

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 2, 2020

To: Town Council
From: Jamie Hellen, Town Administrator

Re: Resolution 21-17,18,20: Street Acceptances

I am asking the Council to accept the following named roads as public ways:

- Union Meadows Road
- Laurinda Lane
- Brandywine Drive and Charles Drive from Station 0+00 to Station 2+51.71, as shown on street acceptance plan

Abutters lists and the legal Ad have also been included in this packet.

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

NOTICE OF PUBLIC HEARING FRANKLIN, MA

Pursuant to Chapter 163 of the Legislative Acts of 2011, the Franklin Town Council will hold a public hearing on Wednesday evening, April 7, 2021 at 7:10 p.m. in the Council Chambers located on the second floor of the Franklin Municipal Building, 355 East Central Street, Franklin, MA to determine it is in the public interest to accept the following named roads as public ways:

Union Meadows Road

Laurinda Lane

Brandywine Drive and Charles Drive from Station 0+00 to Station 2+51.71, as shown on street acceptance plan

PLEASE NOTE: Due to the ongoing COVID-19 restrictions, the public will not be permitted to physically attend; hearings will be remote/virtual for all public access and participation. Please consult the Town website (Franklinma.gov) for information and instructions for access and participation.

Please contact the Town Administrator's Office at 508-520-4949 if you require further information or if you need to make arrangements to provide translation services for the hearing impaired or for a person with language barriers.

Submitted by,

Alecia Alleyne

Town of Franklin



Planning Board

September 21, 2020

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

**RE: Street Acceptance – Union Meadows Drive
Union Meadows Estates**

Dear Mrs. Danello:

Please be advised that at its meeting on Monday, September 21, 2020 upon motion duly made and seconded, the Planning Board voted (5-0) to recommend street acceptance to Town Council for the following subdivision:

Union Meadows Estates – Union Meadows Drive

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

Sincerely,

Anthony Padula, Chairman
Planning Board

cc: Town Council
Administration
Building Department
DPW/Engineer

1' Abutters List Report

Franklin, MA
March 04, 2021

Subject Parcel:

Parcel Number: 330-015-008
CAMA Number: 330-015-008-000
Property Address: UNION MEADOWS RD

Mailing Address: NITOR DEVELOPMENT INC
19 LENOX DR
FRANKLIN, MA 02038

Abutters:

Parcel Number: 330-015-000
CAMA Number: 330-015-000-000
Property Address: 2 UNION MEADOWS RD

Mailing Address: AWWAD MOTASEM ALSHAWABKEH
MALAK
2 UNION MEADOWS RD
FRANKLIN, MA 02038

Parcel Number: 330-015-001
CAMA Number: 330-015-001-000
Property Address: 6 UNION MEADOWS RD

Mailing Address: PRESTON RICHARD MICHAEL PRESTON
LESLIE ANN
6 UNION MEADOWS RD
FRANKLIN, MA 02038

Parcel Number: 330-015-002
CAMA Number: 330-015-002-000
Property Address: 10 UNION MEADOWS RD

Mailing Address: DIATELEVI MICHAEL P DIATELEVI
ANGELA T
10 UNION MEADOWS RD
FRANKLIN, MA 02038

Parcel Number: 330-015-003
CAMA Number: 330-015-003-000
Property Address: 15 UNION MEADOWS RD

Mailing Address: CARLUCCI NICHOLAS C CARLUCCI
ROBYN L
15 UNION MEADOW RD
FRANKLIN, MA 02038-4515

Parcel Number: 330-015-004
CAMA Number: 330-015-004-000
Property Address: 9 UNION MEADOWS RD

Mailing Address: CUNHA MARCO CUNHA CHRISTINA
9 UNION MEADOWS RD
FRANKLIN, MA 02038

Parcel Number: 330-015-005
CAMA Number: 330-015-005-000
Property Address: 5 UNION MEADOWS RD

Mailing Address: WARNAKULASOORIYA BERNARD
LOKUGE ARANGA HINIDUMA
5 UNION MEADOWS RD
FRANKLIN, MA 02038

Parcel Number: 330-015-006
CAMA Number: 330-015-006-000
Property Address: 1 UNION MEADOWS RD

Mailing Address: RUBIN LAURENCE J RUBIN INNA
1 UNION MEADOWS RD
FRANKLIN, MA 02038

Parcel Number: 330-015-007
CAMA Number: 330-015-007-000
Property Address: UNION MEADOWS RD

Mailing Address: NITOR DEVELOPMENT INC
19 LENOX DR
FRANKLIN, MA 02038

Parcel Number: 330-015-008
CAMA Number: 330-015-008-000
Property Address: UNION MEADOWS RD

Mailing Address: NITOR DEVELOPMENT INC
19 LENOX DR
FRANKLIN, MA 02038

www.cai-tech.com

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TOWN OF FRANKLIN

RESOLUTION 21-17

ORDER OF LAYOUT, ACCEPTANCE, AND TAKING OF UNION MEADOWS ROAD AND DRAINAGE LOT PARCEL A AND DRAINAGE EASEMENT

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 and notice by newspaper publication, and

WHEREAS, the laying out, acceptance, and taking by eminent domain of the fee in Union Meadows Road and "Parcel A" related drainage lot, as well as thirty-foot wide drainage easement across rear of Lot #3 all as hereinafter described, for roadway purposes is recommended by the Planning Board, the Town Administrator and the Director of the Franklin Department of Public Works, and

WHEREAS, Nitor Development Inc., a Massachusetts corporation, the owner of the fee in said roadway and said drainage lot and of said drainage easement has conveyed said roadway and drainage lot together with said drainage easement to the Town by deed and grant of easement dated March 3, 2021, 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 A TOWN WAY AND TAKE BY EMINENT DOMAIN for roadway purposes: The following land shown on definitive subdivision plan, approved under the subdivision control law by Franklin Planning Board on August 8, 2016 and recorded in the Norfolk County Registry of Deeds in Plan Book 652 Page 37." (the "Subdivision Plan"), and also shown on the street acceptance plan entitled "Union Meadows Road Street Acceptance Plan Franklin Massachusetts" prepared by Guerriere & Halnon,

Inc., 55 West Central Street, Franklin, MA 02038, dated July 1, 2020 (the "Street Acceptance Plan") to be recorded herewith.

Fee Interest in Roadway

Union Meadows Road, for its entire length

Fee Interest in Related Land

Also, the fee interest in related land shown on the above-described plans:

Lot shown as "Drainage Lot" on Subdivision Plan and "Drainage Lot, Parcel A" on Street Acceptance Plan, containing 35,601 sq. ft. more or less, according to said plans.

Easement

Also, thirty-foot wide drain easement across rear of Lot 3 shown on the above-described plans.

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 Nitor Development, Inc. deed and grant of easement dated March 3, 2021 and makes clear the Town of Franklin's title to the above-described parcels of land which said deed and grant of easement conveyed to the Town of Franklin.

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

DATED: _____, 2021

A True Record Attest:

**Nancy Danello
Temporary Town Clerk**

VOTED:

UNANIMOUS: _____

YES: _____ **NO:** _____

ABSTAIN: _____

ABSENT: _____

**Glenn Jones, Clerk
Franklin Town Council**