

# Town of Franklin

355 East Central Street  
Franklin, Massachusetts 02038-1352



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

## DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

### MEMORANDUM

**DATE:** November 29, 2023  
**TO:** Franklin Planning Board  
**FROM:** Department of Planning and Community Development  
**RE:** 81-P ANR – 9 & 29 Lewis St

---

#### General

1. The applicant has submitted a Form A application for 81-P Plan Review to accompany the plan of land for 9 & 29 Lewis Street dated November 17, 2023 and submitted to DPCD on November 20, 2023.
2. Parcels located in the Commercial I Zoning District.
3. The applicant at 9 Lewis Street is acquiring Parcel A on the Plan of Land from the applicant at 29 Lewis Street.

#### ANR Summary

- Applicants meets all requirements for an 81-P Approval not required.

PLANNING BOARD  
FRANKLIN, MASSACHUSETTS

FORM A

TOWN OF FRANKLIN  
TOWN CLERK

APPLICATION FOR ENDORSEMENT OF PLAN BELIEVED  
NOT TO REQUIRE APPROVAL (81-p)

2023 NOV 20 A 9:24

Day 17<sup>th</sup>, 20 23

RECEIVED

To the Planning Board of the Town of Franklin, Massachusetts:

The undersigned, believing that the accompanying plan of land in the Town of Franklin does not constitute a subdivision within the meaning of the Subdivision Control Law, for the reason outlined below, herewith submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

1. Name of Applicant: Saniyyah Crossing LLC Owner/Applicant 9 Lewis Street  
Address of Applicant: 95 East Main Street, Suite 100, Westborough, MA 01581  
Phone No.: 508-962-1928 Email: mirajahmed@yahoo.com
2. Name of Owner (if not the Applicant): Thomas H. Marchand Owner 29 Lewis Street  
Address of Owner: 29 Lewis Street, Franklin, MA 02038  
Phone No.: \_\_\_\_\_ Email: \_\_\_\_\_
3. Name of Engineer: Guerriere & Halnon, Inc.
4. Deed of Property recorded in Norfolk with Norfolk Registry, Book 41292 Page 298
5. Location and Description of Property: 9 Lewis Street
6. Assessor's Map & Lot: 285-066-000-000
7. Reasons approval is not required (check as applicable):
  - a) Every lot shown has the area and frontage required by the Zoning By-Law on a way as defined by the Subdivision Regulations \_\_\_\_\_
  - b) a public way or way which the Town Clerk certifies is maintained and used as a public way, namely Lewis Street, or
  - c) a way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law, namely \_\_\_\_\_ on \_\_\_\_\_, and subject to the following conditions \_\_\_\_\_; or
  - d) a private way in existence on March 12, 1954, the date when the subdivision control law became effective in the Town of Franklin having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon, namely \_\_\_\_\_.
  - e) Other: \_\_\_\_\_

[Signature]  
Signature of Applicant/Owner  
Joseph Haligon  
Print Name of Applicant/Owner

[Signature]  
Signature Owner  
Thomas H Marchand  
Print Name of Owner

**for 9 Lewis Street  
Franklin, MA 02038**

**for 29 Lewis Street  
Franklin, MA 02038**

CERTIFICATE OF OWNERSHIP

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

SECTION A:

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

Definitive Subdivision.; Site Plan; Special Permit

Title of Plan: Plan of Land 9 & 29 Lewis Street Franklin, Massachusetts

Date of Plan: November 17, 2023 Assessor's Information: Map 285 Lot 66 (9 Lewis St)  
Map 285 Lot 65 (29 Lewis St)

Prepared by: Guerriere & Halnon, Inc.

Applicant Name & Address: Saniyyah Crossing, LLC  
95 East Main Street Suite 100  
Westborough, MA 01581

SECTION B:

Name of Record Owner(s): Saniyyah Crossing, LLC

Address of Record Owner(s): 95 East Main Street, Suite 100  
Westborough, MA 01581

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

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

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

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

Executed as a sealed instrument this 17<sup>th</sup> day of November 2023

[Signature]  
Signature of Applicant

Joseph Halligan  
Print name of Applicant

[Signature]  
Signature of Owner

Joseph Halligan  
Print name of Owner

COMMONWEALTH OF MASSACHUSETTS

Dorset ss.

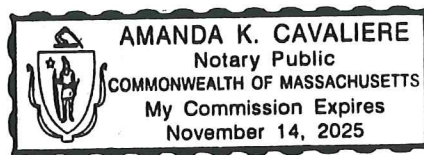
2023

On this 17<sup>th</sup> day of November 2023, before me, the undersigned notary public, personally appeared Joseph Halligan (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: 11/14/2025





MASSACHUSETTS STATE EXCISE TAX  
Norfolk Registry of Deeds  
Date: 07-07-2023 @ 09:00am  
Ctl#: 44      ~~McD 42780~~  
Fee: \$3,192.00    Cons: \$700,000.00  
                    A N

N O T  
A N  
O F F I C I A L  
C O P Y

O F F I C I A L  
C O P Y

**QUITCLAIM DEED**

*9 Lewis Street Franklin, MA*

**I, Doris K. Madden, Trustee of the Doris K. Madden Living Trust u/d/t dated August 4th, 2017 recorded with the Norfolk Registry of Deeds at Book 35352, Page 131 of Franklin, Norfolk County, Massachusetts**

for consideration paid, and in full consideration of Seven Hundred Thousand (\$700,000.00) Dollars,

Grant to Saniyyah Crossing, LLC, a Massachusetts Limited Liability Company with a principle place of business of 95 East Main Street, St. 100, Westborough, MA, Worcester County, Massachusetts

**With quitclaim covenants,**

The land in Franklin, with the buildings thereon, situated on the westerly side of Lewis Street bounded and described as follows:

Beginning at the northeasterly corner of the granted premises on the Westerly side of Lewis Street; thence running

N. 72 degrees W. Sixty (60) feet on land now or formerly of Nardi to land now or formerly of Corbin; thence

S. 3 degrees 0' W. two hundred (200) feet to a corner; thence

S. 72 degrees 5' E. Sixty (60) feet on land formerly of one Leach to said Lewis Street; thence

N. 3 degrees 0' E. two hundred (200) feet on said Lewis Street to point of beginning.

Excepting that portion of said premises which are conveyed to Duilio Nardi et ux by deed dated April 23, 1940, recorded with Norfolk Registry of Deeds, Book 2277, Page 354

ALSO granting a certain triangular parcel of land on the westerly side of Lewis Street in said Franklin, described as follows:

Beginning at a point on Lewis Street and thence  
N O T  
A N  
O F F I C I A L  
NORTHERLY: Along the westerly line of Lewis Street, three (3) feet to a point; thence

WESTERLY: on Nardi land to a point; thence by an acute angle along the original southerly line described in deed to Nardi at the point of beginning.

Subject to and with the benefit of all rights, restrictions and easements of record, insofar as same may now be in force and applicable.

All rights of homestead and other interests are hereby released by the Grantor, and Grantor hereby state under the pains and penalties of perjury there are no other persons entitled to the protection of the Homestead Act.

Property address: 9 Lewis Street, Franklin Massachusetts 02038

For title, see deed dated August 4<sup>th</sup>, 2017 and recorded with Norfolk County Registry of Deeds in Book 35352, Page 133.

NOT AN OFFICIAL COPY      NOT AN OFFICIAL COPY

Witness my hand and seal, this 5<sup>th</sup> day of July, 2023.

Doris K. Madden, Trustee  
Doris K. Madden, Trustee of the Doris K. Madden Living Trust

Commonwealth of Massachusetts

Norfolk, SS

On this 5<sup>th</sup> day of July, 2023, before me, the undersigned notary public, personally appeared Doris K. Madden, Trustee of the Doris K. Madden Living Trust, proved to me through satisfactory evidence of identification, which was a Massachusetts' driver's license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose as Trustee of the Doris K. Madden Living Trust.

[Signature]  
Notary Public  
My commission expires:



CERTIFICATE OF OWNERSHIP

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

SECTION A:

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

Definitive Subdivision.; Site Plan; Special Permit

Title of Plan: Plan of Land 9 & 29 Lewis Street Franklin, Massachusetts

Date of Plan: November 17, 2023 Map 285 Lot 66 (9 Lewis St)  
Assessor's Information: Map 285 Lot 65 (29 Lewis St)

Prepared by: Guerriere & Halnon, Inc.

Applicant Name & Address: Saniyyah Crossing, LLC  
95 East Main Street Suite 100  
Westborough, MA 01581

SECTION B:

Name of Record Owner(s): Thomas H. Marchand

Address of Record Owner(s): 29 Lewis Street

Franklin, MA 02038

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

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

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

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



Executed as a sealed instrument this 17<sup>th</sup> day of November 2023

[Signature]  
Signature of Applicant

Joseph A. Ligan  
Print name of Applicant

Thomas H. Mardian  
Signature of Owner

Thomas H. Mardian  
Print name of Owner

COMMONWEALTH OF MASSACHUSETTS

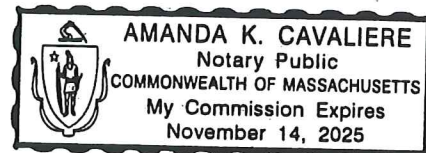
Norfolk ss.

2023

On this 17<sup>th</sup> day of November 2023, before me, the undersigned notary public, personally appeared Thomas Mardian (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: 11/14/2025



Bk 33510 Pg 442 #94918  
09-25-2015 @ 02:13p

(Page 1 of 2)

N O T

N O T

Return to:

A N

A N

Gilmore, Rees & Carbone, P.C.  
1000 Franklin Village Drive  
Franklin, MA 02038

RECEIVED AND RECORDED  
NORFOLK COUNTY  
REGISTRY OF DEEDS  
DEDHAM, MA

F I C I A L

C O P Y

MASSACHUSETTS STATE EXCISE TAX  
Norfolk Registry of Deeds  
Date: 09-25-2015 @ 02:13pm  
Ct#: 1260 Doc#: 94918  
Fee: \$1,299.60 Cons: \$285,000.00

CERTIFY

*William P. O'Donnell*  
WILLIAM P. O'DONNELL, REGISTER

QUITCLAIM DEED

We Dianne M. Tattersall, Donna A. Colace, and Deborah A. Lozzi, Trustees of Rocco A. Villani Irrevocable Trust dated November 11, 2010, in accordance with Trustees' Certificate pursuant to M.G.L. C.184, Section 35, recorded herewith,

For consideration paid, and in full consideration of Two Hundred Eighty Five Thousand and 00/100 Dollars (\$285,000.00),

Grant to Thomas H. Marchand, individually, of 29 Lewis Street, Franklin, MA 02038,

with quitclaim covenants:

A certain parcel of land located in Franklin, Norfolk County, Massachusetts, with the buildings thereon, situated on the westerly side of Lewis bounded and described as follows:

Beginning at the Northeasterly corner of said premises at a bound at land now or formerly of Ferdinando Ramino; thence N. 72° 5' W., on said Ramino land, sixty (60) feet to a stake and stones at land formerly of Henry Thomas; thence S. 3° W., on land formerly of said Thomas, thirty (30) feet to a bound; thence N. 72° 5' W, on said Thomas land and land now or formerly of one Hill, one hundred twelve (112) feet to land formerly of A. C. Averill; thence southerly on said Averill land, one hundred fifty-six and 5/10 (156.5) feet to land formerly of Edmond Hartshorn, more lately of Luigi Daniello; thence Easterly on said Daniello land, one hundred fifty-nine and 5/10 (159.5) feet to said Lewis Street; thence Northerly on said Lewis Street, one hundred forty-two and 4/10 (142.4) feet to point of beginning, all distances being more or less.

The grantors hereby release any and all rights of homestead in the premises herein conveyed and certify that no other person is entitled to the estate of homestead therein.

Being the same premises conveyed to the grantors by deed of Rocco A. Villani dated November 11, 2010, recorded with Norfolk Registry of Deeds Book 28276, Page 450.

Property Address: 29 Lewis Street, Franklin, MA 02038

MAIL  
→

WITNESS our hands and seals this <sup>N O T</sup>25<sup>th</sup> day of September, <sup>N O T</sup>2015  
A N A N

O F F I C I A L  
C O P Y

R O C C O A . V I L L A N I I R R E V O C A B L E  
T R U S T C O P Y

By: Dianne M. Tattersall TR  
Dianne M. Tattersall, Trustee

And: Donna A. Colace TR  
Donna A. Colace, Trustee

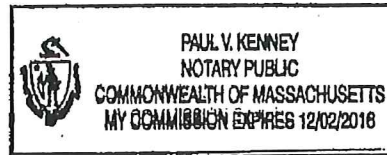
And: Deborah A. Lozzi TR  
Deborah A. Lozzi, Trustee

COMMONWEALTH OF MASSACHUSETTS

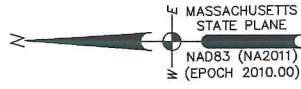
Norfolk, SS.

On this <sup>25<sup>th</sup></sup> day of September, 2015, before me, the undersigned notary public, personally appeared Dianne M. Tattersall, Donna A. Colace and Deborah A. Lozzi, Trustees of the Rocco A. Villani Irrevocable Trust, proved to me through satisfactory evidence of identification, which driver's licenses, to be the persons whose names are signed on the preceding or attached document, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of their knowledge and belief.

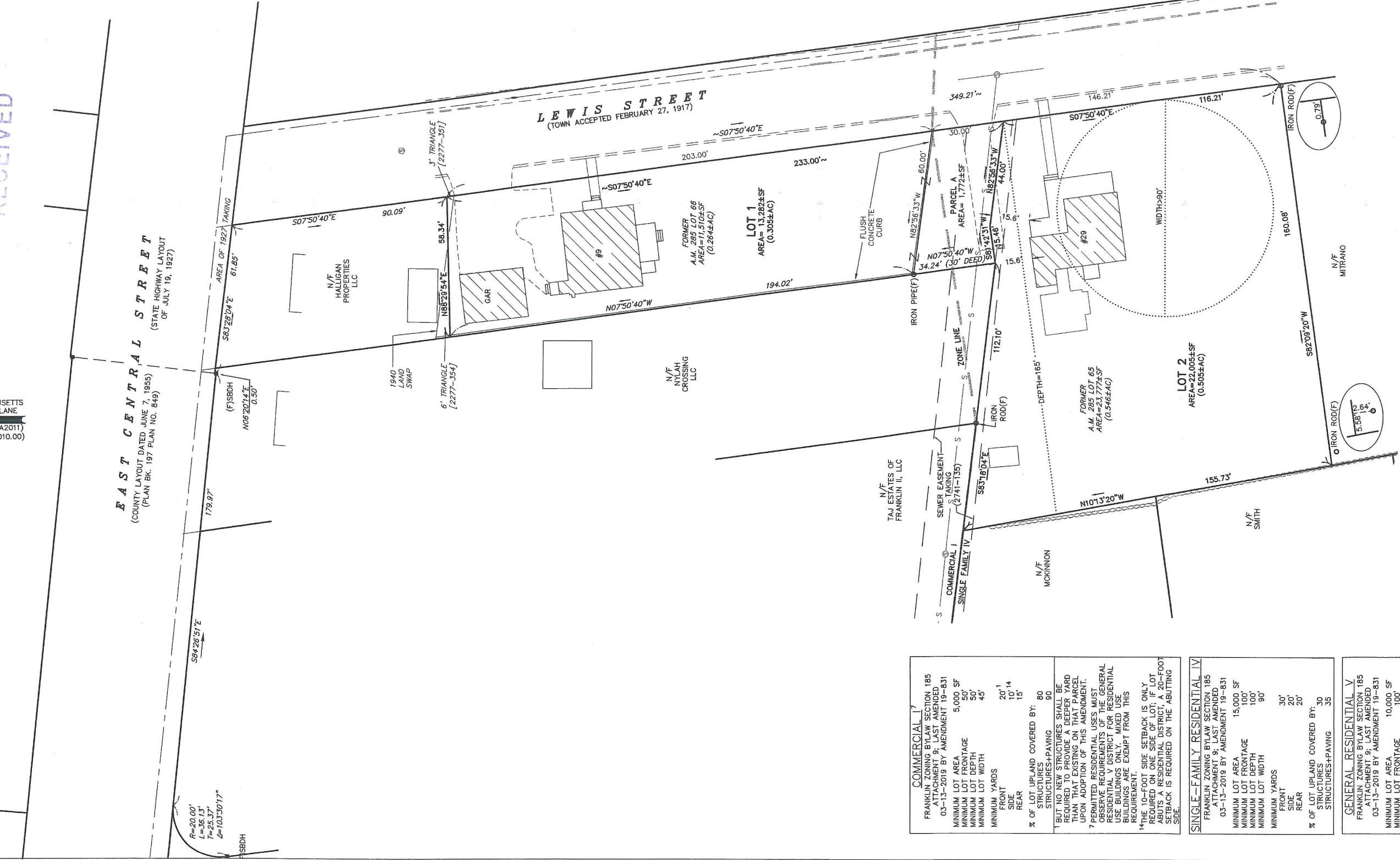
Paul Kenney  
Notary Public  
My commission expires:







TOWN OF FRANKLIN  
TOWN CLERK  
2023 NOV 20 A 9:24  
RECEIVED



**COMMERCIAL 1**  
FRANKLIN ZONING BYLAW SECTION 185  
ATTACHMENT 9; LAST AMENDED  
03-13-2019 BY AMENDMENT 19-831  
MINIMUM LOT AREA 5,000 SF  
MINIMUM LOT FRONTAGE 50'  
MINIMUM LOT DEPTH 50'  
MINIMUM LOT WIDTH 45'  
MINIMUM YARDS  
FRONT 20'  
SIDE 10'  
REAR 15'  
% OF LOT UPLAND COVERED BY:  
STRUCTURES+PAVING 80  
STRUCTURES+PAVING 90  
1 BUT NO NEW STRUCTURES SHALL BE REQUIRED TO PROVIDE A DEEPER YARD THAN THAT EXISTING ON THAT PARCEL UPON ADOPTION OF THIS AMENDMENT.  
7 PERMITTED RESIDENTIAL USES MUST OBSERVE REQUIREMENTS OF THE GENERAL RESIDENTIAL V DISTRICT FOR RESIDENTIAL BUILDINGS EXCEPT THIS REQUIREMENT.  
14 THE 10-FOOT SIDE SETBACK IS ONLY REQUIRED ON ONE SIDE OF LOT; IF LOT ABUTS A RESIDENTIAL DISTRICT, A 20-FOOT SETBACK IS REQUIRED ON THE ABUTTING SIDE.

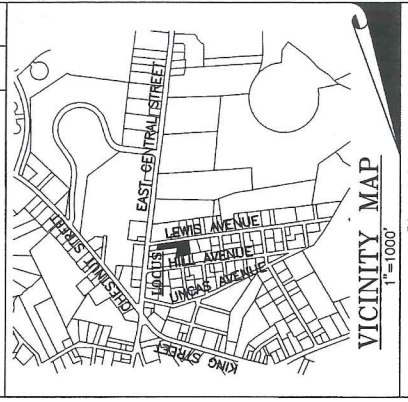
**SINGLE-FAMILY RESIDENTIAL IV**  
FRANKLIN ZONING BYLAW SECTION 185  
ATTACHMENT 9; LAST AMENDED  
03-13-2019 BY AMENDMENT 19-831  
MINIMUM LOT AREA 15,000 SF  
MINIMUM LOT FRONTAGE 100'  
MINIMUM LOT DEPTH 100'  
MINIMUM LOT WIDTH 90'  
MINIMUM YARDS  
FRONT 30'  
SIDE 20'  
REAR 20'  
% OF LOT UPLAND COVERED BY:  
STRUCTURES+PAVING 30  
STRUCTURES+PAVING 35

**GENERAL RESIDENTIAL V**  
FRANKLIN ZONING BYLAW SECTION 185  
ATTACHMENT 9; LAST AMENDED  
03-13-2019 BY AMENDMENT 19-831  
MINIMUM LOT AREA 10,000 SF  
MINIMUM LOT FRONTAGE 100'  
MINIMUM LOT DEPTH 100'  
MINIMUM LOT WIDTH 90'  
MINIMUM YARDS  
FRONT 20'  
SIDE 15'  
REAR 20'  
% OF LOT UPLAND COVERED BY:  
STRUCTURES+PAVING 30  
STRUCTURES+PAVING 35

**GENERAL RESIDENTIAL V**  
FRANKLIN ZONING BYLAW SECTION 185  
ATTACHMENT 9; LAST AMENDED  
03-13-2019 BY AMENDMENT 19-831  
MINIMUM LOT AREA 10,000 SF  
MINIMUM LOT FRONTAGE 100'  
MINIMUM LOT DEPTH 100'  
MINIMUM LOT WIDTH 90'  
MINIMUM YARDS  
FRONT 20'  
SIDE 15'  
REAR 20'  
% OF LOT UPLAND COVERED BY:  
STRUCTURES+PAVING 30  
STRUCTURES+PAVING 35

PLAN REFERENCES:  
PLAN BK. 52 PLAN NO. 2488  
1892 PLAN REFERRED BK. 67456  
PLAN NO. 527-1947 DEED BK. 2685 PG. 246

REGISTRY USE ONLY  
F4648



LEGAL NOTE  
CONSTRUCTION ON THIS LAND IS SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, RESERVATIONS, ENCUMBRANCES WHICH MAY BE REVEALED BY AN EXAMINATION OF THE TITLE.  
I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS.  
THIS IS NOT A CERTIFICATION AS TO THE TITLE OR OWNERSHIP OF THE LAND SHOWN HEREON.  
11/17/2023  
Robert Constantine II  
REGISTERED PROFESSIONAL LAND SURVEYOR  
No. 49811

PLANNING BOARD ENDORSEMENT IS NOT A DETERMINATION AS TO CONFORMANCE WITH THE ZONING BYLAW.  
APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED  
FRANKLIN PLANNING BOARD  
DATE: \_\_\_\_\_

PLAN PURPOSE  
TO DEPICT PARCEL A AND RESULTANT LOT 1 AND LOT 2.  
PARCEL A IS TO BE CONVEYED FROM THE OWNER OF PARCEL A TO THE OWNER OF 9 LEWIS STREET, INCLUDING THE AREA OF PARCEL A TO 9 LEWIS STREET.

OWNER/APPLICANT  
SANTAYAH CROSSING, LLC  
95 EAST MAIN STREET, 1ST, 100  
DEED BOOK 41292, PAGE 298  
A.M. 285 LOT 66  
(#9 LEWIS STREET)  
OWNER  
THOMAS H. VARGAS  
209 LEWIS STREET  
FRANKLIN, MA 02038  
DEED BOOK 33510 PAGE 442  
A.M. 285 LOT 65  
(#29 LEWIS STREET)  
PLAN OF LAND  
9 & 29 LEWIS STREET  
FRANKLIN  
MASSACHUSETTS  
NOVEMBER 17, 2023

GRAPHIC SCALE: 1"=40'  
0 10 20 30 40 50 60 70 80 90 100  
FEET  
0 5 10 15 20 30  
METERS

Guerriere & Halton, Inc.  
ENGINEERING & LAND SURVEYING  
55 WEST CENTRAL ST. PH. (508) 528-3221  
FRANKLIN, MA 02038 FX. (508) 528-7921  
www.gandhengineering.com

SHEET 1 OF 1  
JOB NO. F4648