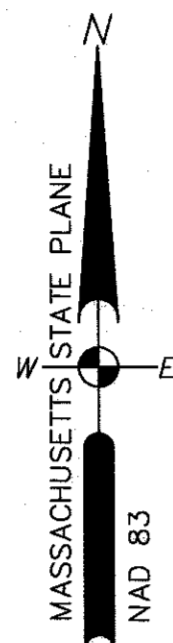


VICINITY MAP

1"=800'



"I, NANCY DANIELLO, ACTING CLERK OF THE TOWN OF FRANKLIN, RECEIVED AND RECORDED FROM THE PLANNING BOARD COVENANT APPROVAL OF THIS PLAN ON _____ AND NO APPEAL WAS TAKEN FOR TWENTY DAYS NEXT AFTER RECEIPT AND RECORDING OF SAME."

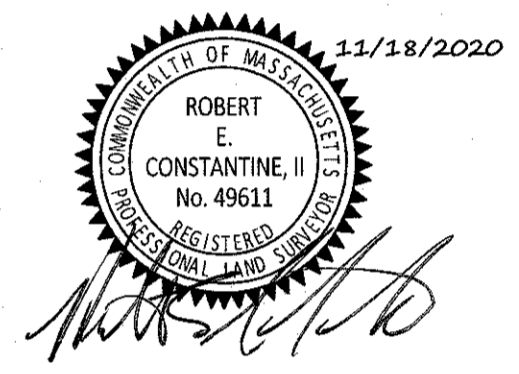
ACTING TOWN CLERK _____ DATE _____

JOB NO. **F3821**

APPROVED DATE:
FRANKLIN PLANNING BOARD

DATE: _____
BEING A MAJORITY

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS.



PROFESSIONAL LAND SURVEYOR

OWNER:

JOEL D'ERRICO
72 DEERVIEW WAY
FRANKLIN, MA. 02038
MAP 324 LOT 003
DEED BK 10963 PG. 001

APPLICANT:

JUSTIN & KATHLEEN RUEL
6 COUNTRYSIDE LANE
FRANKLIN, MA.

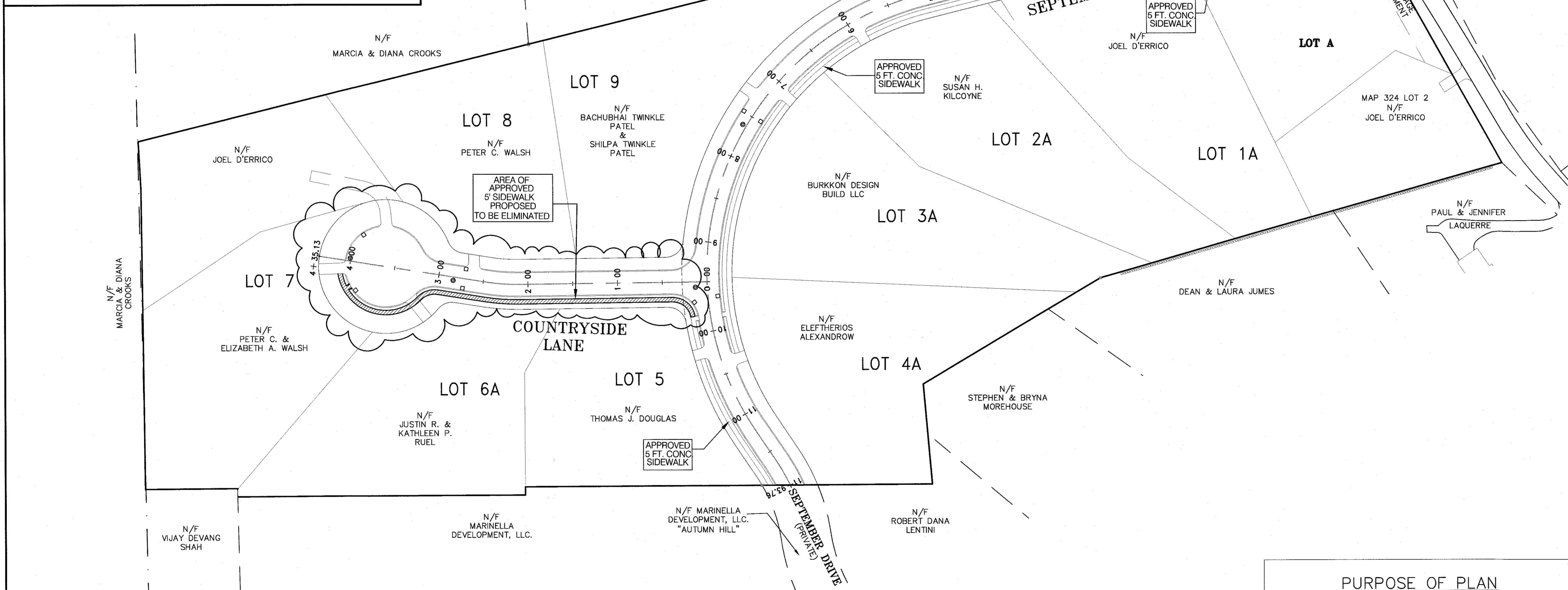
REVISIONS

DATE	REVISED

Guerriere & Halnon, Inc.
Engineering & Land Surveying
Ph. (508) 528-3221 55 WEST CENTRAL STREET
Fx. (508) 528-7921 FRANKLIN, MA 02038
www.guerriereandhalnon.com

SUBDIVISION MODIFICATION FOR COUNTRYSIDE ESTATES FRANKLIN MASSACHUSETTS

DATE: **NOVEMBER 17, 2020** SCALE: **1"=60'**
SHEET: **1 OF 1** JOB NO. **F3821**

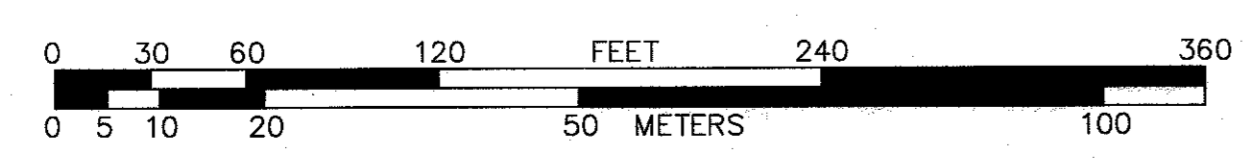


PURPOSE OF PLAN
TO DEPICT THE ELIMINATION OF THE APPROVED SIDEWALK ON COUNTRYSIDE LANE.

- NOTES:
- SEE PLAN ENTITLED "COUNTRYSIDE ESTATES A DEFINITIVE SUBDIVISION PLAN PREPARED FOR JOEL D'ERRICO IN FRANKLIN MASSACHUSETTS" DATED SEPT. 16, 2003 REVISED TO 10/10/2003 FILED WITH THE NORFOLK REGISTRY OF DEEDS IN PLAN BOOK 521 PAGE 67 & 68.
 - SEE PLAN APPROVED BY THE FRANKLIN PLANNING BOARD ENTITLED 'SUBDIVISION MODIFICATION FOR CURBING FOR COUNTRYSIDE ESTATES FRANKLIN, MASSACHUSETTS DATED MAY 15, 2014

UTILITIES ARE NOT SHOWN ON THIS PLAN. THIS IS NOT TO BE CONSTRUED TO MEAN THERE ARE NO UTILITIES ON SITE. CONTRACTORS (IN ACCORDANCE WITH MASS.G.L. CHAPTER 82 SECTION 40 AS AMENDED) MUST CONTACT ALL UTILITY COMPANIES BEFORE EXCAVATING AND DRILLING AND CALL DIGSAFE (888) 486-7233.

CONSTRUCTION ON THIS LAND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, RESERVATIONS, OR OTHER LIMITATIONS WHICH MAY BE REVEALED BY AN EXAMINATION OF THE TITLE.



FORM C-1
APPLICATION FOR APPROVAL OF MODIFICATION PLAN

To the Planning Board of Franklin:

The undersigned, herewith, submits the accompanying modification of a Definitive subdivision entitled: "Subdivision Modification for Countryside Estates" for approval under the requirements of the Subdivision Control Law and your rules and regulations covering the subdivision of land.

1. Name of Applicant: Justin and Kathleen Ruel
Address of Applicant: 6 Countryside Lane Franklin, MA.
Phone No.: 508-409-9073 Email: jruel@berthelicepartners.com

2. Name of Owner (if not the Applicant): Joel D'Errico
Address of Owner: 72 Deerview Way Franklin, MA. 02038
Phone No.: 508-439-0022 Email: joelwderrico@gmail.com

3. Name of Engineer: Guerriere & Halnon, Inc.
Address of Engineer: 55 West Central St. Franklin, MA.
Phone No.: 508-528-3221 Email: acavaliere@gandhengineering.com

4. Deed reference at Norfolk Registry of Deeds: Book 10963,
Page 001 (or Certificate of Title No.: _____)

5. Location and Description of Property: To remove remaining sidewalk on the
the southside of Countryside Lane (Assessor's Map & Lot: Map 324 Lot 001, 002, 003)

6. No. of Lots: N/A

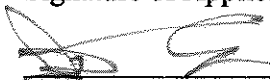
7. Purpose for modifying the definitive plan: _____
The residents are requesting to remove remaining sidewalk on the southside on Countryside Lane.



Signature of Applicant

Justin Ruel

Print Name of Applicant



Signature of Owner

Joel D'Errico

Print Name of Owner

An Assessor's certified list of all abutters within 300 feet of this subdivision is attached.

CERTIFICATE OF OWNERSHIP

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

SECTION A:

Title of Plan: Subdivision Modification for Countryside Estates

Date of Plan: November 2, 2020 Assessor's Information: Map 324 Lot 001, 002, 003

Prepared by: Guerriere & Halnon, Inc.

Type of Plan: 81-P; Prelim.; ^{Modification} Def.; Site Plan

SECTION B:

Name of Record Owner(s): Joel D'Errico

Address of Record Owner(s): 72 Deerview Way

Franklin, MA

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


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

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

Executed as a sealed instrument this _____ day of _____ 20____


Signature of Applicant

Justin Ruel
Print name of Applicant


Signature of Owner

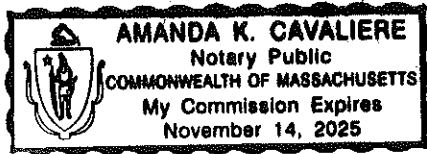
Joel D'Errico
Print name of Owner

COMMONWEALTH OF MASSACHUSETTS

Norfolk ss.

2020

On this 13th day of November 2020, before me, the undersigned notary public, personally appeared Justin Puel (name of Applicant), proved to me through satisfactory evidence of identification, which were MA License to be the person whose name is signed on the preceding document in my presence.



Amanda K. Cavaliere
(Official signature and seal of notary)

Notary Public:

My Commission Expires: Nov. 14, 2025

Executed as a sealed instrument this

day of 20

Justin Ruel

Signature of Applicant

Justin Ruel

Print name of Applicant

Joel D'Errico

Signature of Owner

Joel D'Errico

Print name of Owner

COMMONWEALTH OF MASSACHUSETTS

Norfolk ss.

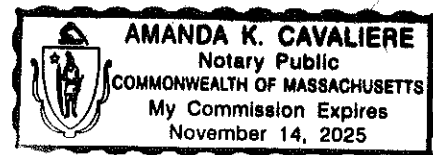
2020

On this 13th day of November 2020, before me, the undersigned notary public, personally appeared Joel D'Errico (name of owner), proved to me through satisfactory evidence of identification, which were MA License to be the person whose name is signed on the preceding document in my presence.

Amanda K. Cavaliere
(Official signature and seal of notary)

Notary Public:

My Commission Expires: Nov. 14, 2025



ROADWAY
JOEL D'ERRICO

Town of Franklin – Board of Assessors

355 East Central St
Franklin, MA 02038
Tel # 508-520-4920
Fax # 508-520-4923

Abutters List Request Form

Please Note: A \$25.00 fee per list is required to process your request. Payment is due at the time of submission of this form. Please allow 10 days from the date of both payment and submission of the form for the Assessors office to complete processing your request. (Revised 1-1-17)

Date of Request 11 / 6 / 20

Assessors Parcel ID # (12 digits) 324-003-000-000

VARIOUS

Property Street Address SEPTEMBER DR. COUNTRYSIDE LANE

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

Property Owner JOEL D'ERRICO ROADWAY

Property Owner's Mailing Address 72 DEER VIEW WAY

Town/City _____ State _____ Zip Code _____

Property Owner's Telephone # 508-439-0022

Pick up at
drive-up
window.

Requestor's Name (if different from Owner) _____

Requestor's Address _____

Requestor's Telephone # _____ - _____ - _____

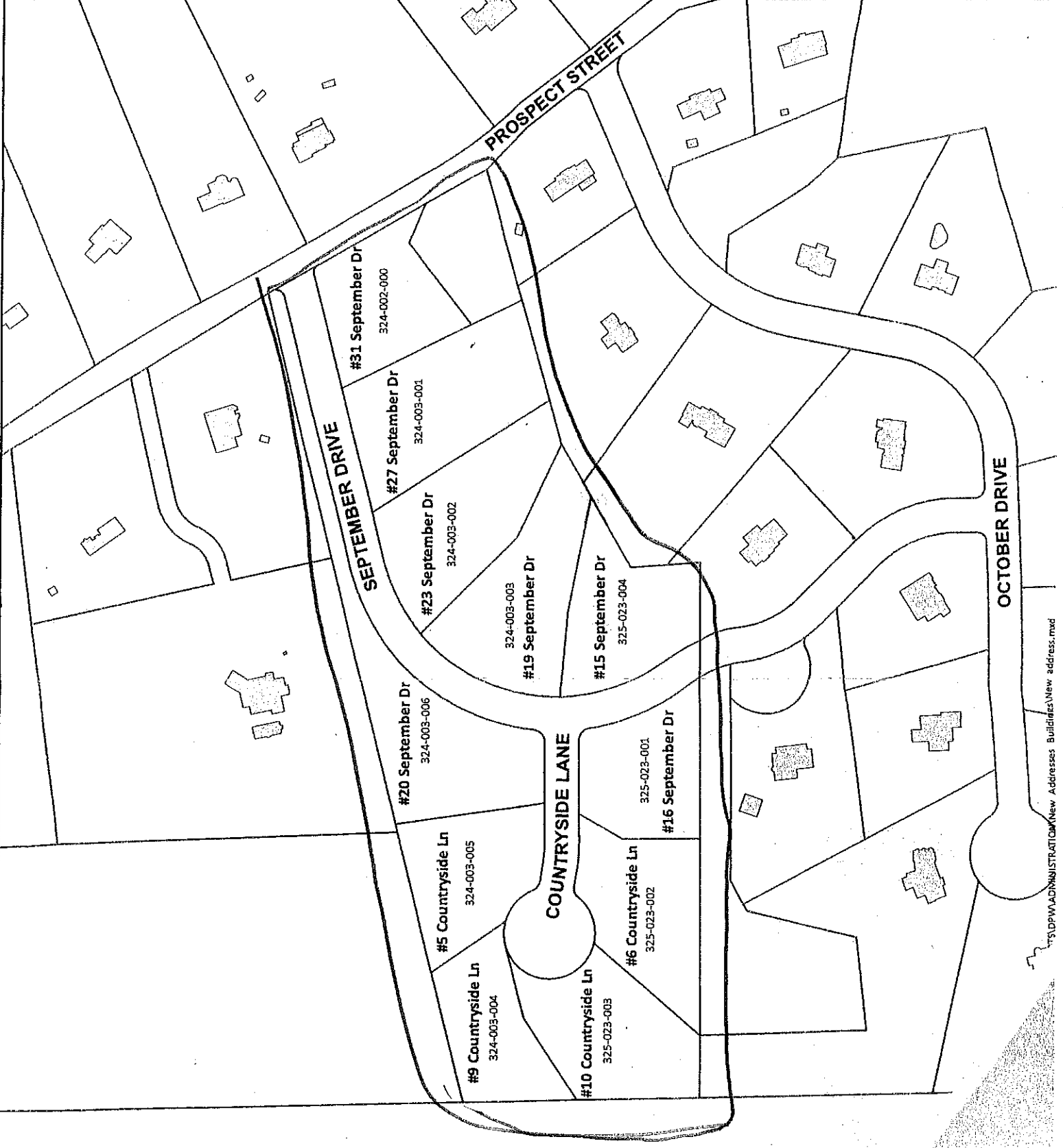
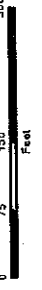
Office Use Only: Date Fee Paid ___ / ___ / ___ Paid in Cash \$ _____

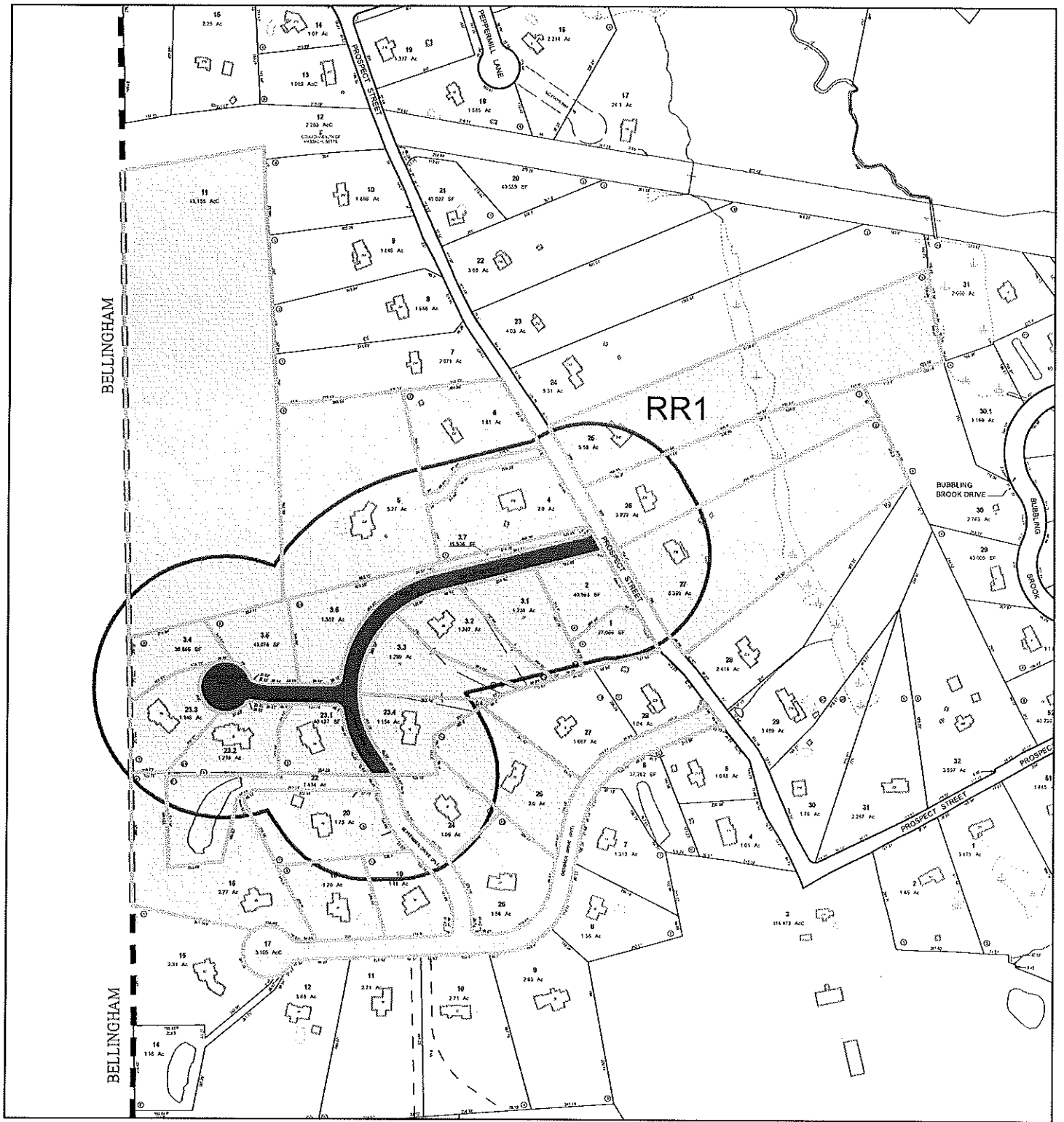
Paid by Check \$ _____ Check # _____ Town Receipt # _____



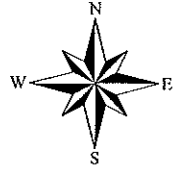
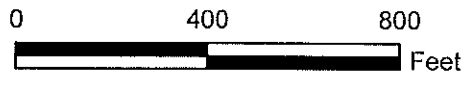
Building
Parcel Line

Date
11/12/2014





COUNTRYSIDE & PART OF SEPTEMBER ROADWAY [324-003] - 300' ABUTTERS
 Town of Franklin



11/17/2020

300' Abutters List Report

Franklin, MA
November 17, 2020

Subject Parcel:

Parcel Number: 324-003-000
CAMA Number: 324-003-000-000
Property Address: COUNTRYSIDE LN

Mailing Address: DERRICO JOEL
72 DEERVIEW WAY
FRANKLIN, MA 02038

Abutters:

Parcel Number: 324-001-000
CAMA Number: 324-001-000-000
Property Address: PROSPECT ST

Mailing Address: DERRICO JOEL
72 DEERVIEW WAY
FRANKLIN, MA 02038

Parcel Number: 324-002-000
CAMA Number: 324-002-000-000
Property Address: 31 SEPTEMBER DR

Mailing Address: MAIZELS MICHAEL MAIZELS, ELIZABETH
MAIZELS, EV
31 SEPTEMBER DR
FRANKLIN, MA 02038

Parcel Number: 324-003-000
CAMA Number: 324-003-000-000
Property Address: COUNTRYSIDE LN

Mailing Address: DERRICO JOEL
72 DEERVIEW WAY
FRANKLIN, MA 02038

Parcel Number: 324-003-001
CAMA Number: 324-003-001-000
Property Address: 27 SEPTEMBER DR

Mailing Address: DERRICO JOEL
72 DEERVIEW WAY
FRANKLIN, MA 02038

Parcel Number: 324-003-002
CAMA Number: 324-003-002-000
Property Address: 23 SEPTEMBER DR

Mailing Address: KILCOYNE SUSAN H KILCOYNE JOHN J
23 SEPTEMBER DR
FRANKLIN, MA 02038

Parcel Number: 324-003-003
CAMA Number: 324-003-003-000
Property Address: 19 SEPTEMBER DR

Mailing Address: BURKKON DESIGN/BUILD LLC
842 UPPER UNION - ST SUITE 1B
FRANKLIN, MA 02038

Parcel Number: 324-003-004
CAMA Number: 324-003-004-000
Property Address: COUNTRYSIDE LN

Mailing Address: DERRICO JOEL
72 DEERVIEW WAY
FRANKLIN, MA 02038

Parcel Number: 324-003-005
CAMA Number: 324-003-005-000
Property Address: 5 COUNTRYSIDE LN

Mailing Address: WALSH PETER C WALSH ELIZABETH A
10 COUNTRYSIDE LN
FRANKLIN, MA 02038

Parcel Number: 324-003-006
CAMA Number: 324-003-006-000
Property Address: 20 SEPTEMBER DR

Mailing Address: PATEL TWINKLE BACHUBHAI PATEL
SHILPA TWINKLE
20 SEPTEMBER DR
FRANKLIN, MA 02038

Parcel Number: 324-003-007
CAMA Number: 324-003-007-000
Property Address: SEPTEMBER DR

Mailing Address: BURKKON DESIGNH/BUILD LLC
842 UPPER UNION ST SUITE 1B
FRANKLIN, MA 02038

www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

300' Abutters List Report

Franklin, MA
November 17, 2020

Parcel Number: 324-004-000 CAMA Number: 324-004-000-000 Property Address: 235 PROSPECT ST	Mailing Address: KELLEHER KATHRYN W 235 PROSPECT ST FRANKLIN, MA 02038
Parcel Number: 324-005-000 CAMA Number: 324-005-000-000 Property Address: 237 PROSPECT ST	Mailing Address: MORGAN BARRY A MORGAN TERRI L 1814 BINZ ST UNIT A HOUSTON, TX 77004
Parcel Number: 324-006-000 CAMA Number: 324-006-000-000 Property Address: 241 PROSPECT ST	Mailing Address: ZANETTI MARY ANN C/O MARY ANN LAKY 241 PROSPECT ST FRANKLIN, MA 02038
Parcel Number: 324-011-000 CAMA Number: 324-011-000-000 Property Address: PROSPECT ST	Mailing Address: CROOKS MARCIA A & DIANA C C/O JANET HENDRICKSON 37 SEAGULL LN WEST DENNIS, MA 02670-2422
Parcel Number: 324-025-000 CAMA Number: 324-025-000-000 Property Address: 240 PROSPECT ST	Mailing Address: GILLIS SUSAN L GILLIS PATRICK J 240 PROSPECT ST FRANKLIN, MA 02038
Parcel Number: 324-026-000 CAMA Number: 324-026-000-000 Property Address: 236 PROSPECT ST	Mailing Address: COTTLE WAYNE A & MARIA T TRS COTTLE FAMILY REVOCABLE TRUST 236 PROSPECT ST FRANKLIN, MA 02038
Parcel Number: 324-027-000 CAMA Number: 324-027-000-000 Property Address: 230 PROSPECT ST	Mailing Address: VISCONTI ANTHONY P GERMANO DEBORA 230 PROSPECT ST FRANKLIN, MA 02038
Parcel Number: 325-016-000 CAMA Number: 325-016-000-000 Property Address: 45 OCTOBER DR	Mailing Address: SHAH DEVANG VIJAY SHAH KATHI ANN 45 OCTOBER DR FRANKLIN, MA 02038
Parcel Number: 325-017-000 CAMA Number: 325-017-000-000 Property Address: OCTOBER DR	Mailing Address: LEWIS STREET REALTY LLC P. O. BOX 411 FRANKLIN, MA 02038
Parcel Number: 325-018-000 CAMA Number: 325-018-000-000 Property Address: 41 OCTOBER DR	Mailing Address: WENDELL JOHN MCBRIDE-WENDELL AMY 41 OCTOBER DRIVE FRANKLIN, MA 02038
Parcel Number: 325-019-000 CAMA Number: 325-019-000-000 Property Address: 35 OCTOBER DR	Mailing Address: FITZGERALD JOHN J FITZGERALD PATRICIA E 35 OCTOBER DRIVE FRANKLIN, MA 02038
Parcel Number: 325-020-000 CAMA Number: 325-020-000-000 Property Address: 10 SEPTEMBER DR	Mailing Address: BROOK, DANIELLE L MCSWEENEY, J BROOK, LAURA L 10 SEPTEMBER DR FRANKLIN, MA 02038

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300' Abutters List Report

Franklin, MA
November 17, 2020

Parcel Number: 325-022-000
CAMA Number: 325-022-000-000
Property Address: 22 SEPTEMBER DR

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

Parcel Number: 325-023-001
CAMA Number: 325-023-001-000
Property Address: 16 SEPTEMBER DR

Mailing Address: THOMAS J DOUGLAS THOMAS JANICE R
16 SEPTEMBER DR
FRANKLIN, MA 02038

Parcel Number: 325-023-002
CAMA Number: 325-023-002-000
Property Address: 6 COUNTRYSIDE LN

Mailing Address: RUEL JUSTIN R RUEL KATHLEEN P
6 COUNTRYSIDE LN
FRANKLIN, MA 02038

Parcel Number: 325-023-003
CAMA Number: 325-023-003-000
Property Address: 10 COUNTRYSIDE LN

Mailing Address: WALSH PETER C WALSH ELIZABETH A
10 COUNTRYSIDE LN
FRANKLIN, MA 02038

Parcel Number: 325-023-004
CAMA Number: 325-023-004-000
Property Address: 15 SEPTEMBER DR

Mailing Address: ALEXANDROU ELEFThERIOS
KONTARATOU KALLIOPI
15 SEPTEMBER DR
FRANKLIN, MA 02038

Parcel Number: 325-024-000
CAMA Number: 325-024-000-000
Property Address: 9 SEPTEMBER DR

Mailing Address: LENTINI DANA ROBERT LENTINI ERICA
9 SEPTEMBER DR
FRANKLIN, MA 02038

Parcel Number: 325-025-000
CAMA Number: 325-025-000-000
Property Address: 23 OCTOBER DR

Mailing Address: CASWELL KENNETH A JR CASWELL
OLYMPIA P
23 OCTOBER DR
FRANKLIN, MA 02038

Parcel Number: 325-026-000
CAMA Number: 325-026-000-000
Property Address: 15 OCTOBER DR

Mailing Address: MOREHOUSE STEPHEN P MOREHOUSE
BRYNA P
15 OCTOBER DRIVE
FRANKLIN, MA 02038

Dorinda M. Doyle, 11-17-2020

www.cai-tech.com

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DERRICO JOEL
72 DEERVIEW WAY
FRANKLIN, MA 02038

CROOKS MARCIA A & DIANA C
C/O JANET HENDRICKSON
37 SEAGULL LN
WEST DENNIS, MA 02670-2422

THOMAS J DOUGLAS
THOMAS JANICE R
16 SEPTEMBER DR
FRANKLIN, MA 02038

MAIZELS MICHAEL
MAIZELS, ELIZABETH MAIZEL
31 SEPTEMBER DR
FRANKLIN, MA 02038

GILLIS SUSAN L
GILLIS PATRICK J
240 PROSPECT ST
FRANKLIN, MA 02038

RUEL JUSTIN R
RUEL KATHLEEN P
6 COUNTRYSIDE LN
FRANKLIN, MA 02038

KILCOYNE SUSAN H
KILCOYNE JOHN J
23 SEPTEMBER DR
FRANKLIN, MA 02038

COTTLE WAYNE A & MARIA T
COTTLE FAMILY REVOCABLE T
236 PROSPECT ST
FRANKLIN, MA 02038

ALEXANDROU ELEFThERIOS
KONTARATOU KALLIOPI
15 SEPTEMBER DR
FRANKLIN, MA 02038

BURKKON DESIGN/BUILD LLC
842 UPPER UNION - ST SUITE 1B
FRANKLIN, MA 02038

VISCONTI ANTHONY P
GERMANO DEBORA
230 PROSPECT ST
FRANKLIN, MA 02038

LENTINI DANA ROBERT
LENTINI ERICA
9 SEPTEMBER DR
FRANKLIN, MA 02038

WALSH PETER C
WALSH ELIZABETH A
10 COUNTRYSIDE LN
FRANKLIN, MA 02038

SHAH DEVANG VIJAY
SHAH KATHI ANN
45 OCTOBER DR
FRANKLIN, MA 02038

CASWELL KENNETH A JR
CASWELL OLYMPIA P
23 OCTOBER DR
FRANKLIN, MA 02038

PATEL TWINKLE BACHUBHAI
PATEL SHILPA TWINKLE
20 SEPTEMBER DR
FRANKLIN, MA 02038

LEWIS STREET REALTY LLC
P. O. BOX 411
FRANKLIN, MA 02038

MOREHOUSE STEPHEN P
MOREHOUSE BRYNA P
15 OCTOBER DRIVE
FRANKLIN, MA 02038

BURKKON DESIGN/BUILD LLC
842 UPPER UNION ST SUITE 1B
FRANKLIN, MA 02038

WENDELL JOHN
MCBRIDE-WENDELL AMY
41 OCTOBER DRIVE
FRANKLIN, MA 02038

KELLEHER KATHRYN W
235 PROSPECT ST
FRANKLIN, MA 02038

FITZGERALD JOHN J
FITZGERALD PATRICIA E
35 OCTOBER DRIVE
FRANKLIN, MA 02038

MORGAN BARRY A
MORGAN TERRI L
1814 BINZ ST UNIT A
HOUSTON, TX 77004

BROOK, DANIELLE L MCSWEEN
BROOK, LAURA L
10 SEPTEMBER DR
FRANKLIN, MA 02038

ZANETTI MARY ANN
C/O MARY ANN LAKY
241 PROSPECT ST
FRANKLIN, MA 02038

MARINELLA DEVELOPMENT LLC
P O BOX 411
FRANKLIN, MA 02038

Fact Sheet

- My wife Kathleen and I purchased our land, presently referred to as 6 Countryside Lane, from Joel D'Errico on June 7, 2015. For reference, Countryside Lane is a fully developed cul-de-sac supporting three private residences.
- Prior to September 22, 2016, given the early development of the street at that time, we came to agreement with Mr. D'Errico to relocate the proposed sidewalk to the undeveloped, northerly, side of the street (the side opposite our property). We understand that Mr. D'Errico discussed this matter with Michael Maglio, Town Engineer, who agreed that this could be accomplished. Following Mr. D'Errico's conversation with Mr Maglio we received an email communication dated September 22, 2016 from Mr. D'Errico indicating, in no uncertain terms, that the sidewalk will be moved to the northerly side of the street - **Attachment A**.
- The agreement to re-position the sidewalk to the northerly side of the street was intentional to minimize the septic slope resulting in our front lawn as it approached the street. We were informed, at the time, that a retaining wall may be required if a sidewalk were to be installed on our side of the street to maintain the current aesthetics and avoid a significant drop from the edge of the septic system to the proposed sidewalk.
- Upon relying on Mr. D'Errico's representation that the sidewalk would be moved to the northerly side of the street, we commissioned excavation to minimize the septic slope and incurred considerable cost to better our property in the affected area, including irrigation and landscaping.
- On September 23, 2020, approximately four years following our agreement, we received a letter from Mr. D'Errico informing us that the proposed sidewalk will be installed on our side (the southerly side) of the street - **Attachment B**. Prior to this time, we had no indication that our arrangement with Mr. D'Errico would not be honored, nor were we aware that the formal steps required to modify the plans to conform with our agreement had not been taken.
- Following receipt of Mr. D'Errico's letter, we contacted Mr. Maglio who recalled the conversation of 2016 with Mr. D'Errico and reiterated the possibility of either moving the sidewalk, as originally agreed, or eliminating the sidewalk entirely from the plans.
- In discussing this matter with our immediate neighbors Mr. and Mrs. Walsh and Mr. and Mrs. Thomas, each of whom is impacted by the matter, we unanimously agreed that no party in our neighborhood desires the proposed sidewalk. Following this determination, we communicated with the Planning Board on October 6, 2020 requesting a waiver to eliminate the proposed sidewalk – **Attachment C**.
- Consistent with Mr. Maglio's indication, we have recently noted several streets in Franklin that do not have a sidewalk, leading us to believe that our request is not precedent setting.
- Due to this series of events noted above, requiring the installment of the proposed sidewalk, at this point in time, after property improvements have been made, will cause the existing homeowners to incur significant cost.
- We respectfully request the Planning Board honor our, and our neighbors, collective desire to eliminate the proposed sidewalk on Countryside Lane.

Justin Ruel

From: Joel D'Errico <joelwderrico@gmail.com>
Sent: Thursday, September 22, 2016 5:40 PM
To: Justin Ruel
Subject: Sidewalk Countryside Lane

Follow Up Flag: Follow up
Flag Status: Flagged

Justin-

Mike Maglio stated this is reasonable to achieve due to the conditions
from today's inspection...

Based on this moving the sidewalk to the northerly side will
be done..I'll tell Billy Canesi friday

Joel D

Mr and Mrs Justin and Kate Ruel
6 Countryside Lane
Franklin Ma 02038

September 23,2020

Countryside Lane Completion

Good Day Kate and Justin ,

I certainly hope all is well with you, your family and your business as it has been a while since we have conversed . As you can see construction of Chris and Beth Walsh's home is progressing nicely . We expect that the outside site work to be completed very soon. The home certainly highly compliments yours and the others at Countryside.

There will be another sale on lot 3 \$1.2 m and another on lot 1 so it now seems. Countryside is a 1 m plus neighborhood now in Franklin. It took a while but I can tell you the best things in life come slowly. Recently Gus Brown , Franklin Building Commissioner, gave his annual report to the Town Council and highlighted slides of the neighborhood in his report...

Your home is my favorite with style and color of stucco. I do recall the WSJ article a couple years ago of your pool area.. pretty neat!

Very soon I will be commencing curbing and sidewalk installation and trees all per Franklin Planning Board subdivision regulations per definitive vote. A recent determination has been made based on the Definite Vote of Countryside Estates Plan that the sidewalk shall remain on the southerly side of Countryside Lane.

The back of sidewalk will be 9' in from the top of the granite on my property. As you may recall I own 28' inward from the center of the roadway. I actually build the infrastructure for the Town of Franklin as it will be taken by them upon completion. I work for them and the cash bond that has been placed is to insure the roadway gets completed should something happen to me.

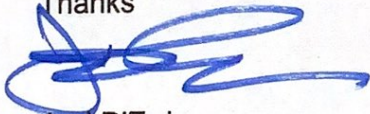
Kate and Justin Ruel page 2

As we progress towards Chris Walsh's existing home there is an increase in grade on the right corner of your lot where you have a planting. Parts of that planting is on my property which is not objected to by me, but the Town is the ultimate owner. Portions shall have to be moved up slightly. I will provide you with up to 2 pallets of Connecticut Flat stone as I used at the entrance area for your landscaper. It will be a compliment.

Also in the Town's subdivision regulations are shade tree plantings i.e. varieties of maples of a certain caliber.. I am happy to visit with you this weekend as this work will commence momentarily as I want to pave the top coat by the end of november.

I can see you this weekend or any night after work .

Thanks



Joel D'Errico
508-439-0022

October 6, 2020

Planning and Community Development
Town of Franklin
355 East Central Street
Franklin, MA 02038

Dear Planning and Community Development Board Members,

On behalf of myself and my immediate neighbors, Mr. and Mrs. Peter C. Walsh of 10 Countryside Lane and Mr. and Mrs. Douglas Thomas of 16 September Drive, we respectfully request to be added to the General Business portion of the Board's next meeting with regards to a proposed sidewalk on Countryside Lane.

As the undersigned represent the only properties impacted by the proposed sidewalk, it is our request of the Board to waive the requirement of the proposed sidewalk on our cul-de-sac. The current configuration of our properties would result in significant disruption to developed land and existing septic slopes, potentially resulting in the need for costly, and unwanted, retaining walls to facilitate the proposed sidewalk.

We would welcome the opportunity to both discuss this matter with the Board as a matter of General Business during the next available Board meeting and host the Board for on-site inspection of the matter at the Board's convenience.

Please feel free to contact me with any questions at 508.409.9093

Regards,

Justin Ruel
6 Countryside Lane

Undersigned:

Peter C. Walsh

Douglas Thomas



TOWN OF FRANKLIN

DEPARTMENT OF PUBLIC WORKS

Franklin Municipal Building
257 Fisher Street
Franklin, MA 02038-3026

December 7, 2020

Mr. Anthony Padula, Chairman
Members of the Franklin Planning Board
355 East Central Street
Franklin, MA 02038

RE: Subdivision Modification Review – Countryside Estates

Dear Mr. Chairman and Members:

We have reviewed the submitted materials for the subject project and we do not have any issue with the elimination of the sidewalk as proposed. We defer to the Board's judgement on this matter.

If the proposed sidewalk is eliminated, we suggest the Board consider requiring the developer to donate the cost savings to the Town for sidewalk construction elsewhere in Town.

Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

Michael Maglio, P.E.
Town Engineer



FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

355 EAST CENTRAL STREET, ROOM 120
FRANKLIN, MA 02038-1352
TELEPHONE: 508-520-4907
FAX: 508-520-4906

MEMORANDUM

DATE: December 17, 2020
TO: Franklin Planning Board
FROM: Department of Planning and Community Development
RE: Countryside Estates
Definitive Subdivision Modification

The DPCD has conducted a review for the above referenced Definitive Subdivision Modification Application for the Monday, December 21, 2020 Planning Board meeting and offers the following commentary:

General:

1. The applicant has submitted a Modification to Countryside Estates. The Modification is requesting to eliminate the sidewalk on Countryside Lane.
2. Letters have been received from Mike Maglio, Town Engineer, and Joe Barbrieri, Deputy Fire Chief. BETA was not asked to review the plans.
3. Applicant still owes DPCD \$291.06 for the legal ad and abutters mailing.
4. Planning Board should take a roll call upon making a decision.



FRANKLIN FIRE DEPARTMENT

To : DPCD

FROM : J. S. BARBIERI, DEPUTY FIRE CHIEF

DATE : 7 DECEMBER 2020

RE : SUBDIVISION MODIFICATION-COUNTRYSIDE ESTATES

Thank you for the opportunity to review the above referenced plan.

We have no comments at this time. Please contact me should you have any question or require any additional information.

cc: file

Town of Franklin



Planning Board

The following notice will be published in the Milford Daily Newspaper once on Monday, December 7, 2020 and again on December 14, 2020

FRANKLIN PLANNING BOARD PUBLIC HEARING NOTICE

In accordance with the Town of Franklin Zoning By-Laws, the Franklin Planning Board will hold a Remote public hearing on **Monday, December 21, 2020 at 7:20 PM**, for a Modification to Definitive Subdivision Plan application titled “Countryside Estates” prepared by Guerriere & Halnon, Inc., dated November 17, 2020 and submitted to the Department of Planning & Community Development on November 23, 2020, by Justin and Kathleen Ruel, 6 Countryside Lane, Franklin, MA.

The applicant is requesting that the sidewalk be removed from the approved plans.

The hearing will provide an open forum for the discussion. This meeting will be done remotely via the “ZOOM” platform. Residents can visit the Town Website (Franklinma.gov) and click on the Town Calendar for up to date information on how to access the meeting

Please note: This will be your only written notice of this public hearing. All future Public Hearings on this matter, will be posted on the Planning Board’s website under Agendas.

Please contact the Department of Planning & Community Development at (508) 520-4907 if you require further information or if you need to make arrangements to provide translation services for the hearing impaired, or for persons with language barriers.

To access records and files for this project, please email alove@franklinma.gov.

Anthony Padula, Chairman

DERRICO JOEL
72 DEERVIEW WAY
FRANKLIN, MA 02038

CROOKS MARCIA A & DIANA C
C/O JANET HENDRICKSON
37 SEAGULL LN
WEST DENNIS, MA 02670-2422

THOMAS J DOUGLAS
THOMAS JANICE R
16 SEPTEMBER DR
FRANKLIN, MA 02038

MAIZELS MICHAEL
MAIZELS, ELIZABETH MAIZEL
31 SEPTEMBER DR
FRANKLIN, MA 02038

GILLIS SUSAN L
GILLIS PATRICK J
240 PROSPECT ST
FRANKLIN, MA 02038

RUEL JUSTIN R
RUEL KATHLEEN P
6 COUNTRYSIDE LN
FRANKLIN, MA 02038

KILCOYNE SUSAN H
KILCOYNE JOHN J
23 SEPTEMBER DR
FRANKLIN, MA 02038

COTTLE WAYNE A & MARIA T
COTTLE FAMILY REVOCABLE T
236 PROSPECT ST
FRANKLIN, MA 02038

ALEXANDROU ELEFThERIOS
KONTARATOU KALLIOPI
15 SEPTEMBER DR
FRANKLIN, MA 02038

BURKKON DESIGN/BUILD LLC
842 UPPER UNION - ST SUITE 1B
FRANKLIN, MA 02038

VISCONTI ANTHONY P
GERMANO DEBORA
230 PROSPECT ST
FRANKLIN, MA 02038

LENTINI DANA ROBERT
LENTINI ERICA
9 SEPTEMBER DR
FRANKLIN, MA 02038

WALSH PETER C
WALSH ELIZABETH A
10 COUNTRYSIDE LN
FRANKLIN, MA 02038

SHAH DEVANG VIJAY
SHAH KATHI ANN
45 OCTOBER DR
FRANKLIN, MA 02038

CASWELL KENNETH A JR
CASWELL OLYMPIA P
23 OCTOBER DR
FRANKLIN, MA 02038

PATEL TWINKLE BACHUBHAI
PATEL SHILPA TWINKLE
20 SEPTEMBER DR
FRANKLIN, MA 02038

LEWIS STREET REALTY LLC
P. O. BOX 411
FRANKLIN, MA 02038

MOREHOUSE STEPHEN P
MOREHOUSE BRYNA P
15 OCTOBER DRIVE
FRANKLIN, MA 02038

BURKKON DESIGHN/BUILD LLC
842 UPPER UNION ST SUITE 1B
FRANKLIN, MA 02038

WENDELL JOHN
MCBRIDE-WENDELL AMY
41 OCTOBER DRIVE
FRANKLIN, MA 02038

KELLEHER KATHRYN W
235 PROSPECT ST
FRANKLIN, MA 02038

FITZGERALD JOHN J
FITZGERALD PATRICIA E
35 OCTOBER DRIVE
FRANKLIN, MA 02038

MORGAN BARRY A
MORGAN TERRI L
1814 BINZ ST UNIT A
HOUSTON, TX 77004

BROOK, DANIELLE L MCSWEEN
BROOK, LAURA L
10 SEPTEMBER DR
FRANKLIN, MA 02038

ZANETTI MARY ANN
C/O MARY ANN LAKY
241 PROSPECT ST
FRANKLIN, MA 02038

MARINELLA DEVELOPMENT LLC
P O BOX 411
FRANKLIN, MA 02038