  
FRANKLIN, MA 02038



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



# 1 foot Abutters List Report

Franklin, MA  
January 14, 2022

Parcel Number: 216-072-000  
CAMA Number: 216-072-000-000  
Property Address: 50 BRANDYWINE RD

Mailing Address: DESAI ASHISH Y SHAH GAURANGI C  
50 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-073-000  
CAMA Number: 216-073-000-000  
Property Address: 54 BRANDYWINE RD

Mailing Address: GORGAS DAVID S & LISA J TRS  
GORGAS REALTY TRUST  
54 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-074-000  
CAMA Number: 216-074-000-000  
Property Address: 58 BRANDYWINE RD

Mailing Address: JOYCE THOMAS J JOYCE CAROL A  
58 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-075-000  
CAMA Number: 216-075-000-000  
Property Address: 70 BRANDYWINE RD

Mailing Address: TEIXEIRA HUGO TEIXEIRA CATHRYN  
70 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-076-000  
CAMA Number: 216-076-000-000  
Property Address: 76 BRANDYWINE RD

Mailing Address: HAGY JAMES DIXON III HAGY MELISSA  
CAROL EDERINGTON  
76 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-077-000  
CAMA Number: 216-077-000-000  
Property Address: 88 BRANDYWINE RD

Mailing Address: BYRNE GERALD J III BYRNE ROBIN L  
88 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-078-000  
CAMA Number: 216-078-000-000  
Property Address: 92 BRANDYWINE RD

Mailing Address: AGARWAL MONA KUMAR RAJEEV  
92 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-079-000  
CAMA Number: 216-079-000-000  
Property Address: 96 BRANDYWINE RD

Mailing Address: KAMATH ARAVIND M KAMATH  
VANDANA M  
96 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-080-000  
CAMA Number: 216-080-000-000  
Property Address: 100 BRANDYWINE RD

Mailing Address: CAUTILLO ROBERT JOSEPH CAUTILLO  
SARA THERESA  
100 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-081-000  
CAMA Number: 216-081-000-000  
Property Address: 106 BRANDYWINE RD

Mailing Address: JAMES TYECHIA M  
106 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-082-000  
CAMA Number: 216-082-000-000  
Property Address: 110 BRANDYWINE RD

Mailing Address: PALMER TODD PALMER SUSAN  
110 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-083-000  
CAMA Number: 216-083-000-000  
Property Address: 105 BRANDYWINE RD

Mailing Address: CROSS RYAN R CROSS DINA P  
105 BRANDYWINE RD  
FRANKLIN, MA 02038



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# 1 foot Abutters List Report

Franklin, MA  
January 14, 2022

Parcel Number: 216-084-000 CAMA Number: 216-084-000-000 Property Address: 101 BRANDYWINE RD	Mailing Address: GUJAR SURYAPRAKASH GUJAR SMITA 101 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-085-000 CAMA Number: 216-085-000-000 Property Address: 97 BRANDYWINE RD	Mailing Address: REGAN CHRISTINE L 97 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-086-000 CAMA Number: 216-086-000-000 Property Address: 93 BRANDYWINE RD	Mailing Address: WASEF GIRGIS EAZAK MERVAT 93 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-087-000 CAMA Number: 216-087-000-000 Property Address: 89 BRANDYWINE RD	Mailing Address: BALZARINI ANTHONY BALZARINI RENEE 89 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-088-000 CAMA Number: 216-088-000-000 Property Address: 85 CHARLES DR	Mailing Address: BIRD JOSEPH A BIRD MARYANN 85 CHARLES DR FRANKLIN, MA 02038
Parcel Number: 216-097-000 CAMA Number: 216-097-000-000 Property Address: 11 BRANDYWINE RD	Mailing Address: TAYLOR CLIFFORD J TAYLOR CHRISTY LEE 11 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-098-000 CAMA Number: 216-098-000-000 Property Address: 7 BRANDYWINE RD	Mailing Address: SEEKAMP PAUL M SEEKAMP AMY M 7 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-078-000 CAMA Number: 218-078-000-000 Property Address: 157 BRANDYWINE RD	Mailing Address: FOGARTY JOHN F 157 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-079-000 CAMA Number: 218-079-000-000 Property Address: 161 BRANDYWINE RD	Mailing Address: CHAPSKI JEFFREY A CHAPSKI NANCY A 161 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-080-000 CAMA Number: 218-080-000-000 Property Address: 153 BRANDYWINE RD	Mailing Address: LANGIS JOHN P LANGIS SALLY A 153 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-081-000 CAMA Number: 218-081-000-000 Property Address: 149 BRANDYWINE RD	Mailing Address: MILLER DARREN E MILLER JENNIFER F 149 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-082-000 CAMA Number: 218-082-000-000 Property Address: 145 BRANDYWINE RD	Mailing Address: HUTCHINSON ERIK N HUTCHINSON ALEXANDRIA K 145 BRANDYWINE RD FRANKLIN, MA 02038



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Franklin, MA  
January 14, 2022

Parcel Number: 218-083-000  
CAMA Number: 218-083-000-000  
Property Address: 141 BRANDYWINE RD

Mailing Address: DESTINE JAMES  
141 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 218-084-000  
CAMA Number: 218-084-000-000  
Property Address: 137 BRANDYWINE RD

Mailing Address: REYNOLDS WARREN H K REYNOLDS  
DEBRA Y  
137 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 218-085-000  
CAMA Number: 218-085-000-000  
Property Address: 133 BRANDYWINE RD

Mailing Address: AMANTE JOSEPH M AMANTE MELISSA  
A  
133 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 218-086-000  
CAMA Number: 218-086-000-000  
Property Address: 129 BRANDYWINE RD

Mailing Address: HANLY RONAN D HANLY CHERYL A  
129 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 218-087-000  
CAMA Number: 218-087-000-000  
Property Address: 125 BRANDYWINE RD

Mailing Address: JOSE JESTUS  
125 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 218-088-000  
CAMA Number: 218-088-000-000  
Property Address: 121 BRANDYWINE RD

Mailing Address: YERED DAVID M REZZUTI LISA  
121 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 218-089-000  
CAMA Number: 218-089-000-000  
Property Address: 117 BRANDYWINE RD

Mailing Address: BARTEK JOSEF S BARTEK CHERYL L  
117 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 218-090-000  
CAMA Number: 218-090-000-000  
Property Address: 113 BRANDYWINE RD

Mailing Address: ROBINSON WILLIAM S ROBINSON  
CHRISTINA N  
113 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 218-091-000  
CAMA Number: 218-091-000-000  
Property Address: 109 BRANDYWINE RD

Mailing Address: CAREY DEIRDRE  
109 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 218-092-000  
CAMA Number: 218-092-000-000  
Property Address: 114 BRANDYWINE RD

Mailing Address: GEORGE GIBI JACOB-GEORGE SUBIN  
114 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 218-093-000  
CAMA Number: 218-093-000-000  
Property Address: 118 BRANDYWINE RD

Mailing Address: EPPIHIMER MICHAEL J EPPIHIMER  
LOIS A  
118 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 218-094-000  
CAMA Number: 218-094-000-000  
Property Address: 122 BRANDYWINE RD

Mailing Address: LANGEVIN TIMOTHY M  
122 BRANDYWINE RD  
FRANKLIN, MA 02038



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January 14, 2022

Parcel Number: 218-095-000 CAMA Number: 218-095-000-000 Property Address: 138 BRANDYWINE RD	Mailing Address: MUNIKUNTLA SAI KUMAR MUDDAGOUNI APARAJITHA 138 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-096-000 CAMA Number: 218-096-000-000 Property Address: 142 BRANDYWINE RD	Mailing Address: GROVER JEFFREY C GROVER JAMIE L 142 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-097-000 CAMA Number: 218-097-000-000 Property Address: 146 BRANDYWINE RD	Mailing Address: BOWEN JAY D BOWEN ROSEMARY 146 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-098-000 CAMA Number: 218-098-000-000 Property Address: 150 BRANDYWINE RD	Mailing Address: PETERSON DERIC PETERSON ELIZABETH F 150 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-099-000 CAMA Number: 218-099-000-000 Property Address: 16 BRANDYWINE RD	Mailing Address: LARSEN THOMAS N LARSEN SHANNON 16 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-100-000 CAMA Number: 218-100-000-000 Property Address: 20 BRANDYWINE RD	Mailing Address: DANIELS NATHAN DANIELS LAUREN 20 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-101-000 CAMA Number: 218-101-000-000 Property Address: 24 BRANDYWINE RD	Mailing Address: RAMASWAMY SANJAY RAMASWAMY ELIZABETH A 24 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-102-000 CAMA Number: 218-102-000-000 Property Address: 17 BRANDYWINE RD	Mailing Address: SMART JON A SMART HEATHER M 17 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-103-000 CAMA Number: 218-103-000-000 Property Address: LAKEVIEW TER	Mailing Address: PRUDENTIAL BUILDERS INC 344 JOHN L DIETSCH BOULEVARD UNIT 8 NORTH ATTLEBOROUGH, MA 02760
Parcel Number: 218-105-000 CAMA Number: 218-105-000-000 Property Address: BRANDYWINE RD	Mailing Address: POTTS JANET M TR JAY REALTY TRUST 2806 MAPLE BROOK RD BELLINGHAM, MA 02019
Parcel Number: 218-106-000 CAMA Number: 218-106-000-000 Property Address: 107 POPULATIC ST	Mailing Address: PROULX JAMES G JR PROULX ERIN M 107 POPULATIC ST FRANKLIN, MA 02038



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# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4907  
www.franklinma.gov

## PLANNING BOARD

March 1, 2022

Nancy Danello, Town Clerk  
Town of Franklin  
355 East Central Street  
Franklin, MA 02038

RECEIVED  
2022 MAR -8 P 12:55  
TOWN OF FRANKLIN  
TOWN CLERK

RE: Street Acceptance – Brandywine and Charles Drive from Station 0+00 to Station 2+51.71

Dear Mrs. Danello:

Please be advised that at its meeting on Monday, February 28, 2022 upon motion duly made and seconded, the Planning Board voted (4-0) to recommend street acceptance to the Town Council for the following subdivision:

Brandywine and Charles Drive from Station 0+00 to Station 2+51.71

If you should have any questions concerning this matter, please contact the planning staff.

Sincerely,

Gregory Rondeau, Chairman  
Planning Board

# LICENSE TRANSACTION



## Change of Location

### NDO Enterprises, LLC

d/b/a Pour Richard's Wine and Spirits

14 Grove Street

Franklin, MA 02038

NDO Enterprises, LLC d/b/a Pour Richard's Wine and Spirits, is seeking approval for a change of location on their Retail Package Goods Store, All Alcoholic Beverages License. The new location will be 835 West Central Street, Franklin, MA 02038.

All Departments have signed off on this application .

**MOTION** to approve the request by NDO Enterprises, LLC d/b/a Pour Richard's Wine and Spirits for a change of location to 835 West Central Street, Franklin, MA 02038.

---

**DATED:** \_\_\_\_\_, 2022

**VOTED:**

**UNANIMOUS:** \_\_\_\_\_

**A True Record Attest:**

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**RECUSED:** \_\_\_\_\_

**Nancy Danello, CMC**  
**Town Clerk**

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**Glenn Jones, Clerk**  
**Franklin Town Council**



# Franklin

MASSACHUSETTS

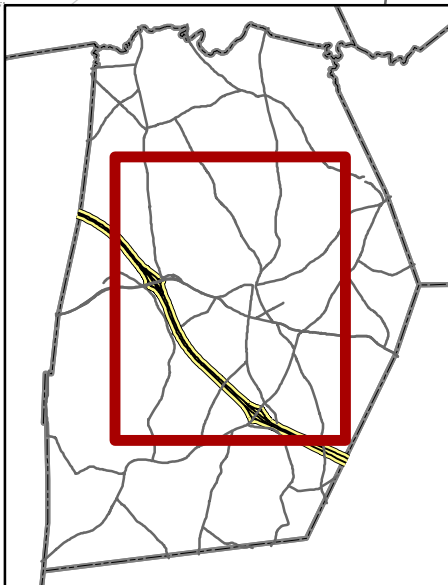
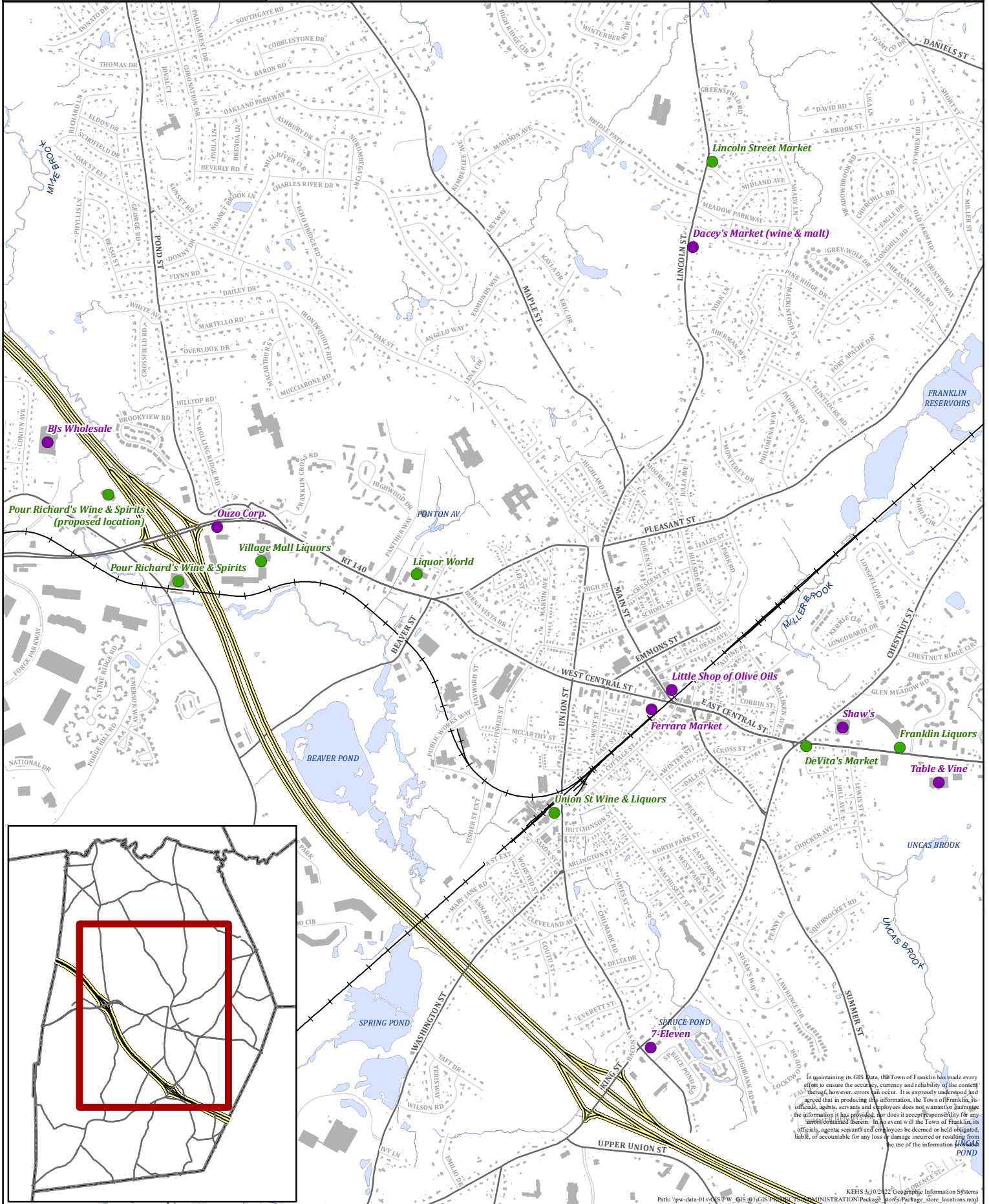
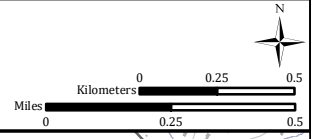
### Retail Package Store - Permit Type

- All Alcohol
- Beer & Wine

### Transportation

- Interstate
- Primary Roadway
- Secondary Roadway
- Railroad

### Structure



In maintaining its GIS Data, the Town of Franklin has made every effort to ensure the accuracy, currency and reliability of the content thereof, however, errors can occur. It is expressly understood and agreed that in producing this information, the Town of Franklin, its officials, agents, servants and employees does not warrant or guarantee the information it has provided, nor does it accept responsibility for any errors contained therein. In no event will the Town of Franklin, its officials, agents, servants and employees be deemed or held obligated, liable, or accountable for any loss of damage incurred or resulting from the use of the information.



RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION  
 MONETARY TRANSMITTAL FORM

**AMENDMENT-Change or Alteration of Premises Information**

**APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.**

ECRT CODE: RETA

Please make \$200.00 payment here: [ABCC PAYMENT WEBSITE](#)

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

ENTITY/ LICENSEE NAME

ADDRESS

CITY/TOWN

STATE

ZIP CODE

For the following transactions (Check all that apply):

- New License
- Change of Manager
- Change of Officers/Directors
- Change of Ownership Interest
- Change Corporate Name
- Change of DBA
- Alteration of Licensed Premises
- Change of Location
- Other
- Change of Class (i.e. Annual / Seasonal)
- Change of License Type (i.e. club / restaurant)
- Change of Category (i.e. All Alcohol/Wine, Malt)
- Issuance/Transfer of Stock/New Stockholder
- Change Corporate Structure (i.e. Corp / LLC)
- Change of Hours
- Pledge of Collateral (i.e. License/Stock)
- Management/Operating Agreement

**THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL FORM ALONG WITH COMPLETED APPLICATION, AND SUPPORTING DOCUMENTS TO:**

**Alcoholic Beverages Control Commission  
 95 Fourth Street, Suite 3  
 Chelsea, MA 02150-2358**



*The Commonwealth of Massachusetts*  
**Alcoholic Beverages Control Commission**  
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358  
 www.mass.gov/abcc

**AMENDMENT-Change or Alteration of Premises Information**

**Change of Location**

- Payment Receipt
- Monetary Transmittal Form
- Chg of Location/Alteration of Premises Application
- Financial Statement
- Vote of the Entity
- Supporting financial records
- Legal Right to Occupy
- Floor Plan
- Abutter's Notification
- Advertisement

**Alteration of Premises**

- Payment Receipt
- Monetary Transmittal Form
- Chg of Location/Alteration of Premises Application
- Financial Statement
- Vote of the Entity
- Supporting financial records
- Legal Right to Occupy
- Floor Plan
- Abutter's Notification
- Advertisement

**1. BUSINESS ENTITY INFORMATION**

Entity Name

Municipality

ABCC License Number

NDO Enterprises, LLC

Franklin

00060-PK-0430

Please provide a narrative overview of the transaction(s) being applied for. Attach additional pages, if

Application for relocation of the Licensed Premises from the current location of 4 Grove Street, Franklin, Massachusetts to the new location at 835 West Central Street, Suite 2 Franklin, Massachusetts.

**APPLICATION CONTACT**

The application contact is the person who should be contacted with any questions regarding this application.

Name

Title

Email

Phone

Beverly Ann Williams

Member/Manager

[REDACTED]

[REDACTED]

**2. ALTERATION OF PREMISES**

**2A. DESCRIPTION OF ALTERATIONS**

Please summarize the details of the alterations and highlight any specific changes from the last-approved premises.

**2B. PROPOSED DESCRIPTION OF PREMISES**

Please provide a complete description of the proposed premises, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

Total Sq. Footage

Seating Capacity

Occupancy Number

Number of Entrances

Number of Exits

Number of Floors



# AMENDMENT-Change or Alteration of Premises Information

## 3. CHANGE OF LOCATION

### 3A. PREMISES LOCATION

Last-Approved Street Address

Proposed Street Address

### 3B. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

One story (ground level) retail package store containing approximately 2,365 square feet in area, including a retail floor area, walk-in cooler area, dry storage area, two (2) bathrooms and mechanical room, with two (2) points of entrance/egress.

Total Sq. Footage	<input type="text" value="2365"/>	Seating Capacity	<input type="text" value="N/A"/>	Occupancy Number	<input type="text"/>
Number of Entrances	<input type="text" value="2"/>	Number of Exits	<input type="text" value="2"/>	Number of Floors	<input type="text" value="1"/>

### 3C. OCCUPANCY OF PREMISES

Please complete all fields in this section. Please provide proof of legal occupancy of the premises. (E.g. Deed, lease, letter of intent)

Please indicate by what means the applicant has to occupy the premises

Landlord Name

Landlord Phone

Landlord Email

Landlord Address

Lease Beginning Date

Rent per Month

Lease Ending Date

Rent per Year

Will the Landlord receive revenue based on percentage of alcohol sales?

Yes  No

#### 4. FINANCIAL DISCLOSURE

Associated Cost(s): (i.e. Costs associated with License Transaction including but not limited to: Property price, Business Assets, Renovations costs, Construction costs, Initial Start-up costs, Inventory costs, or specify other costs):

Associated Cost(s):

Approximately \$10,000. to paint, refinish floor and install racks.

#### SOURCE OF CASH CONTRIBUTION

Please provide documentation of available funds. (E.g. Bank or other Financial institution Statements, Bank Letter, etc.)

Name of Contributor	Amount of Contribution
NDO Enterprises, LLC	\$10,000.00
<b>Total:</b>	\$10,000.00

#### SOURCE OF FINANCING

Please provide signed financing documentation.

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No

## APPLICANT'S STATEMENT

I, Beverly Ann Williams the:  sole proprietor;  partner;  corporate principal;  LLC/LLP manager  
Authorized Signatory

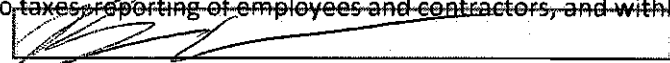
of NDO Enterprises, LLC  
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature:



Date:

2-1-22

Title:

Member/Manager

**ENTITY VOTE**

The Board of Directors or LLC Managers of  Entity Name

duly voted to apply to the Licensing Authority of  and the  
City/Town

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on  Date of Meeting

For the following transactions (Check all that apply):

Alteration of Licensed Premises

Change of Location

Other

"VOTED: To authorize  Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

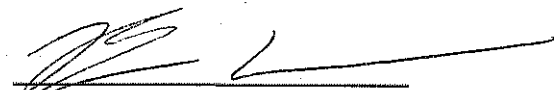
A true copy attest,

  
Corporate Officer /LLC Manager Signature

Beverly Ann Williams  
(Print Name)

For Corporations ONLY

A true copy attest,

  
Corporation Clerk's Signature

Beverly Ann Williams  
(Print Name)



**Town of Franklin, MA**  
Nancy Danello, CMC  
Town Clerk  
355 East Central Street, Franklin, MA 02038

Date Issued: February 7,  
2022  
Record #: 114125  
Certificate #: 22-23

## BUSINESS VERIFICATION CERTIFICATE

In conformity with the provisions of Chapter 110, Section 5 of the General Laws, as amended, the undersigned hereby declare(s) that a business under the title of:

Pour Richard's Wine & Spirits is conducted at: 835 WEST CENTRAL ST

by the following person:

**FULL NAME**

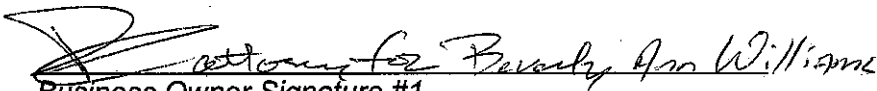
Beverly Ann Williams

**RESIDENCE**

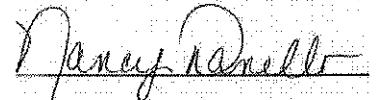
[REDACTED]

A certificate issued in accordance with this section shall be in force and effect for four years from the date of issue and shall be renewed each four years thereafter so long as such business shall be conducted and shall lapse and be void unless so renewed.

**Expiration Date:** February 7, 2026

  
Business Owner Signature #1

A True Attest Copy

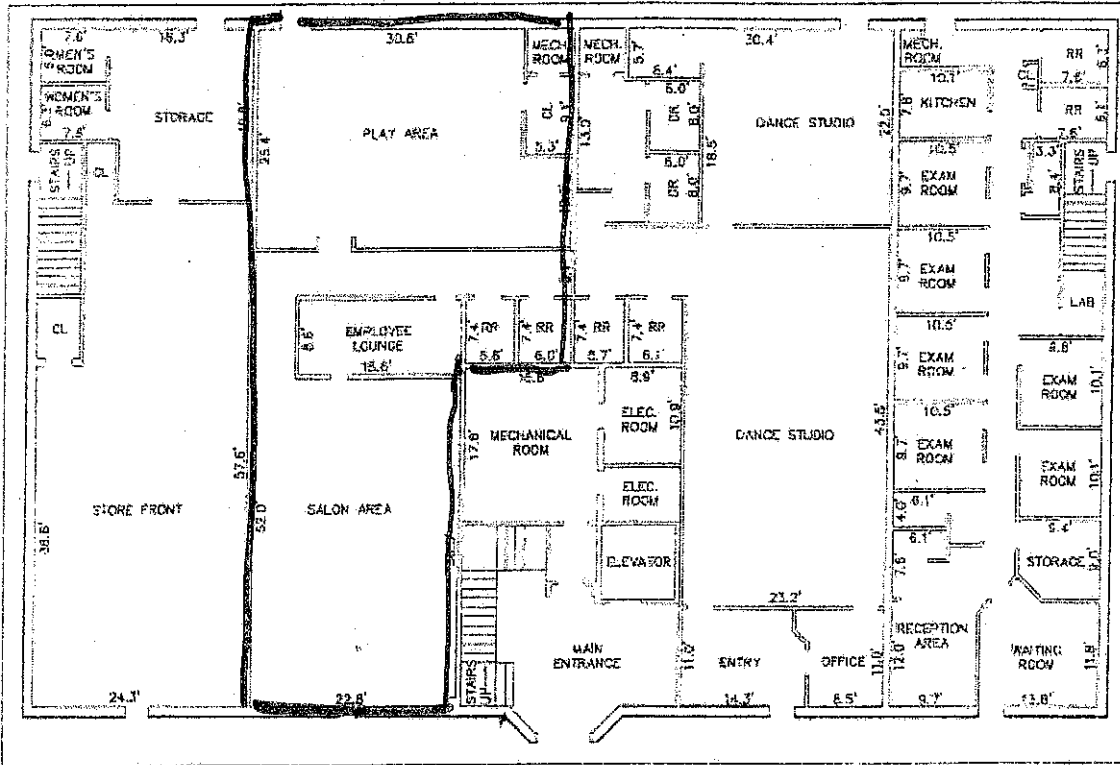


Nancy Danello, CMC  
Acting Town Clerk

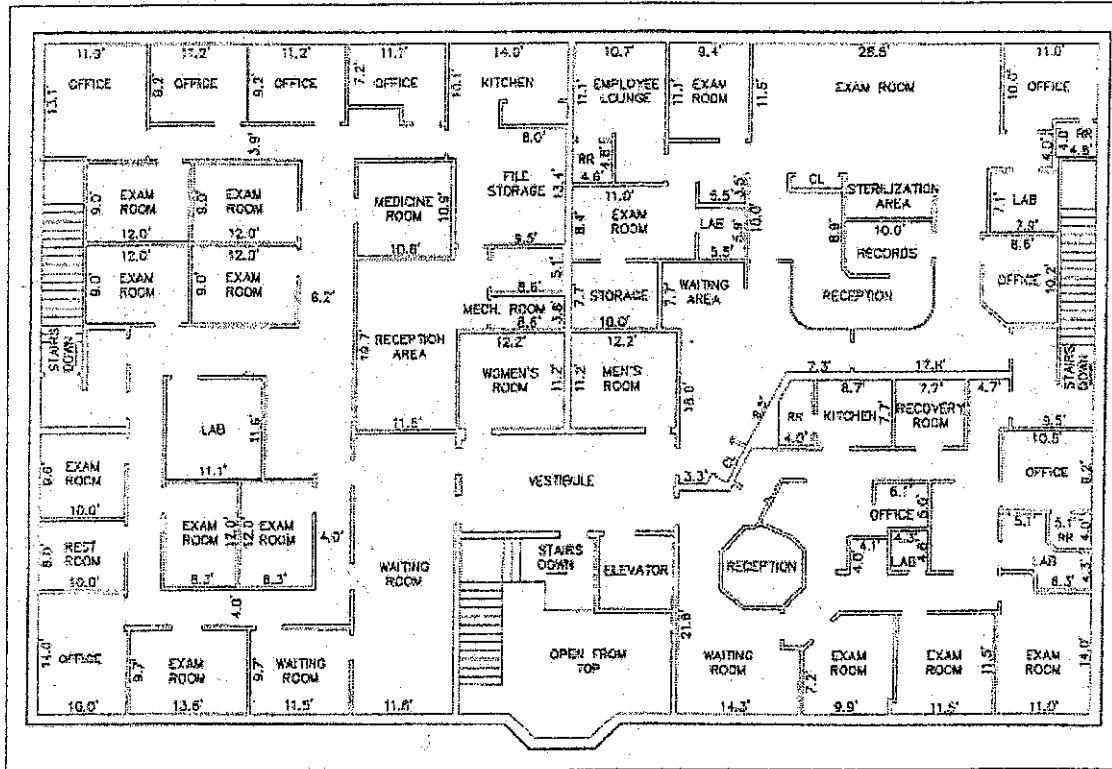
\_\_\_\_\_  
Business Owner Signature #2

To learn more, scan this barcode or visit [franklinma.viewpointcloud.com/#!/records/135817](https://franklinma.viewpointcloud.com/#!/records/135817)





First Floor Above / Second Floor Below



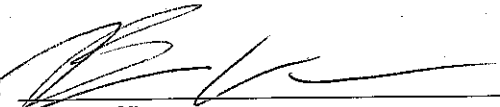


## **CERTIFICATE OF COMPLIANCE WITH STATE LAWS**

Pursuant to M.G.L Chapter 62C, Sec 49A, and M.G.L. Ch. 151A, Section 19A, the undersigned acting on behalf on the License Holder, certifies under the penalty of perjury that, to the best of the undersign's knowledge and belief, the License Holder is in compliance with all laws of the Commonwealth of Massachusetts relating to taxes, reporting of employees and contractors, and withholding and remitting child support\*.

\_\_\_\_\_  
\*\* Signature of Individual or Corporate License Holder (Mandatory)

\_\_\_\_\_  
\*\*\* License Holder's Social Security Number/or Federal Identification Number

By:   
Corporate Officer  
(Mandatory, if applicable)

Date: 2-1-22

\*The provision in the Attestation of relating to child support applies only when the License Holder is an individual.

\*\*Approval of or a renewal of a license will not be granted unless this certification clause is signed by the applicant. For all corporations, a certified copy of the vote of the Board of Directors must be provided.

\*\*\* Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Providers who fail to correct their non-filing or delinquency will not have a license or other agreement issued, renewed or extended. This request is made under the authority of Massachusetts General Laws, Chapter 62C, section 49A.





The Commonwealth of Massachusetts  
 Department of Industrial Accidents  
 Office of Investigations  
 600 Washington Street  
 Boston, MA 02111  
 www.mass.gov/dia

**Workers' Compensation Insurance Affidavit: General Businesses**

**Applicant Information**

**Please Print Legibly**

Business/Organization Name: NDO Enterprises, LLC, d/b/a Pour Richard's Wine & Spirits

Address: 14 Grove Street

City/State/Zip: Franklin, MA 02038 Phone #: 617-818-5747

<p><b>Are you an employer? Check the appropriate box:</b></p> <p>1. <input checked="" type="checkbox"/> I am a employer with _____ employees (full and/ or part-time).*</p> <p>2. <input type="checkbox"/> I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]</p> <p>3. <input type="checkbox"/> We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**</p> <p>4. <input type="checkbox"/> We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]</p>	<p><b>Business Type (required):</b></p> <p>5. <input checked="" type="checkbox"/> Retail</p> <p>6. <input type="checkbox"/> Restaurant/Bar/Eating Establishment</p> <p>7. <input type="checkbox"/> Office and/or Sales (incl. real estate, auto, etc.)</p> <p>8. <input type="checkbox"/> Non-profit</p> <p>9. <input type="checkbox"/> Entertainment</p> <p>10. <input type="checkbox"/> Manufacturing</p> <p>11. <input type="checkbox"/> Health Care</p> <p>12. <input type="checkbox"/> Other _____</p>
--	---

\*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.  
 \*\*If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

***I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.***

Insurance Company Name: CITIZENS ISURANCE COMPANY OF AMERICA

Insurer's Address: 5130 Parkway Plaza Boulevard

City/State/Zip: Charlotte, NC 28217

Policy # or Self-ins. Lic. # [REDACTED] Expiration Date: 11/30/2022

**Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).**

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

***I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.***

Signature: [Signature] Date: 2/1/2022

Phone #: 617-818-5747

**Official use only. Do not write in this area, to be completed by city or town official.**

City or Town: \_\_\_\_\_ Permit/License # \_\_\_\_\_

Issuing Authority (circle one):  
 1. Board of Health 2. Building Department 3. City/Town Clerk 4. Licensing Board 5. Selectmen's Office  
 6. Other \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone #: \_\_\_\_\_

**INSPECTION DEPARTMENT**  
Building Inspection – Division of Wires – Division of Gas  
Division of Plumbing – Sealer of Weights & Measures  
**MUNICIPAL BUILDING – TOWN OF FRANKLIN**  
355 East Central Street  
Franklin, Massachusetts 02038

Lloyd (Gus) Brown  
Building Commissioner

Telephone: 508-520-4926  
FAX: 508-520-4906  
www.franklin.ma.us

**Business Verification Form**

Date 01/26/2022 Type of Business: Retail All Alcohol Package Store

Owners Name(s): NDO Enterprises, LLC

Owners Address 14 Grove Street, Franklin, MA 02038

Telephone #: 508-520-9163 Cell #: \_\_\_\_\_

Address of Business: 835 West Central Street, Suite 2, Franklin, MA 02038

Name of Business: Four Richards Wine & Spirits Number of Employees: >5

Home Office Not to exceed 200 Ft: n/a

Size of Office: n/a Number of Company Vehicles: n/a

Trailers: n/a

Equipment Storage: n/a

Garage: n/a Outside Storage: n/a

Remarks: No Outside Storage  
No Business Signage  
No Vehicle over 15,000 lbs

Comment: \_\_\_\_\_

Signature Zoning Officer: 


Signature Owner: 

## MANAGER' CERTIFICATE

The undersigned, as the MANAGER of NDO ENTERPRISES, LLC, a limited liability company organized under the laws of the Commonwealth of Massachusetts (the "Company"), hereby certify and state to the Town Council of the Town of Franklin, Massachusetts, and the Massachusetts Alcoholic Beverages Control Commission, in connection with an Application for an Amendment - Change or Alteration of Premises Information for Current ABCC License No. 00060-PK-0430, (the "License"), the following:

1. Attached hereto as Exhibit A is a true, correct and complete copy of the Certificate of Organization of the Company, as filed on June 23, 2012 with the Secretary of the Commonwealth of Massachusetts, and the same has not been amended, modified or terminated and remains in full force and effect as of the date hereof.
2. Attached hereto as Exhibit B is a true, correct and complete copy of the Consent of the Member of the Company, authorizing the Application for an Amendment - Change or Alteration of Premises for the License on behalf of the Company from the Town of Franklin, and further authorizing the execution, delivery and performance by the Company of the application for an Amendment - Change or Alteration of Premises Information for Current ABCC License No. 00060-PK-0430 and all the related documents; such Consent has not been modified, amended or revoked and is in full force and effect on the date hereof; and no other action on the part of the Company is necessary to authorize the Company's execution, delivery and performance by the Company of the License application and related documents.
3. On our oath and under the penalties of perjury, we swear that I am the duly elected MANAGER authorized on behalf of NDO ENTERPRISES, LLC, a Massachusetts Limited Liability Company, and I certify that I have not been removed as MANAGER and have the authority to act, singly, for, and bind the Company in the transaction of business for which this affidavit is given as affirmation of my authority.

IN WITNESS WHEREOF, the undersigned have executed this Certificate this  
day, January 31, 2022.



Beverly Ann Williams

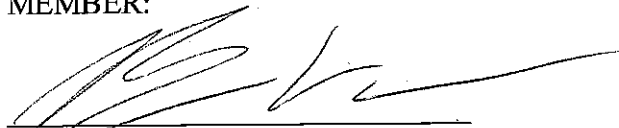
**EXHIBIT B**

**CONSENT OF THE MEMBER**

The undersigned, being the sole Member of NDO ENTERPRISES, LLC, a Massachusetts limited liability company (the "Company"), hereby consent to the following:


That Beverly Ann Williams, as the MANAGER of the Company (referred to as the "MANAGER"), be and hereby is authorized and directed, singly, on behalf of the Company, to execute any and all agreements, documents and other papers in connection with the **application for an Amendment - Change or Alteration of Premises Information for Current ABCC License No. 00060-PK-0430**, in connection with the business to be known as the POUR RICHARD'S WINE & SPIRITS, to be conducted within the Town of Franklin, Massachusetts, with such changes as such MANAGER deems necessary or appropriate, the signature of the MANAGER on behalf of the Company, appearing upon such documentation, to be conclusive evidence of said MANAGER' authority to execute the same and of its binding effect upon the Company.

MEMBER:



Beverly Ann Williams

# Beverly Ann Williams

 ann@pourrichardswine.com



## CERTIFICATIONS

Wine & Spirits Education Trust Diploma  
(with Distinction)

## EXPERIENCE

---

### OWNER/MANAGER

*Pour Richard's Wine & Spirits, Franklin, MA / Nov 2012 - Present*

Conceptualized, financed, and opened a fine wine and spirits shop.

Responsible for product selection, event co-ordination, and social media presence.

Collaborate with dozens of local and regional charitable groups to offer in-store fundraisers.

### REGIONAL SALES MANAGER, NEW ENGLAND

*Cape Classics, New York, NY / Jul 2008 - Mar 2012*

Managed a sales territory representing 6 states and over \$20 million in sales.

Maintained supplier relationships and ran pricing and supports for 18 separate distributors plus the state of NH.

Managed supplier visits and key account relationships.

### DISTRICT MANAGER/ STATE MANAGER

*Winebow, Inc, Montclair, NJ / Sep 2000 - Jun 2008*

Manages a sales territory that generated an annual average of \$12 million in sales.

Key account management for MA, VT, RI

Managed supplier relations and distributor portfolio managers. Responsible for pricing and promos.

### KEY ACCOUNT REP, BOSTON ON-PREMISE

*Classic Wine Imports, West Roxbury, MA / Jun 1997 - Aug 2000*

Responsible for representing Classic at A-level restaurants and clubs in the Metro Boston area.

Grew my territory by over 40% during my tenure.

### SALES REP

*Carolina Wines, Norwood, MA / Apr 1995 - May 1997*

Represented a mix of on- and off-premise accounts in southeastern MA.

Grew territory by over 120% during my tenure.

## REFERENCES

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References available upon request

## **NOTICE OF PUBLIC HEARING FRANKLIN, MA**

### **Change of Location, Section 15 All Alcoholic Beverages License, NDO Enterprises, LLC, d/b/a Pour Richard's Wine and Spirits**

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The Franklin Town Council will hold a Public Hearing on an application by NDO Enterprises, LLC, d/b/a Pour Richard's Wine and Spirits, located at 14 Grove St, Franklin, MA, for a change of location from 14 Grove St. to 835 W. Central St., Suite #2, on their All Alcoholic Beverage Package Store License. This hearing will be held on April 6, 2022 at 7:00 PM and will provide an open forum for discussion. Location: Municipal Building, 2nd floor Council Chambers, 355 E. Central Street, Franklin, MA, and will also be available via the "ZOOM" platform. Residents can visit the Town website ([Franklinma.gov](http://Franklinma.gov)) town calendar for up to date meeting information. For questions, please call the Town Administrator's Office at (508) 520-4949.

Submitted by,  
Alecia Alleyne  
Licensing Administrator



# LICENSE TRANSACTION



## Alteration of Licensed Premises

### Let's Eat Franklin, LLC

d/b/a 3 Restaurant  
461 West Central Street  
Franklin, MA 02038

Let's Eat Franklin, LLC, d/b/a 3 Restaurant, is seeking approval for an alteration of premises to add permanent outdoor dining space on their §12 Restaurant, All Alcoholic Beverages License. An updated site plan with the proposed alterations is attached hereto as "Exhibit A".

All Departments have signed off on this application.

**MOTION** to approve the request by Let's Eat Franklin, LLC d/b/a 3 Restaurant for an alteration of premises to add outdoor dining space on their §12 Restaurant, All Alcoholic Beverages License, as shown on "Exhibit A".

---

**DATED:** \_\_\_\_\_, 2022

**VOTED:**

**UNANIMOUS:** \_\_\_\_\_

**A True Record Attest:**

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**RECUSED:** \_\_\_\_\_

Nancy Danello, CMC  
Town Clerk

---

Glenn Jones, Clerk  
Franklin Town Council

LIMITED SITE PLAN  
 "THREE" RESTAURANT  
 AT  
 461 WEST CENTRAL STREET  
 FRANKLIN  
 MASSACHUSETTS

Seam of Franklin



222 Franklin Street  
 Franklin, Massachusetts 01901

370 West Central Street  
 Franklin, MA 01901

370 West Central Street  
 Franklin, MA 01901

Approved By: *[Signature]*  
 Project Engineer: *[Signature]*  
 Date: February 16, 2022

*[Signature]*  
 Project Engineer

COMMISSIONER OF PUBLIC SAFETY  
 MASSACHUSETTS

- The Planning Board of the Town of Franklin has reviewed the proposed site plan for the "THREE" RESTAURANT at 461 West Central Street, Franklin, Massachusetts, and has approved the same for the purpose of the proposed site plan.
- The Planning Board of the Town of Franklin has reviewed the proposed site plan for the "THREE" RESTAURANT at 461 West Central Street, Franklin, Massachusetts, and has approved the same for the purpose of the proposed site plan.
- The Planning Board of the Town of Franklin has reviewed the proposed site plan for the "THREE" RESTAURANT at 461 West Central Street, Franklin, Massachusetts, and has approved the same for the purpose of the proposed site plan.
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- The Planning Board of the Town of Franklin has reviewed the proposed site plan for the "THREE" RESTAURANT at 461 West Central Street, Franklin, Massachusetts, and has approved the same for the purpose of the proposed site plan.
- The Planning Board of the Town of Franklin has reviewed the proposed site plan for the "THREE" RESTAURANT at 461 West Central Street, Franklin, Massachusetts, and has approved the same for the purpose of the proposed site plan.
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	APPROVED FOR THE TOWN OF FRANKLIN <i>[Signature]</i> TOWN ENGINEER
461 WEST CENTRAL STREET FRANKLIN, MA 01901	461 WEST CENTRAL STREET FRANKLIN, MA 01901
COVER LIMITED SITE PLAN "THREE" RESTAURANT AT 461 WEST CENTRAL STREET FRANKLIN MASSACHUSETTS FEBRUARY 16, 2022	COVER LIMITED SITE PLAN "THREE" RESTAURANT AT 461 WEST CENTRAL STREET FRANKLIN MASSACHUSETTS FEBRUARY 16, 2022
GUERRIERE & HALMON, INC. 370 WEST CENTRAL STREET FRANKLIN, MA 01901 TEL: 508-528-1100 FAX: 508-528-1101 WWW.GUERRIEREHALMON.COM	GUERRIERE & HALMON, INC. 370 WEST CENTRAL STREET FRANKLIN, MA 01901 TEL: 508-528-1100 FAX: 508-528-1101 WWW.GUERRIEREHALMON.COM
SHEET LA 07 E	SHEET NO. P4495

# ZONE: COMMERCIAL II

REQUIREMENT	MINIMUM	MAXIMUM
MINIMUM LOT AREA	100 SQ FT	1000 SQ FT
MINIMUM LOT COVER	20%	50%
MINIMUM LOT FRONT SETBACK	10 FT	100 FT
MINIMUM LOT DEPTH	10 FT	100 FT
MINIMUM LOT WIDTH	10 FT	100 FT
MINIMUM FRONT SETBACK	10 FT	100 FT
MINIMUM SIDE SETBACK	5 FT	10 FT
MINIMUM REAR SETBACK	5 FT	10 FT
MINIMUM MAXIMUM HEIGHT	4 FT	12 FT
MINIMUM MINIMUM HEIGHT	2 FT	2 FT
MINIMUM MINIMUM HEIGHT	2 FT	2 FT
MINIMUM MINIMUM HEIGHT	2 FT	2 FT
MINIMUM MINIMUM HEIGHT	2 FT	2 FT
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MINIMUM MINIMUM HEIGHT	2 FT	2 FT
MINIMUM MINIMUM HEIGHT	2 FT	2 FT
MINIMUM MINIMUM HEIGHT	2 FT	2 FT
MINIMUM MINIMUM HEIGHT	2 FT	2 FT

## NOTES

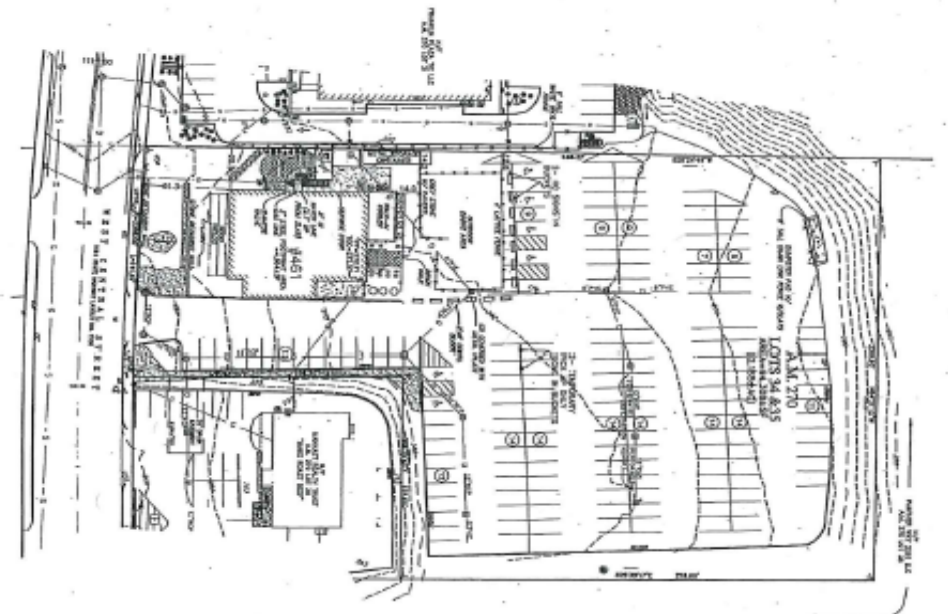
1. THE LAND IS ZONED COMMERCIAL II.
2. THIS PLAN REFERS TO MASSACHUSETTS MAP 372 (REV. 24 & 26).
3. THIS SITE IS NOT IN A HISTORICALLY SIGNIFICANT AREA OR IN A DESIGNATED HISTORIC DISTRICT, ZONING MAP 24.17.11, OR IN A ZONING MAP 24.17.12.
4. THIS SITE IS NOT A PROHIBITED LOT OR A PROHIBITED CORNER LOT.
5. THIS PLAN SHOWS THE PROPOSED DEVELOPMENT AS SHOWN ON THIS PLAN.
6. ALL SETBACKS SHOWN ON THIS PLAN ARE TO BE CONSIDERED AS MINIMUMS.
7. ALL SETBACKS SHOWN ON THIS PLAN ARE TO BE CONSIDERED AS MINIMUMS.
8. ALL SETBACKS SHOWN ON THIS PLAN ARE TO BE CONSIDERED AS MINIMUMS.
9. ALL SETBACKS SHOWN ON THIS PLAN ARE TO BE CONSIDERED AS MINIMUMS.
10. ALL SETBACKS SHOWN ON THIS PLAN ARE TO BE CONSIDERED AS MINIMUMS.

## PREVIOUSLY APPROVED NOTE

SEE THE DEVELOPER'S PREVIOUSLY APPROVED PLAN FOR THIS SITE, APPROVED BY THE BOARD OF ZONING APPEALS ON OCTOBER 10, 2018.

## PREVIOUSLY APPROVED PARKING SCHEDULE

ACTIVITY	PERIOD	VEHICLES
OFFICE WORK	9:00 AM - 5:00 PM	12 SPACES
OFFICE WORK	5:00 PM - 9:00 PM	12 SPACES
OFFICE WORK	9:00 AM - 12:00 PM	12 SPACES
OFFICE WORK	12:00 PM - 5:00 PM	12 SPACES
OFFICE WORK	5:00 PM - 9:00 PM	12 SPACES
OFFICE WORK	9:00 AM - 12:00 PM	12 SPACES
OFFICE WORK	12:00 PM - 5:00 PM	12 SPACES
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OFFICE WORK	12:00 PM - 5:00 PM	12 SPACES
OFFICE WORK	5:00 PM - 9:00 PM	12 SPACES
OFFICE WORK	9:00 AM - 12:00 PM	12 SPACES
OFFICE WORK	12:00 PM - 5:00 PM	12 SPACES
OFFICE WORK	5:00 PM - 9:00 PM	12 SPACES



## LEGEND

1	EXISTING BUILDING FOOTPRINT
2	NEW BUILDING FOOTPRINT
3	EXISTING DRIVE PAVED
4	EXISTING DRIVE UNPAVED
5	EXISTING SIDE WALK
6	EXISTING SIDE WALK
7	EXISTING SIDE WALK
8	EXISTING SIDE WALK
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80	EXISTING SIDE WALK



APPROVED 2/18/2022  
 [Signature]  
 [Name]

DATE: 02/18/2022  
 TIME: 10:00 AM  
 LOCATION: 461 WEST CENTRAL STREET, FRANKLIN, MASSACHUSETTS

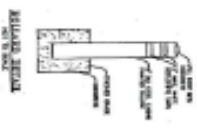
461 WEST CENTRAL STREET  
 FRANKLIN, MASSACHUSETTS  
 EXISTING CONDITIONS  
 LIMITED SITE PLAN  
 "THREE" RESTAURANT  
 AT  
 461 WEST CENTRAL STREET  
 FRANKLIN, MASSACHUSETTS

DATE: FEBRUARY 16, 2022  
 DESIGNER: GUERTIERE & HALNON, INC.  
 PROJECT NO: P44496

Guertiere & Halnon, Inc.  
 20 WEST CENTRAL ST., 2ND FLOOR, FRANKLIN, MASSACHUSETTS 01901  
 508.885.1100  
 www.guertiereandhalnon.com  
 SHEET 1 OF 3

# ZONE: COMMERCIAL II

MINIMUM LOT AREA	MINIMUM FRONT SETBACK	MINIMUM SIDE SETBACK	MINIMUM REAR SETBACK
10,000 SQ. FT.	10 FT.	5 FT.	5 FT.
MINIMUM FRONT YIELD	MINIMUM SIDE YIELD	MINIMUM REAR YIELD	
10% OF LOT AREA	10% OF LOT AREA	10% OF LOT AREA	
MINIMUM BUILDING HEIGHT	MINIMUM BUILDING FOOTPRINT	MINIMUM BUILDING SETBACK	
4 STORIES	75% OF LOT AREA	5 FT.	
MINIMUM BUILDING FOOTPRINT	MINIMUM BUILDING SETBACK	MINIMUM BUILDING HEIGHT	
75% OF LOT AREA	5 FT.	4 STORIES	



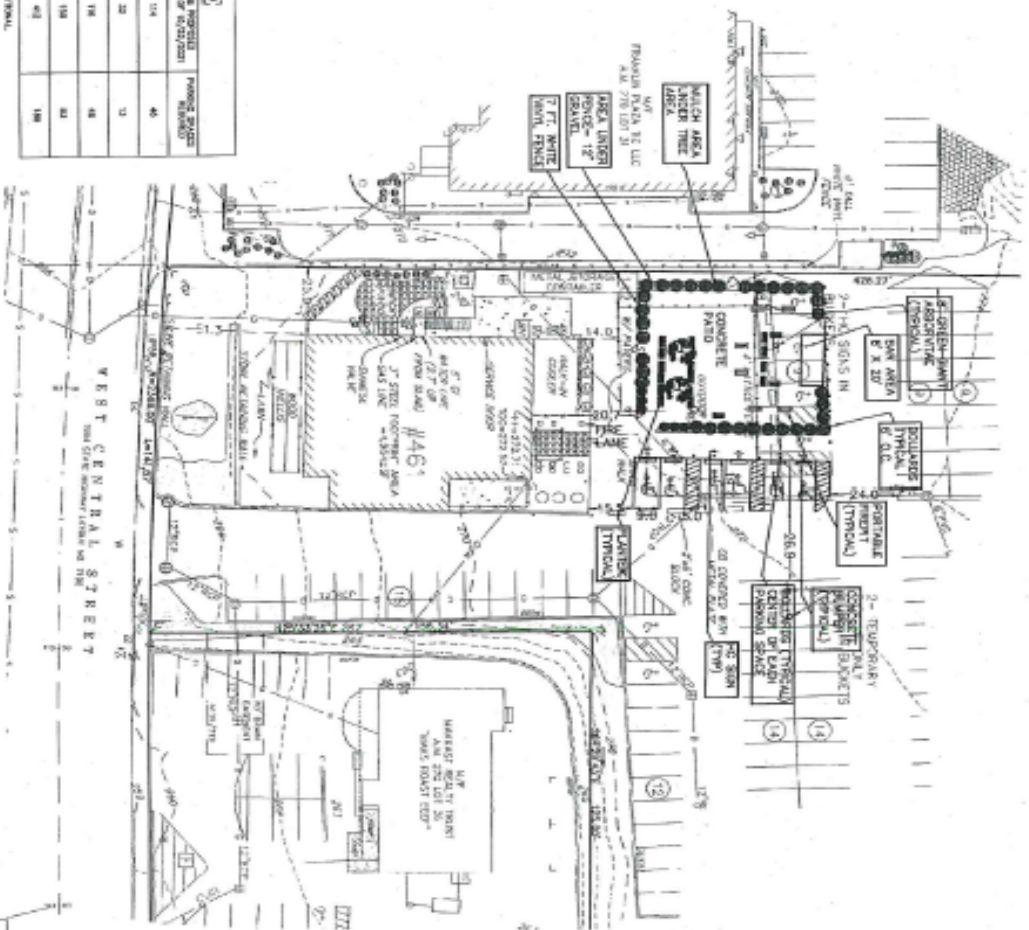
### PARKING SCHEDULE

DATE	TIME	TYPE	NO. OF SPACES
MONDAY - FRIDAY	8:00 AM - 6:00 PM	PERMITS	46
SATURDAY - SUNDAY	8:00 AM - 6:00 PM	PERMITS	46
MONDAY - FRIDAY	6:00 PM - 8:00 PM	PERMITS	46
SATURDAY - SUNDAY	6:00 PM - 8:00 PM	PERMITS	46
TOTAL			184

1. THIS SCHEDULE SHALL BE CONSIDERED AN ALTERNATE DIMENSION WITH THE ORIGINAL PLAN TO WHICH IT APPLIES. ONLY DIMENSIONS IN THIS SCHEDULE SHALL BE USED.

2. THIS SCHEDULE SHALL BE CONSIDERED AN ALTERNATE DIMENSION WITH THE ORIGINAL PLAN TO WHICH IT APPLIES. ONLY DIMENSIONS IN THIS SCHEDULE SHALL BE USED.

3. THE DIMENSIONS SHOWN ON THIS PLAN SHALL BE CONSIDERED THE DIMENSIONS OF THE PROJECT UNLESS OTHERWISE NOTED.



NOTE:

1. ALL DIMENSIONS SHALL BE IN FEET AND INCHES.

2. ALL DIMENSIONS SHALL BE CONSIDERED UNLESS OTHERWISE NOTED.

3. ALL DIMENSIONS SHALL BE CONSIDERED UNLESS OTHERWISE NOTED.

## LEGEND

1	EXISTING LOT
2	EXISTING DRIVE
3	EXISTING SIDEWALK
4	EXISTING DRIVE
5	EXISTING DRIVE
6	EXISTING DRIVE
7	EXISTING DRIVE
8	EXISTING DRIVE
9	EXISTING DRIVE
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95	EXISTING DRIVE
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97	EXISTING DRIVE
98	EXISTING DRIVE
99	EXISTING DRIVE
100	EXISTING DRIVE

### PURPOSE OF PLAN:

TO SHOW THE LOCATION AND DIMENSIONS OF THE PROPOSED DRIVE AND SIDEWALK AS SHOWN ON THE ATTACHED SITE PLAN.

TO SHOW THE LOCATION AND DIMENSIONS OF THE PROPOSED DRIVE AND SIDEWALK AS SHOWN ON THE ATTACHED SITE PLAN.

TO SHOW THE LOCATION AND DIMENSIONS OF THE PROPOSED DRIVE AND SIDEWALK AS SHOWN ON THE ATTACHED SITE PLAN.



DESIGNED BY: [Signature]

DATE: [Date]

461 WEST CENTRAL STREET  
 FRANKLIN  
 MASSACHUSETTS

PROPOSED SITE  
 LIMITED SITE PLAN  
 "THEREE" RESTAURANT  
 AT  
 461 WEST CENTRAL STREET  
 FRANKLIN  
 MASSACHUSETTS

DATE: FEBRUARY 18, 2022

DATE: REVISION DESCRIPTION

SCALE: AS SHOWN ON THE PLAN

DRAWN BY: [Name]

Guertler & Halton, Inc.  
 25 WEST CENTRAL ST., 2ND FLOOR  
 FRANKLIN, MASSACHUSETTS 01902  
 TEL: 508-546-1234  
 FAX: 508-546-1235  
 WWW.GUERTLERHALTON.COM

DATE: 2/18/22

PROJECT: F4485



RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION  
 MONETARY TRANSMITTAL FORM

**AMENDMENT-Change or Alteration of Premises Information**

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.

ECRT CODE: RETA

Please make \$200.00 payment here: [ABCC PAYMENT WEBSITE](#)

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

ENTITY/ LICENSEE NAME

ADDRESS

CITY/TOWN

STATE

ZIP CODE

For the following transactions (Check all that apply):

- |   |   |   |   |
|---|---|---|---|
| <input type="checkbox"/> New License                  | <input type="checkbox"/> Change Corporate Name                      | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal)         | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input type="checkbox"/> Transfer of License          | <input type="checkbox"/> Change of DBA                              | <input type="checkbox"/> Change of License Type (i.e. club / restaurant)  | <input type="checkbox"/> Change of Hours                              |
| <input type="checkbox"/> Change of Manager            | <input checked="" type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock)    |
| <input type="checkbox"/> Change of Officers/Directors | <input type="checkbox"/> Change of Location                         | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder       | <input type="checkbox"/> Management/Operating Agreement               |
| <input type="checkbox"/> Change of Ownership Interest | <input type="checkbox"/> Other <input type="text"/>                 |   |   |

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL FORM ALONG WITH COMPLETED APPLICATION, AND SUPPORTING DOCUMENTS TO:

**Alcoholic Beverages Control Commission**  
**95 Fourth Street, Suite 3**  
**Chelsea, MA 02150-2358**





**AMENDMENT-Change or Alteration of Premises Information**

**Change of Location**

- Payment Receipt
- Monetary Transmittal Form
- Chg of Location/Alteration of Premises Application
- Financial Statement
- Vote of the Entity
- Supporting financial records
- Legal Right to Occupy
- Floor Plan
- Abutter's Notification
- Advertisement

**Alteration of Premises**

- Payment Receipt
- Monetary Transmittal Form
- Chg of Location/Alteration of Premises Application
- Financial Statement
- Vote of the Entity
- Supporting financial records
- Legal Right to Occupy
- Floor Plan
- Abutter's Notification
- Advertisement

**1. BUSINESS ENTITY INFORMATION**

Entity Name

Municipality

ABCC License Number

Lets Eat Franklin, LLC

Franklin

04414-RS-0430

Please provide a narrative overview of the transaction(s) being applied for. Attach additional pages, if necessary.

Applying for an Alteration of Premises to allow for permanent use of our outdoor dining patio. During the summers of 2020 and 2021, a temporary outdoor patio permit was granted. Outdoor dining has been a tremendous success at the restaurant. Without outdoor dining, our business would not have survived Covid. We would now like to offer this amenity to our guests on a permanent basis.

**APPLICATION CONTACT**

The application contact is the person who should be contacted with any questions regarding this application.

Name	Title	Email	Phone
Stephen T. Corcoran	Owner	[REDACTED]	[REDACTED]

**2. ALTERATION OF PREMISES**

**2A. DESCRIPTION OF ALTERATIONS**

Please summarize the details of the alterations and highlight any specific changes from the last-approved premises.

Permanent patio to be located on the site of the previously approved patio in our parking lot contiguous to the restaurant. We will install concrete flooring, a 7' high vinyl fence with 3 entrances/exits and concrete bollards to protect patrons from vehicles.

**2B. PROPOSED DESCRIPTION OF PREMISES**

Please provide a complete description of the proposed premises, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

Patio will be 4,000 square feet, 116 total sets with 8 seats at a repurposed storage container bar, 60 dining seats and 48 lounge seats. Floor plan included.

Total Sq. Footage	4,027	Seating Capacity	116	Occupancy Number	116
Number of Entrances	3	Number of Exits	3	Number of Floors	1

**3. CHANGE OF LOCATION**

**3A. PREMISES LOCATION**

Last-Approved Street Address

Proposed Street Address

**3B. DESCRIPTION OF PREMISES**

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

Total Sq. Footage	<input type="text"/>	Seating Capacity	<input type="text"/>	Occupancy Number	<input type="text"/>
Number of Entrances	<input type="text"/>	Number of Exits	<input type="text"/>	Number of Floors	<input type="text"/>

**3C. OCCUPANCY OF PREMISES**

Please complete all fields in this section. Please provide proof of legal occupancy of the premises. (E.g. Deed, lease, letter of intent)

Please indicate by what means the applicant has to occupy the premises

Own

Landlord Name

Landlord Phone

Landlord Email

Landlord Address

Lease Beginning Date

Rent per Month

Lease Ending Date

Rent per Year

Will the Landlord receive revenue based on percentage of alcohol sales?  Yes  No

#### 4. FINANCIAL DISCLOSURE

Associated Cost(s): (i.e. Costs associated with License Transaction including but not limited to: Property price, Business Assets, Renovations costs, Construction costs, Initial Start-up costs, Inventory costs, or specify other costs):

Associated Cost(s):

Total Cost: \$175,000 Patio Construction: \$100,000 Container bar: \$35,000 Furniture/Fixtures/Equipment: \$40,000
---

#### SOURCE OF CASH CONTRIBUTION

Please provide documentation of available funds. (E.g. Bank or other Financial institution Statements, Bank Letter, etc.)

Name of Contributor	Amount of Contribution
Cash from Operations-On Hand	\$175,000
Total:	\$175,000

#### SOURCE OF FINANCING

Please provide signed financing documentation.

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
N/A			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No



## APPLICANT'S STATEMENT

I, Stephen Corcoran the:  sole proprietor;  partner;  corporate principal;  LLC/LLP manager  
Authorized Signatory

of Lets Eat Franklin LLC  
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature: 

Date: February 1, 2022

Title: Member/Manager

## ADDITIONAL INFORMATION

Please utilize this space to provide any additional information that will support your application or to clarify any answers provided above.

To The Town of Franklin and The MA ABCC:

Let's Eat Franklin, LLC, d/b/a 3 Restaurant is requesting an Alteration of Premises for the construction of a permanent patio on the site of the previously approved Temporary Outdoor Dining Patio and Permit granted to us by the Town of Franklin in 2020 and 2021.

The previously approved Temporary Outdoor Dining Permit was critical to our survival during the pandemic. Without outdoor dining, 3 Restaurant would not have survived.

While the pandemic appears to be receding, many diners still do not feel comfortable dining indoors and they appreciate that we offer a sizable outdoor dining option. We believe the demand for outdoor dining will remain strong, even after the pandemic.

The patio will offer a total of 116 seats (the same number as existing) including 60 dining seats, 48 lounge seats and 8 seats at a repurposed storage container bar. The size of the patio will allow for ample space between diners. We designed the patio this way to ensure we would have enough space in case Covid restrictions resume.

Other patio design features such as the concrete bollards, fence, proximity to the main restaurant and patio bar will enable our management team to closely monitor safety and the responsible service of alcohol to our guests.

We have operated the patio for the past two years without any negative operating issues and our current parking has been more than adequate to accommodate the patio seating.

The continuation of outdoor dining has been integral to our success and we respectfully request that you look favorably on our application.

Thank you for your consideration.



Stephen T. Corcoran

**ENTITY VOTE**

The Board of Directors or LLC Managers of   
Entity Name

duly voted to apply to the Licensing Authority of  and the  
City/Town

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on   
Date of Meeting

For the following transactions (Check all that apply):

- Alteration of Licensed Premises
- Change of Location
- Other

“VOTED: To authorize   
Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted.”

A true copy attest,

  
Corporate Officer /LLC Manager Signature

Stephen T. Corcoran  
(Print Name)

For Corporations ONLY

A true copy attest,

\_\_\_\_\_  
Corporation Clerk's Signature

\_\_\_\_\_  
(Print Name)

## Corey J. Hickox

chh@3-restaurant.com

### SUMMARY OF QUALIFICATIONS:

Highly motivated individual with diligent time management skills who is adept at resolving complex issues. Critical thinker who addresses customer service issues quickly and consistently exceeds performance standards. Key player who is calm in stressful situations with well-developed people skills.

### EXPERIENCE

3 Restaurant, Franklin, MA

November 2016 – Present

*General Manager Assistant General Manager*

- Coordinated and executed all in house private events and off site catering up to 200 people
- Developed a strong marketing program through social media, constant contact, and website development
- Completed payroll through Solex Payroll Systems for 65 employees
- Created a strategic marketing plan to increase promotions and new menu products
- Responsible for all inventory management including paper goods, dry goods, glassware and linen
- Responsible for creating and updating all menu programming in Aloha Manager

Iron Works Tavern, Warwick, RI

August 2015 – November 2016

*Lead Server*

- Worked directly with executive chefs and upper management on food & beverage menus
- Helped with creating web layouts for company website and other social media pages
- Conducted frequent service trainings to promote staff development
- Build and maintain successful relationships with service providers, dealers, and consumers

AK Bistro, Franklin, MA

January 2014 – January 2015

*Lead Server/Assistant Manager*

- Hired as head server and Assistant Manager for opening of restaurant
- Successful at multitasking while upholding professional demeanor in a fast paced environment
- Exceptional team building and interpersonal skills among fellow servers and managers
- Experience with running daily sales reports and end of day procedures
- Reached out to local businesses and hotels to strengthen function and restaurant business

Skipjacks Seafood Restaurant, Foxboro, MA

Decemeber 2011 – December 2014

*Server*

- Greeted customers, presenting menus, taking food orders and expediting them through the kitchen
- Solely responsible for training new Server/Bartenders that joined the team
- In-depth understanding of serving food and attending to the customers' needs
- Able to perform general preparation work under the supervision of the restaurant manager
- Required to delegate sidework and lead the team to a successful shift as the closing server

Hemenways Seafood Grille and Oyster Bar, Providence, RI

October 2008 - December 2011

*Server*

- Obtained great experience working in a high volume fine dining establishment
- Ranked #1 server for our business unit for two years according to the Fair Rewards Program
- Knowledgeable with wine and food pairings
- Ability to multi-task, focus on guest service, and accommodate to special requests.

### EDUCATION

University of Rhode Island, Kingston, RI

Graduated May 2007

*Bachelor of Arts in Psychology, Minor in Business Management*



**Town of Franklin, MA**  
Nancy Danello, CMC  
Town Clerk  
355 East Central Street, Franklin, MA 02038

**Date Issued: February 17, 2022**  
**Record #: 114307**  
**Certificate #: 22-29**

## BUSINESS VERIFICATION CERTIFICATE

In conformity with the provisions of Chapter 110, Section 5 of the General Laws, as amended, the undersigned hereby declare(s) that a business under the title of:

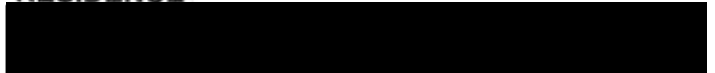
Lets Eat Franklin, LLC d/b/a 3 Restaurant is conducted at: 461 WEST CENTRAL ST

by the following person:

**FULL NAME**

Stephen Corcoran

**RESIDENCE**



A certificate issued in accordance with this section shall be in force and effect for four years from the date of issue and shall be renewed each four years thereafter so long as such business shall be conducted and shall lapse and be void unless so renewed.

**Expiration Date:**

\_\_\_\_\_  
*Business Owner Signature #1*

\_\_\_\_\_  
*Business Owner Signature #2*

A True Attest Copy

Nancy Danello, CMC  
Acting Town Clerk

To learn more, scan this barcode or visit [franklinma.viewpointcloud.com/#!/records/136549](http://franklinma.viewpointcloud.com/#!/records/136549)





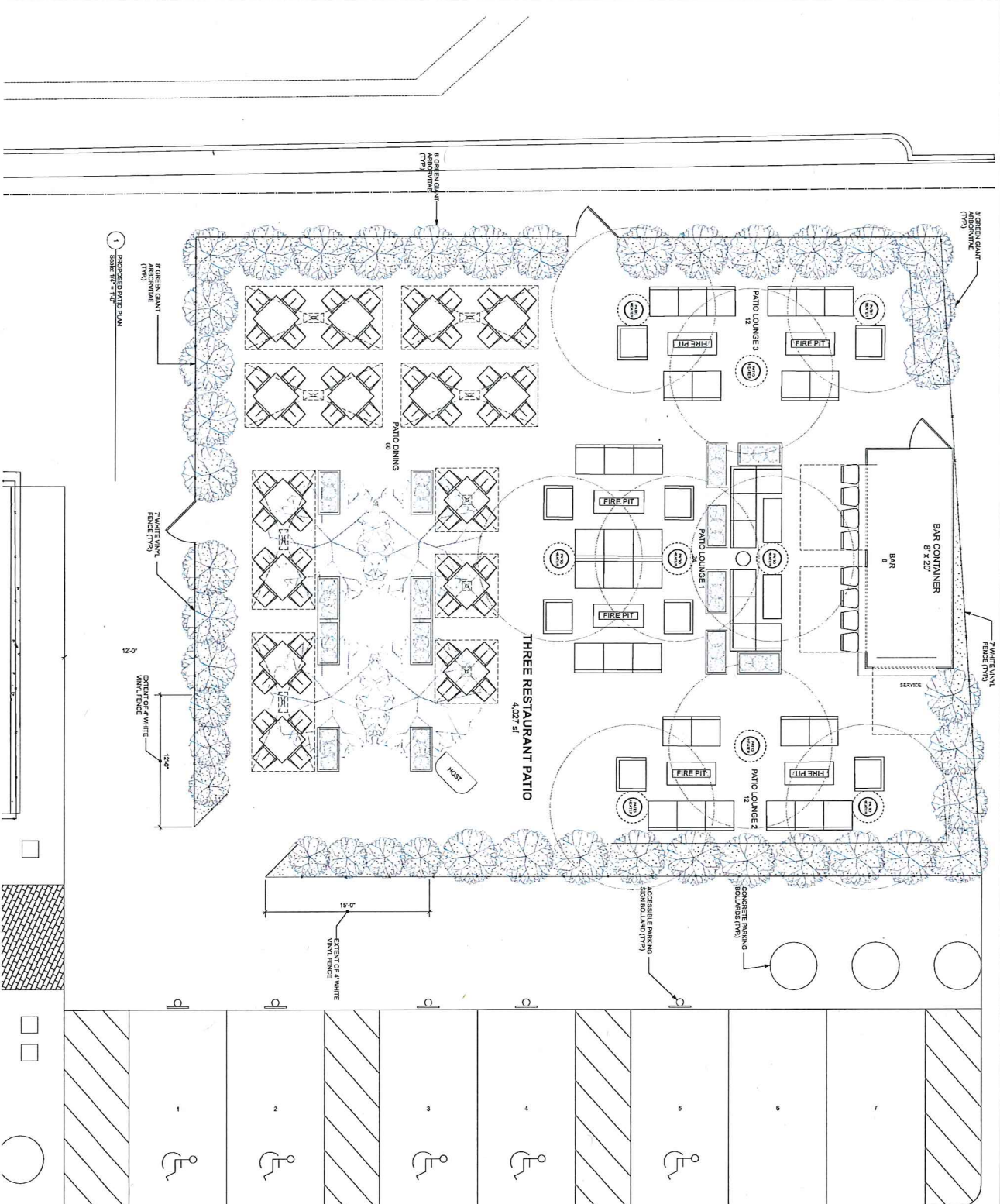
**THREE RESTAURANT**  
 481 West Center Street  
 Franklin, MA 02038

ALL DIMENSIONS, SPECIFICATIONS AND NOTES ARE TO BE USED IN CONJUNCTION WITH THE PROPOSED PATIO PLAN. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND NOTES ON THE PATIO PLAN. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND NOTES ON THE PATIO PLAN. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND NOTES ON THE PATIO PLAN.



**SEATING SUMMARY**

BAR	8
PATIO DINING	60
PATIO LOUNGE 1	24
PATIO LOUNGE 2	24
PATIO LOUNGE 3	12
<b>TOTAL SEATING</b>	<b>116</b>



**A-100**

**PROPOSED PATIO PLAN**

**SOUSA design ARCHITECTS**

ISSUED FOR: 01/2022

DATE: 01/11/2022

DESIGNED BY: GJM BY JH

DATE: 01/11/2022

REVISIONS:

CONTRACTOR TO VERIFY ALL DIMENSIONS AND NOTES TO THE PLAN PRIOR TO START OF CONSTRUCTION AND TO NOTIFY SOUSA DESIGN OF ANY DISCREPANCIES.

THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF SOUSA DESIGN AND ARE NOT TO BE USED IN WHOLE OR IN PART, OR PART BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE EXPRESS WRITTEN PERMISSION OF SOUSA DESIGN.



### CERTIFICATE OF COMPLIANCE WITH STATE LAWS

Pursuant to M.G.L Chapter 62C, Sec 49A, and M.G.L. Ch. 151A, Section 19A, the undersigned acting on behalf on the License Holder, certifies under the penalty of perjury that, to the best of the undersign's knowledge and belief, the License Holder is in compliance with all laws of the Commonwealth of Massachusetts relating to taxes, reporting of employees and contractors, and withholding and remitting child support\*.

\*\* Signature of Individual or Corporate License Holder (Mandatory)

[REDACTED]

\*\*\* License Holder's Social Security Number/or Federal Identification Number

By:   
Corporate Officer  
(Mandatory, if applicable)

Date: 2-2-2022

\*The provision in the Attestation of relating to child support applies only when the License Holder is an individual.

\*\*Approval of or a renewal of a license will not be granted unless this certification clause is signed by the applicant. For all corporations, a certified copy of the vote of the Board of Directors must be provided.

\*\*\* Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Providers who fail to correct their non-filing or delinquency will not have a license or other agreement issued, renewed or extended. This request is made under the authority of Massachusetts General Laws, Chapter 62C, section 49A.



The Commonwealth of Massachusetts  
 Department of Industrial Accidents  
 1 Congress Street, Suite 100  
 Boston, MA 02114-2017  
 www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses.  
 TO BE FILED WITH THE PERMITTING AUTHORITY.

**Applicant Information**

**Please Print Legibly**

Business/Organization Name: Lets Eat Franklin, LLC

Address: 461 West Central St

City/State/Zip: Franklin MA 02038

Phone #: 508-528-6333

**Are you an employer? Check the appropriate box:**

1.  I am an employer with 60 employees (full and/or part-time).\*
2.  I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
3.  We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]\*\*
4.  We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

**Business Type (required):**

5.  Retail
6.  Restaurant/Bar/Eating Establishment
7.  Office and/or Sales (incl. real estate, auto, etc.)
8.  Non-profit
9.  Entertainment
10.  Manufacturing
11.  Health Care
12.  Other \_\_\_\_\_

\*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

\*\*If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

*I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.*

Insurance Company Name: Mass. Retail Merchants Assoc.

Insurer's Address: P.O. Box 859222-9222

City/State/Zip: Braintree, MA 02185

Policy # or Self-ins. Lic. # [REDACTED] Expiration Date: 01-01-2023

**Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).**

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

*I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.*

Signature: [Handwritten Signature]

Date: 2-2-2022

Phone #: 978-852-9443

*Official use only. Do not write in this area, to be completed by city or town official.*

City or Town: \_\_\_\_\_ Permit/License # \_\_\_\_\_

Issuing Authority (circle one):

1. Board of Health
2. Building Department
3. City/Town Clerk
4. Licensing Board
5. Selectmen's Office
6. Other \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone #: \_\_\_\_\_



## FIRST AMENDMENT TO LEASE

This FIRST AMENDMENT TO LEASE (this “Amendment”) is made as of the 1<sup>st</sup> day of November, 2016 by and between SNC (FRANKLIN) REALTY TRUST (the “Landlord”) and LET’S EAT (FRANKLIN), LLC (the “Tenant”).

WHEREAS, the Landlord and the Tenant are the parties to that certain lease dated November 6, 2006 with respect to the premises located at 461 Central Street, Franklin, Massachusetts (the “Lease”); and

WHEREAS, the Landlord and the Tenant desire to amend the Lease upon the terms set forth in the Amendment; and

WHEREAS, Section 8.8 of the Lease indicates that the Lease may only be amended by instruments in writing executed by the Landlord and the Tenant.

NOW THEREFORE, in consideration of the mutual covenants herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Capitalized words and phrases not otherwise defined herein shall be given the meanings given to them in the Lease.
2. The Term of the Lease is hereby extended to twenty (20) years, to expire on November 30, 2026.
3. The Tenant is hereby granted the option to extend the Term for up to two (2) additional periods of five (5) years each (each, an “Option”). Each Option shall be deemed automatically exercised without further action by Tenant or Landlord unless Tenant shall give notice to Landlord at least six (6) months prior to the end of the Term (as it may be extended by the exercise of an Option) stating that Tenant elects

to not extend the Term. The terms and conditions of the Lease shall apply during each Option.


4. Except as otherwise modified herein, the terms and conditions of the Lease are hereby ratified and confirmed.

EXECUTED as an instrument under seal as of the date set forth above.

SNC (FRANKLIN) REALTY TRUST

By:  11-1-2016  
Stephen T. Corcoran, Trustee

LET'S EAT (FRANKLIN), LLC

By:  11-1-2016  
Stephen T. Corcoran, Manager

## The Commonwealth of Massachusetts

## Town of Franklin

## New and Renewal Certificate of Inspection

In accordance with 780 CMR, Chapter 1 (Eighth Edition of the Massachusetts State Building Code) and Chapter 304 of the Acts of 2004 (an Act to further enhance fire and life safety), this certificate of inspection is issued to the premise or structure or part thereof as herein identified.					
Issued to	Identify Name of Establishment				Certificate Number
	3 Restaurant				CI-2021-21-539
Located at	Identify property address including street number and name				Certificate Expiration
	461 West Central St				December 31, 2022
Area		Use Group Classification(s)		Allowable Occupant Load	
This certificate of inspection is hereby issued by the undersigned to certify that the premise, structure or portion thereof as herein specified has been inspected for general fire and life safety features. This certificate shall be framed behind clear glass and/or laminated and posted in a conspicuous place within the space as directed by the undersigned. Failure to post or tampering with the contents of this certificate is strictly prohibited.					
Name of Municipal Fire Chief	JAMES G. MCLAUGHLIN	Name of Municipal Building Commissioner	LLOYD BROWN	Date of Inspection	
Signature of Municipal Fire Chief		Signature of Municipal Building Commissioner		Date of Issuance	December 8, 2021

**NOTICE OF PUBLIC HEARING  
FRANKLIN, MA**

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**Alteration of Premises, Section 12 All Alcoholic Beverages Restaurant License,  
Let's Eat Franklin LLC d/b/a 3 Restaurant**

The Franklin Town Council will hold a Public Hearing on an application by Let's Eat Franklin LLC d/b/a 3 Restaurant, located at 461 W. Central St, Franklin, MA, for an alteration of premises to add permanent outdoor dining space on their All Alcoholic Beverage Restaurant License as shown on a plan available for public inspection on the third floor, Town Administrator's Office of the Municipal Building. This hearing will be held on April 6, 2022 at 7:00 PM and will provide an open forum for discussion. Location: Municipal Building, 2nd floor Council Chambers, 355 E. Central Street, Franklin, MA, and will also be available via the "ZOOM" platform. Residents can visit the Town website ([Franklinma.gov](http://Franklinma.gov)) town calendar for up to date meeting information. For questions, please call the Town Administrator's Office at (508) 520-4949.

# LICENSE TRANSACTION



**New Common Victualler §12 Restaurant, All Alcoholic Beverages**

**Windtop Acres, Inc.**  
d/b/a Birchwood Bakery  
17 East Central Street  
Franklin, MA 02038

Windtop Acres, Inc. d/b/a Birchwood Bakery, is seeking approval for a New §12 Restaurant, All Alcoholic Beverages license and to approve the manager, Veronika Matunin.

All departments have signed off on this application.

**MOTION** to approve the request by Windtop Acres, Inc. d/b/a Birchwood Bakery, for a New Section 12 Restaurant All Alcoholic Beverages License and to approve Veronika Matunin as the manager.

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**DATED:** \_\_\_\_\_, 2022

**VOTED:**

**UNANIMOUS:** \_\_\_\_\_

**A True Record Attest:**

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**RECUSED:** \_\_\_\_\_

**Nancy Danello, CMC**  
**Town Clerk**

---

**Glenn Jones, Clerk**  
**Franklin Town Council**

The Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358  
www.mass.gov/abcc

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION  
MONETARY TRANSMITTAL FORM

APPLICATION FOR A NEW LICENSE

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.

ECRT CODE: RETA

Please make \$200.00 payment here: [ABCC PAYMENT WEBSITE](#)

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

ENTITY/ LICENSEE NAME

ADDRESS

CITY/TOWN  STATE  ZIP CODE

For the following transactions (Check all that apply):

- |  |  |   |   |
|--|--|---|---|
| <input checked="" type="checkbox"/> New License                        | <input type="checkbox"/> Change of Location  | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal)         | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input type="checkbox"/> Transfer of License                           | <input type="checkbox"/> Alteration of Licensed Premises   | <input type="checkbox"/> Change of License Type (i.e. club / restaurant)  | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock)    |
| <input type="checkbox"/> Change of Manager                             | <input type="checkbox"/> Change Corporate Name   | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement               |
| <input type="checkbox"/> Change of Officers/<br>Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest<br>(LLC Members/LLP Partners,<br>Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder       | <input type="checkbox"/> Change of Hours                              |
|  |  | <input type="checkbox"/> Other <input type="text"/>                       | <input type="checkbox"/> Change of DBA                                |

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL FORM ALONG WITH COMPLETED APPLICATION, AND SUPPORTING DOCUMENTS TO:

Alcoholic Beverages Control Commission  
95 Fourth Street, Suite 3  
Chelsea, MA 02150-2358



The Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358  
www.mass.gov/abcc

APPLICATION FOR A NEW LICENSE

Municipality

**1. LICENSE CLASSIFICATION INFORMATION**

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
<input type="text" value="On-Premises-12"/>	<input type="text" value="\$12 Restaurant"/>	<input type="text" value="All Alcoholic Beverages"/>	<input type="text" value="Annual"/>

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

We will be running a bakery with dining room for breakfast, brunch, lunch and afternoon snacks. Patrons will have the chance to order from a dedicated drink menu classic and signature brunch cocktails, wine and beer. A small selection of fortified and sweet wine will pair with late afternoon cheese boards.

Is this license application pursuant to special legislation?

Yes  No

Chapter

Acts of

**2. BUSINESS ENTITY INFORMATION**

The entity that will be issued the license and have operational control of the premises.

Entity Name

FEIN

DBA

Manager of Record

Street Address

Phone

Email

Alternative Phone

Website

**3. DESCRIPTION OF PREMISES**

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

Bakery on the first floor of a building in the center of town. about 1,300 sq ft of Front of the House and 1,400 Back, all on one level. Kitchen, "behind the counter" area, counter display and coffee/cocktail bar facing the 40 seat dining room. Five additional seats at the bar, and five at a high counter facing the main street add some dining options to our guests. There are additional 12 seats on 5 tables outside. Outside area covers about 400 sq ft.

Total Square Footage:

Number of Entrances:

Seating Capacity:

Number of Floors:

Number of Exits:

Occupancy Number:

**4. APPLICATION CONTACT**

The application contact is the person whom the licensing authorities should contact regarding this application.

Name:

Phone:

Title:

Email:

**APPLICATION FOR A NEW LICENSE**

**5. CORPORATE STRUCTURE**

Entity Legal Structure	<input type="text" value="Corporation"/>	Date of Incorporation	<input type="text" value="4/15/2021"/>
State of Incorporation	<input type="text" value="Massachusetts"/>	Is the Corporation publicly traded?	<input type="radio"/> Yes <input checked="" type="radio"/> No

**6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST**

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.
- Please note the following statutory requirements for Directors and LLC Managers:  
**On Premises (E.g. Restaurant/ Club/Hotel) Directors or LLC Managers** - At least 50% must be US citizens;  
**Off Premises(Liquor Store) Directors or LLC Managers** - All must be US citizens and a majority must be Massachusetts residents.
- If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A.

Name of Principal	Residential Address	SSN	DOB
<input type="text" value="Veronika Matunin"/>	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text" value="Secretary and Manager"/>	<input type="text" value="51%"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text" value="Federico Salvador"/>	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text" value="President"/>	<input type="text" value="14%"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text" value="Michael Egholm"/>	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text" value="Shareholder"/>	<input type="text" value="10%"/>	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text" value="Jeremy Hitzig"/>	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text" value="Shareholder"/>	<input type="text" value="7.5%"/>	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text" value="Joseph C Pisano"/>	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>	<input type="text" value="[REDACTED]"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text" value="Shareholder"/>	<input type="text" value="7.5%"/>	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No

Additional pages attached?  Yes  No

**CRIMINAL HISTORY**

Has any individual listed in question 6, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions.  Yes  No



**APPLICATION FOR A NEW LICENSE**

**6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE**

Does any individual or entity identified in question 6, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes  No  If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

**6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE**

Has any individual or entity identified in question 6, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes  No  If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

**6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION**

Have any of the disclosed licenses listed in question 6A or 6B ever been suspended, revoked or cancelled? Yes  No  If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation

**7. OCCUPANCY OF PREMISES**

Please complete all fields in this section. Please provide proof of legal occupancy of the premises.

- If the applicant entity owns the premises, a deed is required.
- If leasing or renting the premises, a signed copy of the lease is required.
- If the lease is contingent on the approval of this license, and a signed lease is not available, a copy of the unsigned lease and a letter of intent to lease, signed by the applicant and the landlord, is required.
- If the real estate and business are owned by the same individuals listed in question 6, either individually or through separate business entities, a signed copy of a lease between the two entities is required.

Please indicate by what means the applicant will occupy the premises

Lease

Landlord Name

Landlord Phone

Landlord Email

Landlord Address

Lease Beginning Date

Rent per Month

Lease Ending Date

Rent per Year

Will the Landlord receive revenue based on percentage of alcohol sales?  Yes  No

**APPLICATION FOR A NEW LICENSE**

**8. FINANCIAL DISCLOSURE**

A. Purchase Price for Real Estate	n/a
B. Purchase Price for Business Assets	150,000
C. Other * (Please specify below)	272,250
D. Total Cost	422,250

\*Other Cost(s): (i.e. Costs associated with License Transaction including but not limited to: Property price, Business Assets, Renovations costs, Construction costs, Initial Start-up costs, Inventory costs, or specify other costs):"

**SOURCE OF CASH CONTRIBUTION**

Please provide documentation of available funds. (E.g. Bank or other Financial institution Statements, Bank Letter, etc.)

Name of Contributor	Amount of Contribution
Michael Egholm	20,000
Jeremy Hitzig	15,000
Joseph C Pisano	15,000
Anu Advani and Ben Guigas	20,000
Total:	70,000

**SOURCE OF FINANCING**

Please provide signed financing documentation.

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
Dedham Savings	250,000	SBA Business Loan	<input type="radio"/> Yes <input checked="" type="radio"/> No
Josephine Callahan	150,000	Private Contract	<input type="radio"/> Yes <input checked="" type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No

**FINANCIAL INFORMATION**

Provide a detailed explanation of the form(s) and source(s) of funding for the cost identified above.

We signed a note payable with Dedham Savings guaranteed by the Small Business Administration to cover the cost of the renovation and the purchase of new equipment;  
The former business owner, Josephine Callahan, financed us for the cost of the business purchase;

**9. PLEDGE INFORMATION**

Please provide signed pledge documentation.

Are you seeking approval for a pledge?  Yes  No

Please indicate what you are seeking to pledge (check all that apply)  License  Stock  Inventory

To whom is the pledge being made?

**10. MANAGER APPLICATION**

**A. MANAGER INFORMATION**

The individual that has been appointed to manage and control the licensed business and premises.

Proposed Manager Name  Date of Birth  SSN

Residential Address

Email  Phone

Please indicate how many hours per week you intend to be on the licensed premises

**B. CITIZENSHIP/BACKGROUND INFORMATION**

Are you a U.S. Citizen?  Yes  No \*Manager must be a U.S. Citizen  
If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.  
Have you ever been convicted of a state, federal, or military crime?  Yes  No  
If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

**C. EMPLOYMENT INFORMATION**

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

Start Date	End Date	Position	Employer	Supervisor Name

**D. PRIOR DISCIPLINARY ACTION**

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action?  Yes  No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature  Date



**11C. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE**

Has any individual or entity identified in question 11A, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held?

Yes  No  If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

**11D. PREVIOUSLY HELD MANAGEMENT AGREEMENT**

Has any individual or entity identified in question 11A, and applicable attachments, ever held a management agreement with any other Massachusetts licensee?

Yes  No  If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Licensee Name	License Type	Municipality	Date(s) of Agreement

**11E. DISCLOSURE OF LICENSE DISCIPLINARY ACTION**

Has any of the disclosed licenses listed in questions in section 11B, 11C, 11D ever been suspended, revoked or cancelled?

Yes  No  If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation

**11F. TERMS OF AGREEMENT**

- a. Does the agreement provide for termination by the licensee? Yes  No
- b. Will the licensee retain control of the business finances? Yes  No
- c. Does the management entity handle the payroll for the business? Yes  No

d. Management Term Begin Date  e. Management Term End Date

f. How will the management company be compensated by the licensee? (check all that apply)

- \$ per month/year (indicate amount)
- % of alcohol sales (indicate percentage)
- % of overall sales (indicate percentage)
- other (please explain)

**ABCC Licensee Officer/LLC Manager**

**Management Agreement Entity Officer/LLC Manager**

Signature:

Signature:

Title:

Title:

Date:

Date:

**APPLICANT'S STATEMENT**

I,  the:  sole proprietor;  partner;  corporate principal;  LLC/LLP manager  
Authorized Signatory

of   
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature:

Date:

Title:

**ENTITY VOTE**

The Board of Directors or LLC Managers of   
Entity Name

duly voted to apply to the Licensing Authority of  and the  
City/Town  
Commonwealth of Massachusetts Alcoholic Beverages Control Commission on   
Date of Meeting

For the following transactions (Check all that apply):

- |  |   |   |   |
|--|---|---|---|
| <input checked="" type="checkbox"/> New License                        | <input type="checkbox"/> Change of Location   | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal)         | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input type="checkbox"/> Transfer of License                           | <input type="checkbox"/> Alteration of Licensed Premises  | <input type="checkbox"/> Change of License Type (i.e. club / restaurant)  | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock)    |
| <input type="checkbox"/> Change of Manager                             | <input type="checkbox"/> Change Corporate Name  | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement               |
| <input type="checkbox"/> Change of Officers/<br>Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest<br>(LLC Members/ LLP Partners,<br>Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder       | <input type="checkbox"/> Change of Hours                              |
|  | <input type="checkbox"/> Other <input type="text"/>   |   | <input type="checkbox"/> Change of DBA                                |

"VOTED: To authorize   
Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

"VOTED: To appoint   
Name of Liquor License Manager

as its manager of record, and hereby grant him or her with full authority and control of the premises described in the license and authority and control of the conduct of all business therein as the licensee itself could in any way have and exercise if it were a natural person residing in the Commonwealth of Massachusetts."

A true copy attest,



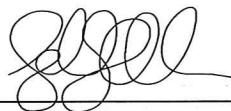
Corporate Officer /LLC Manager Signature

**Veronika Matunin**

(Print Name)

For Corporations ONLY

A true copy attest,



Corporation Clerk's Signature

**Federico Salvador**

(Print Name)



**ADDENDUM A**

**6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST (Continued...)**

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.).

Entity Name

Percentage of Ownership in Entity being Licensed  
(Write "NA" if this is the entity being licensed)

Windtop Acres/ Birchwood Bakery

NA

Name of Principal	Residential Address	SSN	DOB
Anu Advani	[REDACTED]	[REDACTED]	[REDACTED]

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
Shareholder	5%	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
Benedict Guigas	[REDACTED]	[REDACTED]	[REDACTED]

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
Shareholder	5%	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

**CRIMINAL HISTORY**

Has any individual identified above ever been convicted of a State, Federal or Military Crime?  
If yes, attach an affidavit providing the details of any and all convictions.

Yes  No

# VERONIKA MATUNIN

---

## **The Cake Bar Franklin, MA - Head Decorator, March 2016 - March 2020**

- Recipe developer and head cake decorator. Created new recipes for bake goods and savory items. Run the decorating department with four employees. Took care of products orders and cake orders. Managed guests relationship.

## **Baked TriBeCa and Brooklyn, NY Manager, Head Decorator, March 2011-November 2015**

- Opened the second Baked location in TriBeCa recruiting and supervising the team of kitchen staff. Coordinate customer care with front of house team ensuring quality control and customer satisfaction. Manage cake production and design, including wedding, celebration, and custom order cakes. Establish relationships with vendors while managing the ordering of product for the entire bakery. Develop menu for all new cakes, pastries, and cookies and test to ensure quality.
- My work has been featured in publications including: Martha Stewart, Oprah, Better Homes & Gardens, Town & Country, Food & Wine, New York Magazine & Eater.com.

## **Baked Brooklyn, NY Assistant Decorator January 2010 – March 2011**

- Cake production and design helping to establish Baked's signature look for wedding and custom order cakes.
- Create production lists for decorator stations to ensure efficiency throughout the day.
- Supervise all outgoing cake & wedding deliveries and organize, produce and fulfill wholesale orders.
- Quality control liaison: communicate front-of-house concerns to owners and kitchen manager.

## **Westchester Country Club Rye, NY Sous Chef May 2008 – January 2010**

- Planned and prepared menus for special events while demonstrating artistic plating techniques.
- Paired food and wine for high-profile guests
- Served wine, mixed drinks and spirits during regular meals and private functions
- Carried out inventory and ordering of products for cocktail receptions.
- Assisted with cookbook photo shoot prep with the Executive Chef.
- Worked under Executive Chef Edward Leonard CMC assisting as prep cook, garde manger cook, pastry prep.

## **EDUCATION**

Westchester Country Club Apprenticeship Certification: Executive Chef Edward Leonard CMC

Johnson & Wales University

Framingham State College B.A. Psychology, Minor in Art Graduated Cum Laude, 2004





**Town of Franklin, MA**  
Nancy Danello, CMC  
Town Clerk  
355 East Central Street, Franklin, MA 02038

Date Issued: January 18, 2022  
Record #: 113674  
Certificate #: 22-10

## BUSINESS VERIFICATION CERTIFICATE

In conformity with the provisions of Chapter 110, Section 5 of the General Laws, as amended, the undersigned hereby declare(s) that a business under the title of:

Windtop Acres inc DBA Birchwood Bakery is conducted at: 17 EAST CENTRAL ST

by the following person:

**FULL NAME**

Federico Salvador

**RESIDENCE**



A certificate issued in accordance with this section shall be in force and effect for four years from the date of issue and shall be renewed each four years thereafter so long as such business shall be conducted and shall lapse and be void unless so renewed.

**Expiration Date:** January 18, 2026

*Signature on File*  
Business Owner Signature #1

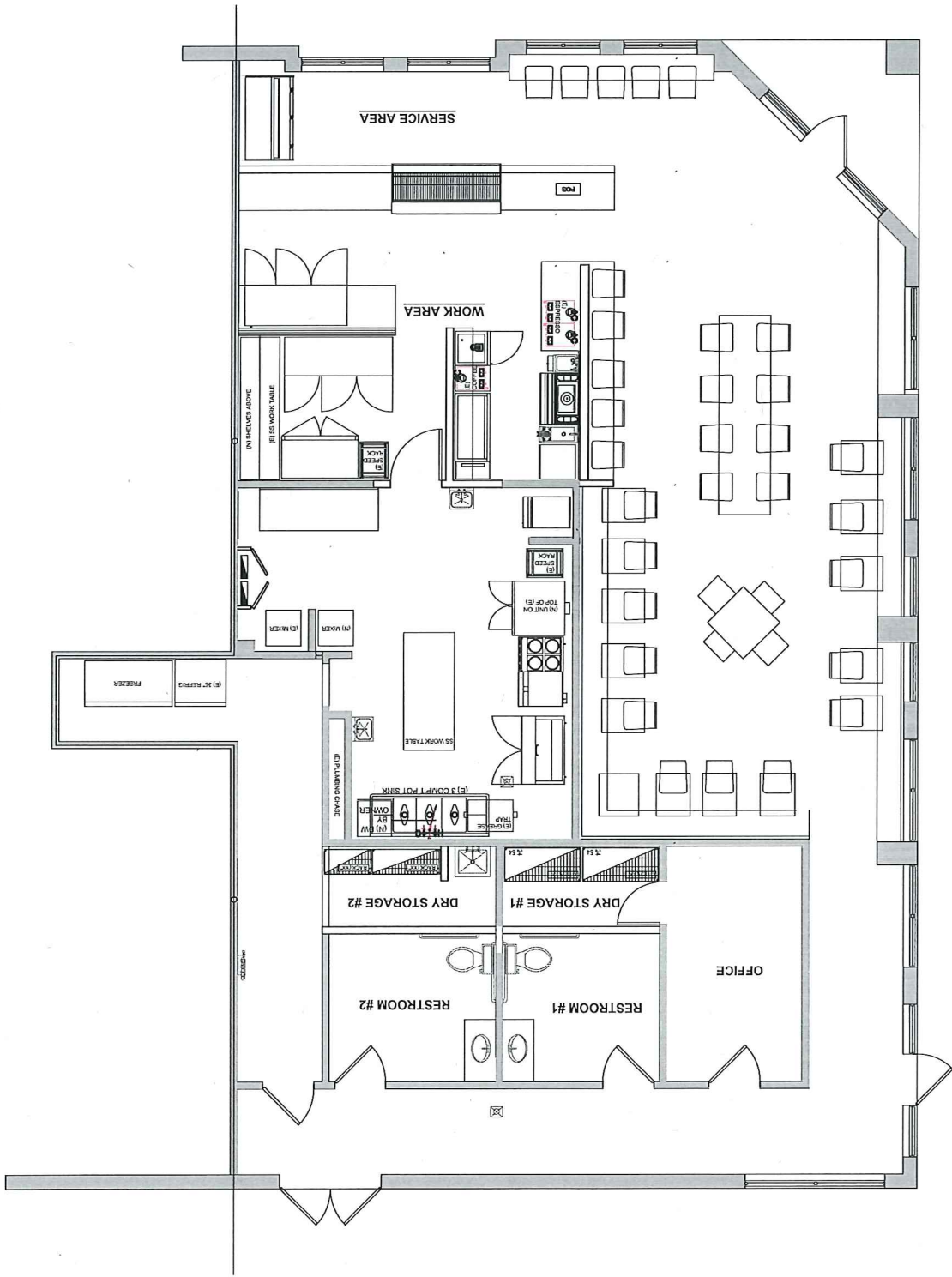
Business Owner Signature #2

A True Attest Copy

*Nancy Danello*  
Nancy Danello, CMC  
Acting Town Clerk

To learn more, scan this barcode or visit [franklinma.viewpointcloud.com/#/records/134880](https://franklinma.viewpointcloud.com/#/records/134880)





# Birchwood

BAKERY + KITCHEN

## From The Bakery

Cake bars   <i>apple/cinnamon, lemon/lime, caramel/chocolate</i>	3.50
Cupcakes   <i>strawberry, mocha, honey/lavender</i>	3.00
Bundt Cakes   <i>chocolate/vanilla, blueberry, citrus/olive oil</i>	4.50
Scones   <i>Nutella, pumpkin spice, raspberry</i>	4.00
Mini Cakes   <i>blueberry/ricotta, rhubarb/strawberry, cherries</i>	5.50
Cinnamon roll   <i>cinnamon, sugar glaze</i>	4.50
Muffins   <i>White chocolate-raspberry, cornmeal, lemon/poppy seeds</i>	4.00
Cookies   <i>chocolate chip, snickerdoodle, oatmeal and raisin</i>	2.50

## Breakfast and Brunch

Windtop Skillet   <i>2 eggs any style, crispy baked potatoes, ham, &amp; toast</i>	12.50
Eggs Benedict   <i>on English muffin with herb salad and hollandaise. Choose between ham or salmon</i>	14.00
Moroccan Eggs   <i>soft-baked eggs in tomato/pepper/onion sauce with potatoes and toasted bread</i>	13.50
Breakfast Sandwich – <i>croissant or ciabatta, pick your egg style, ham, cheddar or gruyere</i>	12.00
Smoked Salmon bagel   <i>crème fresh, pickled red onion, capers, dill</i>	14.00
Pancakes   <i>classic, chocolate chip, or blueberry with local butter and Vermont maple syrup. Add fresh berries</i>	9.50
Yogurt Parfait   <i>house-made granola, fresh citrus, berries, stone fruit (seasonal)</i>	8.50
Quiche of the day   <i>served with farm-fresh herb salad and green goddess dressing. please inquire with your server</i>	11.50
Frittata of the day   <i>served with farm-fresh herb salad and green goddess dressing. please inquire with your server</i>	10.50
Avocado Toast   <i>add soft-boiled egg (+2.00), smoked salmon (+6.00) or both (+8.00)</i>	7.50
Ricotta Toast   <i>choose between honey, jam, chocolate chips, seasonal fruit or veggies</i>	6.50
Mushroom Toast:   <i>Foraged mushrooms, tarragon, Vermont goat cheese, soft eggs</i>	10.50

## Lunch

Veronika's Kale salad   <i>kale, brussel sprouts, walnuts, pecorino cheese</i>	12.50
Niçoise Salad   <i>rare-seared tuna, hard boiled eggs, green beans, baby potatoes, cucumbers, olives</i>	14.00
Cobb Salad   <i>romaine lettuce, bacon crumbs, three-minutes-egg, blue cheese, avocado. Add chicken (+5.00)</i>	13.50
The NOLA Sandwich   <i>mortadella, soppressata, salami, coppa, provolone, olive salad on focaccia</i>	12.50
Cuban Sandwich   <i>roasted pork, ham, swiss cheese, mustard, on baguette</i>	13.50
Burlington Sandwich   <i>smoked ham and harbison cheese on toasted pumpernickel bread</i>	14.50
Belfast Toast   <i>open-face toast with Main smoked salmon, herbed butter, shallot-capers gremolata, salmon roe</i>	16.00
Fall in Italy Toast   <i>open-face toast with Prosciutto di Parma, burrata, balsamic-sautéed figs</i>	15.00
Chicken Salad   <i>roasted chicken, pickled red onion and arugula. Served with toasted ciabatta</i>	14.00
Quiche of the day   <i>served with farm-fresh herb salad and green goddess dressing. Please inquire with your server</i>	11.50
Frittata of the day   <i>served with farm-fresh herb salad and green goddess dressing. Please inquire with your server</i>	10.50
Local cheese and meat board   <i>house-made jam, pickles, honey. Please inquire with your server</i>	25.00

Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness. Please be advise that food prepared in our kitchen may contain these ingredients: milk, eggs, wheat, soybean, peanuts, tree nuts, fish and shellfish.

# Birchwood

BAKERY + KITCHEN

## From The Coffee Bar

Coffee   <i>Jim's Organic Dark Roast</i>	2.49
Cappuccino   <i>Jim's Organic espresso + milk foam</i>	2.99
Latte   <i>Jim's Organic espresso + steamed milk (add flavor +0.49)</i>	2.99
Cold Brew   <i>Jim's Organic Dark Roast</i>	3.49
Nitro   <i>Jim's Organic Dark Roast + Nitrogen</i>	3.99
Hot Chocolate   <i>Shaved Dark Chocolate + steamed milk (add whipped cream, cinnamon, marshmallow +0.49 each)</i>	4.99
Chai Latte   <i>MEM Chai + milk (hot or cold)</i>	3.99
Matcha Latte   <i>MEM Matcha + milk (hot or cold)</i>	4.49
Hot Tea   <i>MEM (english breakfast, earl grey, green)</i>	2.99
Iced Tea   <i>MEM (black or berries)</i>	3.99

## Juices

Orange or Grapefruit   <i>freshly squeezed</i>	4.49
Juice of the day   <i>Seasonal vegetables and fruit (ask about the daily mix)</i>	7.99

## Cocktails

Mimosa   <i>Prosecco + fresh squeezed orange juice</i>	8.00
Bloody Mary   <i>Vodka + house made spiced tomato juice + house made pickles</i>	9.00
Whisky Smash   <i>Bourbon, passion fruit, mint</i>	12.00
Buttered Rum   <i>Jamaican dark rum, butter, chocolate, spices</i>	13.00
Bee's Knees   <i>Gin + lemon juice + honey</i>	13.00

## Wine

### Sparkling

Prosecco   <i>Adami Prosecco NV, Italy</i>	8.00
Cramant d'Alsace   <i>Lucien Albrecht Cramant d'Alsace 2018, France</i>	10.00

### White

Grüner Veltliner   <i>Berger 2019, Austria</i>	11.00
Sauvignon Blanc   <i>Cloudy Bay 2020, New Zealand</i>	15.00

### Red

Pinot Noir   <i>Rose Rock 2019, OR</i>	12.00
Cote du Rhone   <i>Guigal Cote du Rhone 2018, France</i>	13.00
Cabernet Sauvignon   <i>Quilt Napa Valley 2018, CA</i>	15.00

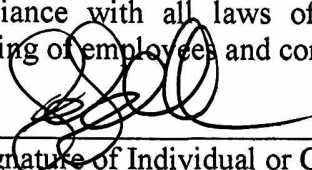
## Beer

IPA   <i>Wormtown Be Hoppy, MA</i>	5.50
Lager   <i>Samuel Adams Boston Lager, MA</i>	4.50
Pilsner   <i>Von Trapp Bohemian Pilsner, Germany</i>	4.00

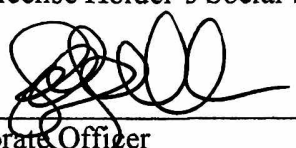


**CERTIFICATE OF COMPLIANCE WITH STATE LAWS**

Pursuant to M.G.L Chapter 62C, Sec 49A, and M.G.L. Ch. 151A, Section 19A, the undersigned acting on behalf on the License Holder, certifies under the penalty of perjury that, to the best of the undersign's knowledge and belief, the License Holder is in compliance with all laws of the Commonwealth of Massachusetts relating to taxes, reporting of employees and contractors, and withholding and remitting child support\*.

  
\_\_\_\_\_  
\*\* Signature of Individual or Corporate License Holder (Mandatory)

\_\_\_\_\_  
\*\*\* License Holder's Social Security Number/or Federal Identification Number

By:   
\_\_\_\_\_  
Corporate Officer  
(Mandatory, if applicable)

Date: 1/12/22

\*The provision in the Attestation of relating to child support applies only when the License Holder is an individual.

\*\*Approval of or a renewal of a license will not be granted unless this certification clause is signed by the applicant. For all corporations, a certified copy of the vote of the Board of Directors must be provided.

\*\*\* Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Providers who fail to correct their non-filing or delinquency will not have a license or other agreement issued, renewed or extended. This request is made under the authority of Massachusetts General Laws, Chapter 62C, section 49A.



The Commonwealth of Massachusetts  
 Department of Industrial Accidents  
 1 Congress Street, Suite 100  
 Boston, MA 02114-2017  
 www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses.  
 TO BE FILED WITH THE PERMITTING AUTHORITY.

**Applicant Information**

**Please Print Legibly**

Business/Organization Name: Windtop Acres inc DBA Birchwood Bakery

Address: 17 E Central street

City/State/Zip: Franklin MA 02038 Phone #: 5083463749

**Are you an employer? Check the appropriate box:**

- 1.  I am a employer with 10 employees (full and/ or part-time).\*
- 2.  I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
- 3.  We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]\*\*
- 4.  We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

**Business Type (required):**

- 5.  Retail
- 6.  Restaurant/Bar/Eating Establishment
- 7.  Office and/or Sales (incl. real estate, auto, etc.)
- 8.  Non-profit
- 9.  Entertainment
- 10.  Manufacturing
- 11.  Health Care
- 12.  Other \_\_\_\_\_

\*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

\*\*If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

**I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.**

Insurance Company Name: The Hartford

Insurer's Address: One Hartford Plaza

City/State/Zip: Hartford CT 06155

Policy # or Self-ins. Lic. # [REDACTED] Expiration Date: 09/13/2022

**Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).**

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

**I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.**

Signature: [Signature] Date: 1/10/22

Phone #: 5083463749

**Official use only. Do not write in this area, to be completed by city or town official.**

City or Town: \_\_\_\_\_ Permit/License # \_\_\_\_\_

Issuing Authority (circle one):

- 1. Board of Health 2. Building Department 3. City/Town Clerk 4. Licensing Board 5. Selectmen's Office
- 6. Other \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone #: \_\_\_\_\_

17 EAST CENTRAL ST 1FL

Franklin Building Permit# 112653

Map, Block, Lot:	279-177-000-000
Category:	Pools / Signs / Fences / Tents
Permit #:	112653
Est. Cost	800
Type of Construction:	
Use Group:	
Zoning:	RES/COM
Issued:	November 17, 2021
Expires on:	November 17, 2022



Commonwealth of Massachusetts  
Town of Franklin  
Building Permit

**To perform the following work:**

install new sign on existing bracket

Permission is hereby granted to:

License type: - Lic # (exp: )

**Issued To:**

**Applicant:** CAM AFONSO

**Location:** 17 EAST CENTRAL ST 1FL

**Owner Name:** DEAN COLLEGE

<b>Electric</b> Underground:  Service:  Rough:  Final: <i>OK 12/20/21</i> <i>Bernie Kullaway</i>	<b>Gas</b> Underground:  Meter:  Rough:  Final:	<b>Plumbing</b> Underground:  Rough:  Final:	<b>Building</b> Excavation:  Footings:  Foundation:  Rough Frame: <i>OK 12-1-2021</i> Fireplace/Chimney: <i>u</i>
<b>D.P.W.:</b>  <b>Water:</b>  <b>Sewer:</b>	<b>Fire</b> Oil:  Smoke:  Alarm:  Sprinklers:	<b>Health</b>   <b>Assessor</b> Final:	Insulation  Final:

THIS PERMIT MAY BE REVOKED BY THE TOWN OF FRANKLIN UPON VIOLATION OF ANY OF ITS RULES AND REGULATIONS. If work is not started within 6 months of issuance, permit will be null and void. Persons contracting with unregistered contractors do not have access to the guaranty fund (as set forth in MGL c. 142A)

*Lloyd Brown*

Lloyd Brown, Building Commissioner



**NOTICE OF PUBLIC HEARING  
FRANKLIN, MA  
New Section 12 All Alcoholic Beverages License  
Windtop Acres Inc. d/b/a Birchwood Bakery**

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The Franklin Town Council will hold a Public Hearing on an application by Windtop Acres Inc. d/b/a Birchwood Bakery, located at 17 E. Central St., Franklin for a new Section 12 All Alcoholic Beverages License. This hearing will be held on April 6, 2022 at 7:00 PM and will provide an open forum for discussion. Location: Municipal Building, 2nd floor Council Chambers, 355 E. Central St., Franklin and will also be available via the “ZOOM” platform. Residents can visit the Town website ([Franklinma.gov](http://Franklinma.gov)) calendar for updated meeting information. For questions, please call the Town Administrator’s Office at (508) 520-4949.

Submitted by,  
Alecia Alleyne  
Licensing Administrator



# Town of Franklin

## ARPA Funds Overview Update

Franklin Town Council  
April 6, 2022

Jamie Hellen, Town Administrator  
Alecia Alleyne, Assistant to the Town Administrator

<https://www.franklinma.gov/town-budget>

# Overview of Federal Funds

## Previous Federal Authorizations

- CARES Act - \$2.92 million (spent by statutory deadline)
- FEMA - reimbursement approximately \$480,000. All cities and towns are waiting for the reimbursement. The reimbursement rules continue to be modified. We have no ETA for reimbursement.
- ARPA - American Rescue Plan Act - \$10,188,837.
- Detailed [breakdown is here](#) for previous federal stimulus money and the town budget site will house historical information on the federal spending.

<https://www.franklinma.gov/town-budget>

# Overview of Federal Funds

## ARPA Slide 1

- ARPA - American Rescue Plan Act - \$10,188,837.
  - Congressional legislation approved and signed by President Biden March 2021.
  - The funds are through two pots of monies (Municipal & County) and these dates of receipt have been altered within the last six months:
    - Municipal Allocation #1: \$1,783,919 (received July 2021)
    - Municipal Allocation #2: \$1,783,919 (anticipated Fall 2022)
    - County Allocation #1: \$3,310,500 (anticipated Summer 2022)
    - County Allocation #2: \$3,310,500 (anticipated Summer 2023)
  - All funds have a new expiration date of December 31, 2026. But, projects need to be procured prior to December 31, 2024.

# Overview of Federal Funds

## ARPA Slide 2

- ARPA Funds are available for the following five/six categories:
  - Support public health
  - Economic impact
  - Revenue replacement
  - Employee premium pay
  - Infrastructure - Water & Sewer (including certain Stormwater work)
  - Infrastructure - Broadband
  
- Norfolk County Commissioners are the gatekeeper in distributing the “County allocations”.
  - All county funds will have 3% taken off the top for Norfolk County to Administer the Program on behalf of the cities and towns.
  - Franklin loses \$198,630 to the County.
  - Counties, such as Middlesex, have already received their county portions and have fewer restrictions because they do not have a recognized county government
  
- Tonight’s legislation for action finalizes the first application to the County. If approved, I anticipate receiving the funds this summer.

# Overview of Federal Funds

## ARPA Slide 3

- Guidance on ARPA funds will continue to evolve.
  - Eligibility is restrictive at this point, but less restrictive than 6 months ago.
  - I expect there will be major competition for service providers which could slow projects down, or drive up costs. Also, inflation.
  
- New Interim Rule January 2022.
  - The key change for Franklin is the “revenue replacement” category.
  - Allows for up to \$10 million revenue loss “standard allowance” option.
  - Town Administrator will exercise this clause for more flexible spending on Municipal allocation ONLY.
  
- Revenue Replacement designation for County money is cumulative.
  - \$10 million revenue loss TOTAL for Norfolk County.
  
- Congressman Auchincloss meeting last week.

# Town of Franklin Round 1 Plan

## County Allocations, slide #1

- County Allocation #1 (\$3,211,185) Proposed Round 1 Projects list:
  - Project #1: Year 3 Water Main replacement plan & associated costs - \$1,471,185
  - Project #2: (eligible) Stormwater infrastructure - \$1,500,000
  - Project #3: Mental Health Clinician, Franklin Police Department - \$240,000
  - All of these projects benefit the public at-large and save taxpayer money.
- Previous projects ideas no longer needed:
  - North side Public Safety tower - private developer approved tower next door - they have granted town the top 40' for public safety.
  - Vax Fridge - purchased with last remaining CARES Act money



# Town of Franklin Round 1 Plan

## County Allocations, slide #2

- Project #1: Year 3 & 4 Water Main replacement plan & associated costs - \$1,471,185
  - Will pay for the water main replacements or roadwork for the Year 3 scheduled work.
  - Water ratepayers will not have to subsidize these projects to help stabilize water rates.
  - Projects are:
    - Arlington Street neighborhood.
    - Country Club Drive neighborhood
    - Section of Jordan Road.
  - See memo in the packet for more details. The projects listed are subject to procurement. Prices and projects could fluctuate.

# Town of Franklin Round 1 Plan

## County Allocations, slide #3

- Project #2: (eligible) Stormwater infrastructure - \$1,500,000
  - Drainage Basins, Outfalls and Culvert repairs for drainage improvements throughout town.
  - These monies will credit toward the Town's MS4 permit.
  - Ensures utility rate payers or taxpayers will not need to fund this required work.
  - Helps bridge the gap between now and the utility fee implementation.
  - See memo in the packet for more details. The projects listed are subject to procurement. Prices and projects could fluctuate due to inflation/bids.

# Town of Franklin Round 1 Plan

## County Allocations, slide #4

- Project #3: Mental Health Clinician Franklin Police Department - \$240,000
  - A second mental health clinician would be hired from Advocates, Inc.
  - Target 7/1/22. Will fund 3 years of service.
  - Would allow for a second shift clinician - possible evening hours/weekends.
    - Medway is also hiring additional staff to this program.
  - Mental Health cases/calls continue to rise and stress the ER/Police/EMS system.
  - Town Administrator hopes for more investment in mental health through ARPA process.
    - System is bursting at the seams.
    - Increase anxiety, stress, loss, substance abuse, mental health.
    - Supply & Demand. Large demand, not enough clinicians/therapists.

# Town of Franklin Round 1 Plan

## Municipal Allocations

- Municipal Allocation #1 (\$1,783,936 million) has been received (July 2021)
  - Current expenditures (\$142,000)
    - Filter replacements \$91,000
    - BOH medical supplies - \$1,000
    - Consultant - reserve approx \$50,000 for federal reporting, filing, applications.
  - Roads, Infrastructure, Sidewalks, Maintenance (\$1,000,000)
    - Reserve approximately \$1 million to roads, infrastructure
    - Possible due to the new Interim rule “revenue replacement” provision
    - Allows the Town to make up for Hotel tax revenue loss, which always went to roadwork.  
This amount should make the Town whole on the losses from the past two years.
  - Withholding the remaining funds for now until the all the pieces described this evening get settled. We will revisit the plan for these monies as projects and give an update later this summer. Municipal allocation #2 expected later this year.

# Helpful Links

- Town website: <https://www.franklinma.gov/town-budget>
- Massachusetts Municipal Association website:  
<https://www.mma.org/resources/federal-funds-resources/>
- United States Treasury:  
<https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/state-and-local-fiscal-recovery-funds>

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

April 1, 2022

To: Town Council  
From: Jamie Hellen, Town Administrator  
Allecia Alleyne, Assistant to the Town Administrator

**Re: Resolution 22-24: Town Council Acceptance and/or Approval of ARPA Funds**

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We are asking the Town Council to authorize the Town Administrator to execute any and all documents and/or to take any and all other action required for the Town to receive said funds.

- Mental Health Clinician \$240,000
- Stormwater Improvements \$1,500,000
- Water Main Replacements \$1,471,185

Please see the attached letter dated March 30, 2022 from Brutus Cantoreggi for detailed information regarding Stormwater and Water Main work.

If you have any additional questions please feel free to ask.





# TOWN OF FRANKLIN

## DEPARTMENT OF PUBLIC WORKS

Franklin Municipal Building

257 Fisher Street

Franklin, MA 02038-3026

March 30, 2022

Mr. Jamie Hellen, Town Administrator  
Town of Franklin  
355 East Central Street  
Franklin, MA 02038

Re: Proposed ARPA Projects

Dear Jamie,

Based upon proposed/prospective ARPA funding for my Department and the required criteria for timing and spending said funding, I propose the following:

Please understand the cost estimates for these projects are solid, but due to Covid, economic issues, material availability, and staffing issues the costs could potentially be higher or even lower.

### **Water Infrastructure improvements:**

1. The first would be to fund as available the Year 3 Watermain Program - Arlington St Neighborhood which is scheduled for this year.

This project entails replacing 3000 feet of 6" cast iron pipe with 8" ductile iron pipe, along with stormwater infrastructure improvements. The estimated cost of these improvements is \$841,185.

The associated road work that will be required as part of these improvements is estimated at another \$800,000.

\$671,185 watermain  
\$170,000 stormwater  
\$800,000 road work  
\$1,641,185 total

2. The second would be to move the Year 4 Watermain Program ahead by one year - Country Club Drive Neighborhood and a section of Jordan Road.

This project entails replacing 4800 feet of 8" asbestos concrete pipe with 8" ductile iron pipe, along with stormwater infrastructure improvements. The estimated cost of these improvements is \$1,170,000.

The associated road work that will be required as part of these improvements is estimated at another \$1,250,000.

\$800,000 watermain  
\$370,000 stormwater  
\$1,250,000 road work  
\$2,420,000 total

**Total Estimated amount for Water ARPA funding: \$1,471,185**

**Total Estimated amount for Stormwater work performed during Watermain Improvement Program ARPA funding: \$540,000**

Remaining costs would be paid for through already approved funding from the Water Enterprise fund, Town appropriated funds and Chapter 90 State funds.

#### **Stormwater Infrastructure Improvements:**

Franklin is currently in Year 4 of the NPDES Permit. In Year 4, Franklin is required to identify 5 BMP locations (BMP = Detention Basin) that are to be retrofitted to enhance their functionality. In Year 5, Franklin must complete the work associated with the proposed BMP retrofits. Many of the items on the following list are candidates for Year 5 BMP Retrofits.

Below is a list of Stormwater specific projects.

This list does not include proposed Stormwater improvements associated with water main projects.

#### **Detention Basins**

1. Scarboro Court  
Remove vegetation, dredge as needed.  
Estimated Cost: \$80,000
2. Charles River Drive  
Remove Vegetation  
Estimated Cost: \$50,000

3. Woodhaven/Dena  
to enhance drainage.  
Estimated Cost: \$50,000
4. Brook Street @ Shepard's Brook  
Enhance storage capacity of the detention basin, reconstruct spillway.  
Estimated Cost: \$100,000
5. Townline Road  
Retrofit to enhance drainage. May need to be dewatered, dredged, and relined.  
Estimated Cost: \$100,000

### **Culverts**

1. 74 Elm Street  
Increase pipe diameter. Install 'pre-filter' to prevent debris from clogging the pipe.  
Estimated Cost: \$90,000
2. 59 Daniels Street  
Reconstruct inlet to current standards.  
Estimated cost: \$50,000
3. Daniels @ Addison  
Construct inlet to enhance drainage. Increase culvert pipe diameter?  
Estimated cost: \$90,000
4. 63 Mill Street  
Increase pipe diameter, replace with box culvert.  
Estimated cost: \$300,000

### **Outfalls**


- 70 Highland Street (DO\_258)  
Dredge area surrounding the outfall to ensure flow and drainage of stormwater during significant precipitation events.  
Estimated Cost: \$50,000

**Total Estimated amount for Stormwater ARPA funding: \$960,000**

**Total Estimated amount for Stormwater work performed during Watermain Improvement Program ARPA funding: \$540,000**

**Total Estimate for ARPA Stormwater Work: \$1,500,000**

Thank you,



M. Maglio  
FOR

Robert A. Cantoreggi  
Director

CC:

Mike Maglio, Town Engineer  
Doug Martin, Water and Sewer Superintendent  
Carlos Rebelo, Highway and Grounds Superintendent  
Kathy Mooradd, Budget & Administration Manager  
File



**TOWN OF FRANKLIN  
RESOLUTION 22-24**

**TOWN COUNCIL ACCEPTANCE AND/OR APPROVAL OF  
AMERICAN RESCUE PLAN ACT (ARPA) FUNDS**

The Franklin Town Council on behalf of the Town of Franklin hereby accepts the receipt of ARPA Funds from and/or through Norfolk County, MA, approves the expenditure of funds for the below-listed purposes, and authorizes the Town Administrator to execute any and all documents and/or to take any and all other action required for Town to receive said funds.

Mental Health Clinician	\$240,000
Stormwater Improvements	\$1,500,000
Water Main Replacements	\$1,471,185
Total County Allocation Part 1	\$3,211,185

This resolution shall become effective according to the provisions of the Town of Franklin Home Rule Charter.

DATED: \_\_\_\_\_, 2022

VOTED: \_\_\_\_\_

UNANIMOUS: \_\_\_\_\_

A TRUE RECORD ATTEST:

YES: \_\_\_\_\_ NO: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_ ABSENT: \_\_\_\_\_

RECUSED: \_\_\_\_\_

\_\_\_\_\_  
Nancy Danello, CMC  
Town Clerk

\_\_\_\_\_  
Glenn Jones, Clerk  
Franklin Town Council



**TOWN OF FRANKLIN  
RESOLUTION 22-12**

**ORDER OF LAYOUT, ACCEPTANCE, AND TAKING OF  
BRANDYWINE ROAD AND A PORTION OF CHARLES DRIVE  
AND DRAINAGE AND UTILITY EASEMENTS**

**WHEREAS**, by virtue of Massachusetts General Laws Chapter 82, Section 21 and 24, the Town of Franklin, acting by and through its Town Council, is authorized to lay out, accept and take by eminent domain under Massachusetts General Laws Chapter 79, or acquire by purchase or otherwise, any lands, rights of way or easements necessary for the construction, and maintenance of roadways for public use, and

**WHEREAS**, the Town Council has held a public hearing after having given prior written notice thereof to the owner of record of each property abutting the road as evidenced by the abutters' list, a true copy of which is attached hereto as "Exhibit A", and notice by newspaper publication, and

**WHEREAS**, the laying out, acceptance, and taking by eminent domain of the fee in Brandywine Road and a portion of Charles Drive, as well as drainage and utility easement as hereinafter described, for roadway purposes has been referred to the Planning Board, as provided in G.L. Chapter 41, Section 81I, which voted to recommend acceptance, and said action is also recommended by the Town Administrator and the Director of the Franklin Department of Public Works, and

**WHEREAS**, Marinella Development, LLC, a Massachusetts limited liability company, the owner of the fee in said roadways and of said drainage and utility easements has conveyed said roadways together with said drainage and utility easements to the Town by deed and grant of easements dated January 26, 2022, to be recorded at Norfolk County Registry of Deeds herewith, and

**WHEREAS**, the purpose of this order is to comply with statutory requirements and/or to confirm title in the Town and no land damages are therefore anticipated, and

**WHEREAS**, said layout, acceptance and taking is in the best public safety interests of the Town of Franklin.

**NOW, THEREFORE, BE IT ORDERED THAT:**

1. The Town Council of the Town of Franklin, by virtue of and in exercise of and the execution of power and authority conferred by said statutes, hereby adjudges that public safety, necessity and convenience require the layout, acceptance, and taking

by eminent domain, of the land hereinafter described, for the purposes hereinafter stated.

2. The Town of Franklin, acting by and through the Town Council by virtue of and in the exercise of the power and authority conferred by said statutes and in accordance with the provisions of Massachusetts General Laws Chapter 79 and Chapter 82, Sections 21 and 24, and all and every other power and authority it does possess, DOES HEREBY LAYOUT AND ACCEPT AS TOWN WAYS AND TAKE BY EMINENT DOMAIN for roadway purposes: The following land shown on definitive subdivision plan entitled "Brandywine Village at Franklin Definitive Subdivision Plan Franklin, Massachusetts August 2004" prepared by Norfolk RAM group, LLC One Roberts Road Plymouth, MA, dated 8/12/2004 and recorded at Norfolk county Registry of Deeds in Plan Book 529, Pages 99-106 of 2004 and also shown on the street acceptance plan entitled "Brandywine Village Street Acceptance Plan in the Town of Franklin, Massachusetts", prepared by Heritage Design Group, LLC, 1 Main Street, Whitinsville, MA 01588, dated October 14, 2016, and revised November 11, 2016 to be recorded herewith.

#### Fee Interest in Roadways

Brandywine Road, for its entire length  
Charles Drive, from Station 0+00 to Station 2+51.71

#### Easements

NOTE: Map references are to the official Town of Franklin Assessors' Maps.

"Easement A" Thirty-foot wide drainage easement running between Lots 89 and 90 and running across rear of Lots 85, 86, 87, 88, 89, 90, and 91, all shown on Map 218.

"Easement B" Thirty-foot wide drainage easement running between Lots 86 and 87 and running across rear of Lots 84, 85, and 86, all shown on Map 216.

"Easement C" Thirty-foot wide drainage easement running between Lots 77 and 78 and Lots 74 and 73, all shown on Map 216.

"Easement D" Thirty-foot wide drainage and utility (waterline) easement running between Lots 55 and 56, both shown on Map 216. Thirty-foot wide drainage easement running between Lots 57 and 58, both shown on Map 216 and Retention basin/utility easement located on rear portion of Lots 55, 56, 57, 58 and 59, all shown on Map 216.



“Easement E” Drainage easement located on front portion of Lots 68, 69 and 70, all shown on Map 216.

“Easement F” Drain easement located on westerly side of Lot 99, shown on Map 218.

“Easement G” Drain easement located in a rectangular area at front portion (southerly side) of said Lot 99.

“Easement H” Drainage easement running along northerly side of Lot 78 shown on Map 218, into Recharge Basin Easement located along northerly side of said Lot 78.

Included with each of the above-described easements is the perpetual right and easement to construct, maintain and replace drainage pipes, structures of any type as are commonly used in the Town of Franklin, including without limitation, the right, but not the obligation, to use, construct, inspect, repair and operate and forever maintain said pipes and structures and the right to enter on foot and with equipment and vehicles to perform any of said work.

Also included is the ownership right in all of said drainage basins, drainage pipes, drainage swales, manholes, conduits, fixtures, headwalls and all appurtenances thereto that are now or hereafter may be constructed or installed in through or under the above-described land.

3. The Town Treasurer and Town Comptroller are directed and the Town Administrator is directed and authorized to do all things and to execute all documents necessary for the prompt payment of the amount of damages awarded in this Order of Taking, so that the same shall be payable within sixty (60) days after right to damages becomes vested in the person from whom the property was taken. The Town Administrator is further directed to direct the Town Attorney for and on behalf of the Town Council to give notice of this taking and pertinent information to every person entitled thereto in accordance with the provisions of Massachusetts General Laws Chapter 79, Sections 7B, 7C, 7F, 7G, 8A and 8B.
4. This Order of Layout, Acceptance, and Taking confirms Town's Acceptance of above-referenced Marinella Development, LLC deed and grant of easements dated January 26, 2022 and makes clear the Town of Franklin's title to the above-described parcels of land which said deed and grant of easements conveyed to the Town of Franklin.

This Resolution shall become effective according to the provisions of the Town of Franklin Home Rule Charter.

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**DATED:** \_\_\_\_\_, 2022

**VOTED:** \_\_\_\_\_

**UNANIMOUS:** \_\_\_\_\_

**A TRUE RECORD ATTEST:**

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_ **ABSENT:** \_\_\_\_\_

**RECUSED:** \_\_\_\_\_

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**Nancy Danello, CMC**  
**Town Clerk**

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**Glenn Jones, Clerk**  
**Franklin Town Council**

EXHIBIT A



# 1 foot Abutters List Report

Franklin, MA  
January 14, 2022

**Subject Property:**

Parcel Number: 218-104-000  
CAMA Number: 218-104-000-000  
Property Address: BRANDYWINE RD

Mailing Address: MARINELLA DEVELOPMENT, LLC  
PO BOX 411  
FRANKLIN, MA 02038

---

**Abutters:**

Parcel Number: 216-050-000  
CAMA Number: 216-050-000-000  
Property Address: 70 CHARLES DR

Mailing Address: KUDISH BRIAN H KUDISH DEBRA S  
70 CHARLES DR  
FRANKLIN, MA 02038

Parcel Number: 216-051-000  
CAMA Number: 216-051-000-000  
Property Address: 74 CHARLES DR

Mailing Address: RUSSO JR WAYNE RUSSO HEATHER  
74 CHARLES DR  
FRANKLIN, MA 02038

Parcel Number: 216-052-000  
CAMA Number: 216-052-000-000  
Property Address: 77 BRANDYWINE RD

Mailing Address: MARINO KATHLEEN MARINO JOSEPH W  
77 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-053-000  
CAMA Number: 216-053-000-000  
Property Address: 73 BRANDYWINE RD

Mailing Address: MANNING COLLEEN A  
73 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-054-000  
CAMA Number: 216-054-000-000  
Property Address: 69 BRANDYWINE RD

Mailing Address: WOODWARD ANDREW B AMY B TRS  
ANDREW & AMY WOODWARD LIV TR  
69 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-055-000  
CAMA Number: 216-055-000-000  
Property Address: 65 BRANDYWINE RD

Mailing Address: QUINN MATTHEW J QUINN ABBY E  
65 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-056-000  
CAMA Number: 216-056-000-000  
Property Address: 61 BRANDYWINE RD

Mailing Address: EDMONDS SARAH J EDMONDS SEAN  
61 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-057-000  
CAMA Number: 216-057-000-000  
Property Address: 57 BRANDYWINE RD

Mailing Address: CHENG MICHAEL & TINA M  
57 BRANDYWINE ROAD  
FRANKLIN, MA 02038

Parcel Number: 216-058-000  
CAMA Number: 216-058-000-000  
Property Address: 53 BRANDYWINE RD

Mailing Address: LI XIA YAN SHU  
53 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-059-000  
CAMA Number: 216-059-000-000  
Property Address: 49 BRANDYWINE RD

Mailing Address: BERRY TARA TYLER BERRY JACOB  
ALBERT  
49 BRANDYWINE RD  
FRANKLIN, MA 02038

Parcel Number: 216-060-000 CAMA Number: 216-060-000-000 Property Address: 45 BRANDYWINE RD	Mailing Address: KUCICH JENNIFER KUCICH ROBERT 45 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-061-000 CAMA Number: 216-061-000-000 Property Address: 41 BRANDYWINE RD	Mailing Address: LEWIS KEVIN WILLIAM LEWIS SIOBHAN 41 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-062-000 CAMA Number: 216-062-000-000 Property Address: 37 BRANDYWINE RD	Mailing Address: VOZELLA ANTHONY J VOZELLA COLLEEN E 37 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-063-000 CAMA Number: 216-063-000-000 Property Address: 33 BRANDYWINE RD	Mailing Address: HAMILTON JENNIFER L 33 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-064-000 CAMA Number: 216-064-000-000 Property Address: 29 BRANDYWINE RD	Mailing Address: TOMAINO ANGELO P TOMAINO CONCETTINA 29 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-065-000 CAMA Number: 216-065-000-000 Property Address: 25 BRANDYWINE RD	Mailing Address: TAYLOR SCOTT NOLAN TAYLOR ASHLEY ANNE 25 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-066-000 CAMA Number: 216-066-000-000 Property Address: 21 BRANDYWINE RD	Mailing Address: LANDERS CONNOR LANDERS ASHLEY 21 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-067-000 CAMA Number: 216-067-000-000 Property Address: 28 BRANDYWINE RD	Mailing Address: SONG HAN JIN WENJIE 28 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-068-000 CAMA Number: 216-068-000-000 Property Address: 32 BRANDYWINE RD	Mailing Address: ZAKI MAGED A ZAKI MARY E 32 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-069-000 CAMA Number: 216-069-000-000 Property Address: 36 BRANDYWINE RD	Mailing Address: ROGERS MICHAEL ROGERS MEGAN 36 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-070-000 CAMA Number: 216-070-000-000 Property Address: 40 BRANDYWINE RD	Mailing Address: DURKIN BRIAN J 40 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-071-000 CAMA Number: 216-071-000-000 Property Address: 46 BRANDYWINE RD	Mailing Address: HENDER RICHARD J JR HENDER KIM A 46 BRANDYWINE RD FRANKLIN, MA 02038

Parcel Number: 216-072-000 CAMA Number: 216-072-000-000 Property Address: 50 BRANDYWINE RD	Mailing Address: DESAI ASHISH Y SHAH GAURANGI C 50 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-073-000 CAMA Number: 216-073-000-000 Property Address: 54 BRANDYWINE RD	Mailing Address: GORGAS DAVID S & LISA J TRS GORGAS REALTY TRUST 54 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-074-000 CAMA Number: 216-074-000-000 Property Address: 58 BRANDYWINE RD	Mailing Address: JOYCE THOMAS J JOYCE CAROL A 58 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-075-000 CAMA Number: 216-075-000-000 Property Address: 70 BRANDYWINE RD	Mailing Address: TEIXEIRA HUGO TEIXEIRA CATHRYN 70 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-076-000 CAMA Number: 216-076-000-000 Property Address: 76 BRANDYWINE RD	Mailing Address: HAGY JAMES DIXON III HAGY MELISSA CAROL EDERINGTON 76 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-077-000 CAMA Number: 216-077-000-000 Property Address: 88 BRANDYWINE RD	Mailing Address: BYRNE GERALD J III BYRNE ROBIN L 88 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-078-000 CAMA Number: 216-078-000-000 Property Address: 92 BRANDYWINE RD	Mailing Address: AGARWAL MONA KUMAR RAJEEV 92 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-079-000 CAMA Number: 216-079-000-000 Property Address: 96 BRANDYWINE RD	Mailing Address: KAMATH ARAVIND M KAMATH VANDANA M 96 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-080-000 CAMA Number: 216-080-000-000 Property Address: 100 BRANDYWINE RD	Mailing Address: CAUTILLO ROBERT JOSEPH CAUTILLO SARA THERESA 100 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-081-000 CAMA Number: 216-081-000-000 Property Address: 106 BRANDYWINE RD	Mailing Address: JAMES TYECHIA M 106 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-082-000 CAMA Number: 216-082-000-000 Property Address: 110 BRANDYWINE RD	Mailing Address: PALMER TODD PALMER SUSAN 110 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-083-000 CAMA Number: 216-083-000-000 Property Address: 105 BRANDYWINE RD	Mailing Address: CROSS RYAN R CROSS DINA P 105 BRANDYWINE RD FRANKLIN, MA 02038

Parcel Number: 216-084-000 CAMA Number: 216-084-000-000 Property Address: 101 BRANDYWINE RD	Mailing Address: GUJAR SURYAPRAKASH GUJAR SMITA 101 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-085-000 CAMA Number: 216-085-000-000 Property Address: 97 BRANDYWINE RD	Mailing Address: REGAN CHRISTINE L 97 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-086-000 CAMA Number: 216-086-000-000 Property Address: 93 BRANDYWINE RD	Mailing Address: WASEF GIRGIS EAZAK MERVAT 93 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-087-000 CAMA Number: 216-087-000-000 Property Address: 89 BRANDYWINE RD	Mailing Address: BALZARINI ANTHONY BALZARINI RENEE 89 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-088-000 CAMA Number: 216-088-000-000 Property Address: 85 CHARLES DR	Mailing Address: BIRD JOSEPH A BIRD MARYANN 85 CHARLES DR FRANKLIN, MA 02038
Parcel Number: 216-097-000 CAMA Number: 216-097-000-000 Property Address: 11 BRANDYWINE RD	Mailing Address: TAYLOR CLIFFORD J TAYLOR CHRISTY LEE 11 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 216-098-000 CAMA Number: 216-098-000-000 Property Address: 7 BRANDYWINE RD	Mailing Address: SEEKAMP PAUL M SEEKAMP AMY M 7 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-078-000 CAMA Number: 218-078-000-000 Property Address: 157 BRANDYWINE RD	Mailing Address: FOGARTY JOHN F 157 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-079-000 CAMA Number: 218-079-000-000 Property Address: 161 BRANDYWINE RD	Mailing Address: CHAPSKI JEFFREY A CHAPSKI NANCY A 161 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-080-000 CAMA Number: 218-080-000-000 Property Address: 153 BRANDYWINE RD	Mailing Address: LANGIS JOHN P LANGIS SALLY A 153 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-081-000 CAMA Number: 218-081-000-000 Property Address: 149 BRANDYWINE RD	Mailing Address: MILLER DARREN E MILLER JENNIFER F 149 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-082-000 CAMA Number: 218-082-000-000 Property Address: 145 BRANDYWINE RD	Mailing Address: HUTCHINSON ERIK N HUTCHINSON ALEXANDRIA K 145 BRANDYWINE RD FRANKLIN, MA 02038

Parcel Number: 218-083-000 CAMA Number: 218-083-000-000 Property Address: 141 BRANDYWINE RD	Mailing Address: DESTINE JAMES 141 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-084-000 CAMA Number: 218-084-000-000 Property Address: 137 BRANDYWINE RD	Mailing Address: REYNOLDS WARREN H K REYNOLDS DEBRA Y 137 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-085-000 CAMA Number: 218-085-000-000 Property Address: 133 BRANDYWINE RD	Mailing Address: AMANTE JOSEPH M AMANTE MELISSA A 133 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-086-000 CAMA Number: 218-086-000-000 Property Address: 129 BRANDYWINE RD	Mailing Address: HANLY RONAN D HANLY CHERYL A 129 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-087-000 CAMA Number: 218-087-000-000 Property Address: 125 BRANDYWINE RD	Mailing Address: JOSE JESTUS 125 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-088-000 CAMA Number: 218-088-000-000 Property Address: 121 BRANDYWINE RD	Mailing Address: YERED DAVID M REZZUTI LISA 121 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-089-000 CAMA Number: 218-089-000-000 Property Address: 117 BRANDYWINE RD	Mailing Address: BARTEK JOSEF S BARTEK CHERYL L 117 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-090-000 CAMA Number: 218-090-000-000 Property Address: 113 BRANDYWINE RD	Mailing Address: ROBINSON WILLIAM S ROBINSON CHRISTINA N 113 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-091-000 CAMA Number: 218-091-000-000 Property Address: 109 BRANDYWINE RD	Mailing Address: CAREY DEIRDRE 109 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-092-000 CAMA Number: 218-092-000-000 Property Address: 114 BRANDYWINE RD	Mailing Address: GEORGE GIBI JACOB-GEORGE SUBIN 114 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-093-000 CAMA Number: 218-093-000-000 Property Address: 118 BRANDYWINE RD	Mailing Address: EPPHIMER MICHAEL J EPPHIMER LOIS A 118 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-094-000 CAMA Number: 218-094-000-000 Property Address: 122 BRANDYWINE RD	Mailing Address: LANGEVIN TIMOTHY M 122 BRANDYWINE RD FRANKLIN, MA 02038



Parcel Number: 218-095-000 CAMA Number: 218-095-000-000 Property Address: 138 BRANDYWINE RD	Mailing Address: MUNIKUNTLA SAI KUMAR MUDDAGOUNI APARAJITHA 138 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-096-000 CAMA Number: 218-096-000-000 Property Address: 142 BRANDYWINE RD	Mailing Address: GROVER JEFFREY C GROVER JAMIE L 142 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-097-000 CAMA Number: 218-097-000-000 Property Address: 146 BRANDYWINE RD	Mailing Address: BOWEN JAY D BOWEN ROSEMARY 146 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-098-000 CAMA Number: 218-098-000-000 Property Address: 150 BRANDYWINE RD	Mailing Address: PETERSON DERIC PETERSON ELIZABETH F 150 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-099-000 CAMA Number: 218-099-000-000 Property Address: 16 BRANDYWINE RD	Mailing Address: LARSEN THOMAS N LARSEN SHANNON 16 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-100-000 CAMA Number: 218-100-000-000 Property Address: 20 BRANDYWINE RD	Mailing Address: DANIELS NATHAN DANIELS LAUREN 20 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-101-000 CAMA Number: 218-101-000-000 Property Address: 24 BRANDYWINE RD	Mailing Address: RAMASWAMY SANJAY RAMASWAMY ELIZABETH A 24 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-102-000 CAMA Number: 218-102-000-000 Property Address: 17 BRANDYWINE RD	Mailing Address: SMART JON A SMART HEATHER M 17 BRANDYWINE RD FRANKLIN, MA 02038
Parcel Number: 218-103-000 CAMA Number: 218-103-000-000 Property Address: LAKEVIEW TER	Mailing Address: PRUDENTIAL BUILDERS INC 344 JOHN L DIETSCH BOULEVARD UNIT 8 NORTH ATTLEBOROUGH, MA 02760
Parcel Number: 218-105-000 CAMA Number: 218-105-000-000 Property Address: BRANDYWINE RD	Mailing Address: POTTS JANET M TR JAY REALTY TRUST 2806 MAPLE BROOK RD BELLINGHAM, MA 02019
Parcel Number: 218-106-000 CAMA Number: 218-106-000-000 Property Address: 107 POPULATIC ST	Mailing Address: PROULX JAMES G JR PROULX ERIN M 107 POPULATIC ST FRANKLIN, MA 02038

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

April 1, 2022

To: Town Council

From: Jamie Hellen, Town Administrator  
Allecia Alleyne, Assistant to the Town Administrator

Re: **Bylaw Amendment 22-876: Ch. 153 Stormwater Management - Corrective Legislation**  
**Bylaw Amendment 22-877: Ch. 82 Fees, Municipal Service: Stormwater Utility Fee**  
**Bylaw Amendment 22-878: Ch. 82 Fees, Municipal Service: Passport Photo Fee**

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The action before the Town Council is to approve the three subject-referenced bylaw amendments.

For more information please see the attached memos for each, dated March 11, 2022, which were included in the agenda packet for the March 16, 2022 Town Council meeting. Also attached is the Legal Notice for the April 6, 2022 second reading of each proposed bylaw amendment, which was published in the Metrowest Daily News and Wickedlocal.com on Wednesday, March 23, 2022.

If you have any questions please feel free to let us know.

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
[www.franklinma.gov](http://www.franklinma.gov)

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

March 11, 2022

To: Town Council  
From: Jamie Hellen, Town Administrator  
Alecia Alleyne, Assistant to the Town Administrator

**Re: Bylaw Amendment 22-876: Chapter 153 Stormwater Management - Corrective Legislation, first reading**

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The action before the Council is to approve Bylaw Amendment 22-876, which is a technical amendment to the current stormwater utility bylaw. The main change is adding in the ability to have an abatement process, credit system and a waiver of the fee for financial hardship. As a result of some of these changes, the utility bylaw is now renumbered and reorganized.

If you have any questions, please feel free to let us know.

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

March 11, 2022

To: Town Council  
From: Jamie Hellen, Town Administrator  
Alecia Alleyne, Assistant to the Town Administrator

**Re: Bylaw Amendment 22-877: Chapter 82 Fees, Municipal Service: Stormwater Utility Fee - First Reading**

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Before the Council this evening is the first reading of a proposed bylaw to add a new fee to Chapter 82, Section 6, Subsection A . Administration, of the Code of the Town of Franklin. The proposed "Stormwater Utility Fee" will be \$18.66 per billing unit per property, as recommended almost two years ago by the [Stormwater Ad Hoc subcommittee of the Town Council](#). Members of that committee are Melanie Hamblen, Robert Dellorco and Glenn Jones.

The purpose of this fee is to comply with the federal stormwater MS4 permit. As you can see from the DPW presentation this evening, the Town has listened to a great deal of public feedback on the issue over many years. We have even sued the federal government and the Environmental Protection Agency (EPA).

The Town is including an abatement process, rewards credits and a community assistance program to eliminate the fee due to financial hardship.

If you have any additional questions please feel free to ask.

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

March 11, 2022

To: Town Council  
From: Jamie Hellen, Town Administrator  
Alecia Alleyne, Assistant to the Town Administrator

**Re: Bylaw Amendment 22-878: Chapter 82 Fees, Municipal Service: Passport Photo Fee - First Reading**

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Before the Council is the first reading of a proposed bylaw to add a new fee to Chapter 82, Section 6, Subsection A . Administration, of the Code of the Town of Franklin. The proposed "Passport Photo Fee" will be \$10 per passport photo.

The goal of this fee is to provide a more convenient one-stop process for Franklin residents to obtain or renew a passport. One of the items we see is many families come in to get passports with no photo. And we have to ask them to drive down the street to another shop to get the photo. I have had the staff install a camera area to take pictures in the event folks forget their photo. The purpose of the fee is to generate better customer service and a more comprehensive set of services for the public.

If you haven't stopped by the passport kiosk, please do! We have set up world maps, globes and other fun things to make the public feel more welcome to get their entire passport services done in Franklin.

A reminder that the federal State Department sets the fees for actual passports. But we need to set the fee for the photo in Town Code.

If you have any additional questions please feel free to ask.

**LEGAL NOTICE  
FRANKLIN, MA**

The Franklin Town Council will hold a second reading on the adoption of 3 Town Code Bylaw Amendments as follows:

Bylaw Amendment 22-876: Chapter 153 Stormwater Management, which will rescind Bylaw Amendment 19-846 and replace it by adding a new Article V Stormwater Utility.

Bylaw Amendment 22-877: Chapter 82 Fees, Municipal Service: Stormwater Utility Fee, which will adopt a definition of Stormwater Utility Fee and adopt a service fee of \$18.66 per billing unit per property.

Bylaw Amendment 22-878: Chapter 82 Fees, Municipal Service: Passport Photo Fee, which will adopt a service of \$10.00 per passport photo.

These actions will take place during the Town Council Public Meeting beginning at 7:00 pm on April 6, 2022 and will provide an opportunity for public input. Location: Municipal Building, 2nd floor Council Chambers, 355 E. Central Street, Franklin, and also via the "ZOOM" platform. Residents can visit the Town website ([Franklinma.gov](http://Franklinma.gov)) town calendar to review full text of proposed bylaw amendments and for up to date meeting information. Please call the Town Administrator's Office at (508) 520-4949 if you require further information or to make arrangements for translation services.

Submitted by,

Julie McCann



## **TOWN OF FRANKLIN BYLAW AMENDMENT 22-876 CHAPTER 153 STORMWATER MANAGEMENT**

**A bylaw to amend the Code of the Town of Franklin at Chapter 153 Stormwater Management by rescinding Bylaw Amendment 19-846 and replacing it by adding a new Article V Stormwater Utility.**

**BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT** Chapter 153 of the Code of the Town of Franklin Stormwater Management is hereby amended by rescinding Bylaw Amendment 19-846, previously enacted by the Franklin Town Council on January 8, 2020, and replacing it by adding a new Article V Stormwater Utility as Follows:

### **ARTICLE V STORMWATER UTILITY**

#### **§153-29 GENERAL PROVISIONS**

- a. Title  
This bylaw shall be known as the Stormwater Utility By-Law of the Town of Franklin, Massachusetts, hereinafter referred to as the "by-law."
- b. Responsibility for Administration  
The Town Administrator or his/her designee shall administer this by-law; the Town Administrator may delegate any powers granted to or duties imposed upon the Town Administrator to the Director of Public Works.
- c. Purpose  
The stormwater management program of the Town shall be funded by revenue collected through the Stormwater Utility fee and such other revenue as may, from time to time, be appropriated. The stormwater management program is designed to collect and treat stormwater to promote the health and safety of the public, to protect property from flooding and the damage caused by stormwater runoff, to protect and manage water quality by controlling the level of pollutants in stormwater runoff, and to comply with Federal and state stormwater management mandates and permits.

#### **§153-30 AUTHORITY**

This by-law is adopted in accordance with the authority granted, inter alia, by Amendment Article 89 to Article II of the Massachusetts Constitution (the Home Rule Amendment), Section



sixteen of Chapter 83 of the General Laws of the Commonwealth of Massachusetts and such other powers as are granted to cities and towns in the said General Laws.

### §153-31 DEFINITIONS

The following words, terms and phrases, when used in this by-law, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) *Credit* means a reduction in the amount of a Stormwater Utility fee charged to the owner of a property where that property owner owns, maintains and operates on-site or off-site stormwater management systems or facilities, or provides services or activities that reduce or mitigate the Town's cost of providing stormwater management services, in accordance with the Town's approved credit policy.
- (b) *Developable* shall mean a parcel of land, as designated by the Assessor or other local jurisdictional authority, that can be altered from its natural state to include impervious surface area.
- (c) *Developed* means property altered from its natural state by construction or installation of greater than or equal to two hundred (200) square feet of impervious surfaces.
- (d) *Drainage system* shall mean natural and manmade channels, swales, ditches, swamps, rivers, streams, creeks, wetlands, branches, reservoirs, ponds, drainage ways, inlets, catch basins, gutters, pipes, culverts, bridges, head walls, storm sewers, lakes, and other physical works, properties, and improvements that transfer, control, convey or otherwise influence the movement of stormwater runoff.
- (e) *General Laws* means the General Laws of the Commonwealth of Massachusetts.
- (f) *Impervious surface* includes any material or structure on or above the ground that prevents precipitation from effectively infiltrating the underlying soil. Impervious surfaces include, without limitation, roads, paved or gravel parking lots, rooftops, buildings or structures, sidewalks, driveways, and other surfaces which prevent or impede the natural infiltration of stormwater runoff which existed prior to development.
- (g) *Stormwater* is surface water that results from precipitation and that travels over natural or developed land surfaces to discharge into a drainage system or surface water body. Stormwater includes stormwater runoff, snow melt runoff, and surface water runoff and drainage.
- (h) *Stormwater management services* mean all services provided by the Town which relate to the:
  - (i) Transfer, control, conveyance or movement of stormwater runoff through the Town;
  - (ii) Maintenance, repair and replacement of stormwater management systems and facilities owned, controlled, or maintained by the Town;

- (iii) Planning, development, design and construction of additional stormwater management systems and facilities to meet current and anticipated needs;
  - (iv) Regulation, oversight, and enforcement of the use of stormwater management services, systems and facilities;
  - (v) Compliance with applicable State and Federal stormwater management regulations and permit requirements including, but not limited to, public education and outreach. Stormwater management services may address the quality of stormwater runoff as well as the quantity thereof.
- (i) *Stormwater management systems and facilities* mean those natural and manmade channels, swales, ditches, rivers, streams, creeks, branches, reservoirs, ponds, drainage ways, inlets, catch basins, pipes, headwalls, storm sewers, outfalls and other physical works, properties and improvements which transfer, control, convey, detain, retain, treat or otherwise influence the movement of stormwater runoff.
- (j) *Stormwater Utility fee* means the periodic user fee that may be imposed pursuant to this by-law by the Town of Franklin which will be dedicated to the provision of public stormwater management services. The stormwater utility fee billing rate structure shall consist of a uniform flat rate based on the total number of billing units per property, an individual billing unit equalling one thousand (1000) square feet of impervious surface.
- (k) *Undeveloped land* shall mean all land that is not altered from its natural state to an extent that results in greater than two hundred (200) square feet of impervious surface area.

**§153-32 STORMWATER UTILITY FEE AND ENTERPRISE FUND ESTABLISHED; RATES: DEPOSIT TO STORMWATER ENTERPRISE FUND**

- (a) Pursuant to Section 16 of Chapter 83 of the General Laws, the Town may establish a charge for the use of the stormwater management services of the Town to be known as the Stormwater Utility fee. Stormwater charges shall be established such that they will provide sufficient funds, proportionately calculated and assessed, to construct, operate, maintain, and regulate the stormwater management systems and facilities in the Town of Franklin.
- (b) The Franklin Town Council (the Council) shall establish reasonable rates to defray the cost of administering and implementing the stormwater management program of the Town. The initial rates, and any later modifications, shall be based upon recommendation of staff and shall be set by the adoption of a Stormwater Fee Schedule by vote of the Council, to be included by amendment in the Code of the Town of Franklin Chapter 82 Fees, Municipal Service.
- (c) The Council (or their designee) shall establish a dedicated Stormwater Enterprise Fund in the Town budget and an accounting system to manage all funds collected for the purposes and responsibilities of the stormwater program. All revenues and receipts of the Stormwater Utility shall be placed in the Stormwater Enterprise Fund, which shall be

separate from all other funds, and only expenses of the stormwater program shall be paid by the fund as provided in G.L. c.44,s. 53 F1/2.

- (d) Expenditure of funds may consider both stormwater quality and quantity management needs and can be used as described in Section 153-34.
- (e) The Stormwater Utility fee is to be assessed to each developed parcel in Town whether the property is occupied or not. The fee shall be calculated on an annual basis and billed to the record title owner of the property.

### **§153-33 SCOPE OF RESPONSIBILITY FOR STORMWATER MANAGEMENT SYSTEMS AND FACILITIES**

- (a) The Town owns or otherwise has rights which allow it to operate, maintain, improve and access those stormwater management systems and facilities which are located:
  - (i) Within public road rights-of-way;
  - (ii) On private property but within easements granted to, and accepted by, the Town of Franklin, or are otherwise permitted to be located on such private property by written agreements for rights-of-entry, rights-of-access, rights-of-use or such other lawful means to allow for operation, maintenance, improvement and access to the stormwater management system facilities located thereon;
  - (iii) On public land which is owned by the Town and/or land of another governmental entity upon which the Town has agreements providing for the operation, maintenance, improvement and access to the stormwater management systems and facilities located thereon.
- (b) Operation, maintenance and/or improvement of stormwater management systems and facilities which are located on private or public property not owned by the Town, and for which the Town lacks a lawful right of entry, shall be and remain the legal responsibility of the property owner, except as otherwise provided for by state and federal laws and regulations.

### **§153-34 PURPOSES OF THE STORMWATER UTILITY FUND**

Receipts from the Stormwater Utility fee, to the extent consistent with G.L. c. 44, s. 53 F1/2, shall be used for the following purposes:

- (a) The acquisition by gift, purchase or condemnation of real and personal property, and interests therein, necessary to construct, operate, and maintain stormwater management systems and facilities;
- (b) All costs of administration and implementation of the stormwater management program, including the cost of labor and equipment attributable to the stormwater management program and the establishment of reasonable operating and capital reserves to meet unanticipated or emergency stormwater management requirements;

- (c) Payment on principal and interest on debt obligations;
- (d) Engineering and design, debt service and related financing expenses, construction costs for new facilities (including costs for contracted services) and enlargement or improvement or existing facilities;
- (e) Operation and maintenance of the stormwater system, including catch basin cleaning, ditch maintenance, street sweeping, pipe repairs, and stormwater facility repairs;
- (f) Capital investments including stormwater best management practices (BMPs) and components (e.g., purchase of plants, soils, and other amenities to support stormwater management alternatives utilizing vegetation);
- (g) Illicit discharge detection and elimination;
- (h) Monitoring, surveillance, and inspection of stormwater control devices;
- (i) Water quality monitoring and water quality programs;
- (j) Retrofitting developed areas for pollution control;
- (k) Inspection and enforcement activities;
- (l) Billing and related administrative costs; and
- (m) Other activities which are reasonably necessary, including costs related to regulatory compliance and legal fees.

### **§153-35 STORMWATER UTILITY FEE EXEMPTIONS**

- (a) The Town of Franklin finds that all developed property in the Town contributes to runoff and the owners thereof either use or benefit from the maintenance of the stormwater system. Therefore, except as provided in this section or otherwise provided by law, no developed public or private property located in the Town of Franklin shall be exempt from the Stormwater Utility fee charges. No exception, credit, offset, or other reduction in stormwater utility fee charges shall be granted based on age, tax status, economic status, race, religion or other condition unrelated to the cost of providing stormwater management services and facilities with the exception of those residents that apply for and qualify for the Community Assistance Program.
- (b) The Town establishes exemptions to the Stormwater Utility fee as follows:
  - (i) *Undeveloped land.*
  - (ii) *Public streets, highways and rights-of-way. However, maintenance buildings and/or other developed property used for road maintenance purposes shall not be exempt from Stormwater Utility fee charges. All other State, Federal, and*

County properties shall be subject to the user fee charges on the same basis as private properties.

- (iii) *Railroad rights-of-way (tracks). However, railroad stations, maintenance buildings, and/or other developed property used for railroad purposes shall not be exempt from Stormwater Utility fee charges.*

#### **§153-36 STORMWATER UTILITY FEE CREDITS**

- (a) The Director of Public Works is hereby authorized to grant credits to property owners to be applied against the Stormwater Utility fee based on the technical and procedural criteria set forth in the Stormwater Utility Credit Manual (Credit Manual) to be developed, maintained and, from time to time, amended by the Department of Public Works (DPW). The Credit Manual shall be implemented during the first year of the Stormwater Utility and shall be available for inspection by the public at the Department of Public Works.
- (b) The percentages for credits shall reflect the extent to which the subject properties reduce the peak rate of runoff from the property, or avoid other costs incurred by the stormwater management program in the delivery of services. The maximum possible credit for properties shall be detailed in the Credit Manual (to be developed by the Department of Public Works).
- (c) Any credit allowed against the Stormwater Utility fee is conditioned on continuing compliance with the Town's design and performance standards as stated in the Credit Manual and/or upon continuing provision of the controls, systems, facilities, services, and activities provided, operated, and maintained by the property owner or owners upon which the credit is based. The Town may revoke a credit at any time for noncompliance with applicable standards and criteria as established in the Credit Manual or this by-law.
- (d) In order to obtain a credit, the property owner must make application to the Town on forms provided by the Director of Public Works for such purpose. The forms are to be fully completed in accordance with the procedures outlined in the Credit Manual.
- (e) When an application for a credit is deemed complete by the DPW, the Town shall have adequate time from the date the complete application is accepted to either grant the credit in whole, grant the credit in part, or deny the credit. Credits applied for by the property owner and granted in whole or in part, shall apply to all Stormwater Utility fees in accordance with the terms defined in the Credit Manual.

#### **§153-37 STORMWATER UTILITY FEE BILLING, DELINQUENCIES, COLLECTIONS AND ABATEMENTS**

- (a) Failure to receive a Stormwater Utility bill will not be justification for non-payment. The property owner, as identified from public land records of the Town of Franklin, shall be obligated to pay the appropriate Stormwater Utility fee for that property. If a property is unbilled, or if no bill is sent for a particular parcel of developed land, the Town may back bill for the fees as applicable for a period not to exceed two years of charges, but no late

fees or delinquency charges of any kind shall be charged or recovered from any property owner so back billed.

- (b) Stormwater Utility bills shall be committed to the Treasurer/Collector for collection. In any case of nonpayment of a Stormwater Utility bill for sixty (60) days after the same is due, the Treasurer/Collector shall send a notice to the delinquent property owner and apply appropriate interest and late charges to the fees, as previously approved by the Treasurer.
- (c) In accordance with Sections 16A through 16F of Chapter 83 of the General Laws, charges for the Stormwater Utility fee, together with interest thereon and costs relative thereto, shall be a lien upon the real estate for which the charge was billed. Such lien shall take effect by operation of law on the day immediately following the due date of such charge and, unless dissolved by payment or abatement, shall continue until such charge has been added to or committed as a tax in accordance with the requirements of Section 16C of Chapter 83 of the General Laws, and thereafter, unless so dissolved, shall continue as provided in Section 37 of Chapter 60 of the said General Laws.
- (d) In addition to the method of collection specified in Sections 16A through 16F of the General Laws, the overdue charge may be collected through any other lawful means.
- (e) In the event that a property owner believes the Stormwater Utility fee is improperly calculated or is otherwise incorrect, the property owner may, within thirty (30) days from the date of issuance of the Stormwater Utility bill, and after payment of the bill in full, apply to the Director of Public Works for an abatement. The application for abatement shall be supported by such information as is necessary for a reasonable person to conclude that it is more likely than not that the billing is in error. DPW shall have sixty (60) days to consider the request for abatement and render a written decision which may deny the abatement, grant the abatement in full or grant the abatement in part.

#### **§153-38 APPEALS AND HEARINGS**

- (a) In the event that a property owner is aggrieved by a written decision from the Director of Public Works denying an application for abatement in whole or in part, or denying an application for a credit, in whole or in part, the property owner shall have sixty (60) days from the date of the written decision to seek a review of the decision by the filing of an appeal with the appellate tax board of the Commonwealth of Massachusetts. The appeal shall be in writing and shall specify the grounds thereof. Upon the filing of the notice of appeal, the DPW shall make available all documents constituting the record upon which the original decision was made.

#### **§153-39 SEVERABILITY**

The invalidity of any section, provision, paragraph, sentence, or clause of this by-law shall not invalidate any section, provision, paragraph, sentence, or clause thereof, nor shall it invalidate any permit or determination that previously has been issued.

This bylaw shall become effective in accordance with the provisions of the Franklin Home Rule Charter.

---

**DATED:** \_\_\_\_\_, 2022

**VOTED:**

**UNANIMOUS** \_\_\_\_\_

**YES** \_\_\_\_\_ **NO** \_\_\_\_\_

**ABSTAIN** \_\_\_\_\_

**ABSENT** \_\_\_\_\_

**A True Record Attest:**

**Nancy Danello, CMC  
Town Clerk**

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**Glenn Jones, Clerk  
Franklin Town Council**





**TOWN OF FRANKLIN  
BYLAW AMENDMENT 22-877  
CHAPTER 82 FEES, MUNICIPAL SERVICE:  
STORMWATER UTILITY FEE**

**A bylaw to amend the Code of the Town of Franklin at Chapter 82, Fees, Municipal Service, by adding a new definition: Stormwater Utility Fee, and a new Service Fee: Stormwater Utility.**

**BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:** Chapter 82 of the Code of the Town of Franklin Fees, Municipal Service, is hereby amended as follows:

SECTION 82-5 Service Fee Definitions:

Insert, in appropriate alphabetical order, a new definition:

- Stormwater Utility Fee: Shall have the definition provided in the Code of the Town of Franklin Chapter 153 Stormwater Management Article V Stormwater Utility §153-31 Definitions.

SECTION 82-6 Schedule of Service Fees:

Insert, in Subsection L. Public Works, in appropriate alphabetical order, a new service fee:

<u>Service Fee</u>	<u>Rate</u>
Stormwater Utility Fee	\$18.66 per billing unit per property

This bylaw amendment shall become effective on and after July 1, 2023.

**DATED:** \_\_\_\_\_, 2022

**VOTED:**

**UNANIMOUS** \_\_\_\_\_

**A True Record Attest:**

**YES** \_\_\_\_\_ **NO** \_\_\_\_\_

**ABSTAIN** \_\_\_\_\_

**ABSENT** \_\_\_\_\_

**Nancy Danello, CMC  
Town Clerk**

\_\_\_\_\_  
**Glenn Jones, Clerk  
Franklin Town Council**



**TOWN OF FRANKLIN  
 BYLAW AMENDMENT 22-878  
 CHAPTER 82, MUNICIPAL SERVICE:  
 PASSPORT PHOTO FEE**

**A bylaw to amend the Code of the Town of Franklin at Chapter 82 Fees, Municipal Service, by adding a new Service Fee: Passport Photo**

**BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:** Chapter 82 of the Code of the Town of Franklin Fees, Municipal Service, is hereby amended as follows:

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§ 82-6. Schedule of service fees.

A. Administration

<b>Service Fee</b>	<b>Rate</b>
Club- Wine & Malt	\$750
Liqueurs and Cordials	\$900
Package- Wine & Malt	\$1,500
Common Victualler- Wine & Malt	\$1,125
Club- All Alcohol	\$1,750
Package- All Alcohol	\$2,500
Common Victualler- All Alcohol	\$1,875
Innholder- All Alcohol	\$3,500
One-Day (All Alcohol or Wine & Malt)	\$75
Alcohol Inholder/Rooms only	\$1,300
Common Victualler	\$125
Innholders	\$125
Farmer Brewery, Winery, Distillery	\$250
Alcohol License Modification	\$500
Automatic Amusement	\$125
Weekday Amusement	\$125
Entertainment	\$125
Billiard/Bowling	\$125
Class I	\$125
Class II	\$125
Class III	\$125
Boardinghouse	\$125
Auctioneer	\$85

One-Day Auctioneer	\$85
Junk Dealer	\$85
Taxi/Limousine	\$85
Transient Vendor or Temporary Special Event Food Truck License	\$100
Temporary Food Truck Event on Private Property	\$25
Fortune Teller	\$85
Public Way Access Permit	\$150
Passport Photo	\$10

This bylaw amendment shall be effective in accordance with the provisions of the Town of Franklin Home Rule Charter.

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**DATED:** \_\_\_\_\_, 2022

**VOTED:**

**UNANIMOUS:** \_\_\_\_\_

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**A True Record Attest:**

**Nancy Danello, CMC  
Town Clerk**

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**Glenn Jones, Clerk  
Franklin Town Council**

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949  
www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

April 1, 2022

To: Town Council  
From: Jamie Hellen, Town Administrator  
Alecia Alleyne, Assistant to the Town Administrator

**Re: Resolution 22-25: Gift Acceptance - Conservation Commission & Veterans' Department**

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The Conservation Commission and Veterans' Services Department have received exceptionally generous donations totaling \$1,300.00.

The \$1,000 donation to the Conservation Commission will be applied toward the annual Delcarte Earth Day event and other programs or events as decided by the Commission.

The \$300 donation to the Veterans' Services Department will be applied towards the Veterans' Municipal Assistance Fund and used at the Department's discretion to help support local veterans and their families.

We would like to thank everyone for their continued support of our local services.

### **Donation Summary:**

**1. Conservation Commission**

- Joe Halligan \$1,000

**2. Veterans' Services Department - Municipal Assistance Fund**

- VFW Auxiliary Post 3402 \$ 300

**DONATION TOTAL \$1,300**

If you have any additional questions please feel free to ask.



**TOWN OF FRANKLIN  
RESOLUTION 22-25**

**Acceptance of Gifts – Conservation Commission &  
Veterans’ Services Department**

**WHEREAS,** The Conservation Commission and Veterans’ Services Department have received generous donations totaling \$1,300.00 to be used at the discretion of each respective department as follows:

**Donation Summary:**

**CONSERVATION COMMISSION**

1. Donation to be applied towards the annual Delcarte Earth Day event and other programs and events as decided by the Commission.
  - Joe Halligan \$1,000

**VETERANS SERVICES DEPARTMENT**

1. Donation to be applied towards Veterans’ Municipal Assistance Fund and used at the Department’s discretion to help support local veterans and their families.
  - VFW Auxiliary Post 3402 \$300

**NOW THEREFORE, BE IT RESOLVED THAT:**

The Town Council of the Town of Franklin on behalf of the Conservation Commission and Veterans’ Services Department gratefully accepts these generous donations to be used at the discretion of the Conservation Commission and Veterans’ Services Department as described above.

This resolution shall become effective according to the provisions of the Town of Franklin Home Rule Charter.

**DATED:** \_\_\_\_\_, 2022

**VOTED:** \_\_\_\_\_

**UNANIMOUS:** \_\_\_\_\_

**A TRUE RECORD ATTEST:**

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_ **ABSENT:** \_\_\_\_\_

**RECUSED:** \_\_\_\_\_

\_\_\_\_\_  
**Nancy Danello, CMC**  
Town Clerk

\_\_\_\_\_  
**Glenn Jones, Clerk**  
Franklin Town Council