#### TOWN OF FRANKLIN INSPECTION DEPARTMENT

Building Inspection – Division of Wires – Division of Gas Division of Plumbing

MUNICIPAL BUILDING – 355 East Central Street Franklin, Massachusetts 02038

Lloyd (Gus) Brown Building Commissioner Telephone: 508-520-4926 FAX: 508-520-4906

### **ZONING REVIEW**

APPLICANT:

Shala Ranieri

LOCATION:

10 Margaret's Cove

**ZONING DISTRICT:** Single Family 111

TYPE OF PROJECT: Patio, Shed and Driveway

**DATE:** 10/20/2021

DENY

SPECIAL PERMIT

ZONING BY LAW SECTIONS: 185-40 D (I) (i)

**REASON FOR DENIAL**: Applicant is seeking to make improvements to their property that increase the total impervious coverage area to 35.0 % where 15 % is allowed. The building permit is denied without a Special Permit from the ZBA.

#### **APPEAL OF DENIAL OPTIONS:**

ZONING BOARD OF APPEALS	
APPLICANT SIGNATURE	

ZONING OFFICIAL SIGNATURE LAB 10/20/2021 DATE

### TOWN OF FRANKLIN ZONING BOARD OF APPEALS

RECEIVED TOWN OF FRANKLIN

Municipal Building 355 East Central Street Franklin, MA 02038 508-520-4926

OCT 20 2021

**ZONING BOARD OF APPEALS** 

ZBA APPLICATION FORM

GENERAL INFORMATION

TOWN OF FRANKLIN. TOWN CLERK

The undersigned hereby petitions the Zoning Board of Appeals for the following: Special Permit: \_ Appeal: Variance: PETITIONER: Shala Ranieri PHONE: (508) 837-1664 PETITIONER'S ADDRESS: 10 Margarets Cove, Franlin, MA 02038 LOCATION OF PROPERTY: 10 Margaret's Cove ZONING DISTRICT: Single Family Res. III TYPE OF OCCUPANCY: Single Family Dwelling ASSESSORS MAP & PARCEL: Map 237 Parcel 012 REASON FOR PETITION: New Structure Additions Parking Change in Use/Occupancy Conversion to Addi'l Dwelling Unit's Sign Dormer Subdivision Other: Water Resource District Special Permit DESCRIPTION OF PETITIONER'S PROPOSAL: Single family dwelling with impervious area in excess of 15% in Water Resource District. See attached narrative. SECTIONS OF ZONING ORDINANCE CITED: Article V Section 185-40 D (I) (i) Section \_\_\_\_ Article \_\_\_\_\_ Section \_\_ Applicants for a Variance must complete Pages 1-5
Applicants for a Special Permit must complete Pages 1-4 and 6
Applicants for an Appeal to the ZBA pursuant to Zoning Bylaw section 185-45 (D) must attach a statement concerning the reasons for the appeal (Petitioner (s) /Owner) Original Signature(s): Shala Ranieri (Print Name) 10 Margarets Cove, Franklin, MA 02038 Address: (508) 837-1664 Tel. No.: E-Mail Address: shala\_ranieri@tjx.com

(Page 1)

## TOWN OF FRANKLIN ZONING BOARD OF APPEALS

Municipal Building 355 East Central Street Franklin, MA 02038 508-520-4926

# ZBA APPLICATION FORM - OWNERSHIP INFORMATION

To be completed by OWNER, signed and returned to the Secretary of the Zoning Board of Appeals.

I/WeShala Ranieri (OWNEF	R)
Address:10 Margarets Cove, Franklin, MA 02038	
State that I/We own the property located a	t 10 Margarets Cove,
which is the subject of this zoning applic	ation.
The record title of this property is in the	ne name of Shala Ranieri
*Pursuant to a deed of duly recorded in the County Registry of Deeds at Book 38359  Dedham Registry District of Land Court,	, Page <u>19</u> ; or
Book Page	
SIGN. AUTH	ATURE BY LAND OWNER OR TO ORIZED TRUSTEE, OFFICER OR AGENT*

## TOWN OF FRANKLIN ZONING BOARD OF APPEALS

Municipal Building 355 East Central Street Franklin, MA 02038 508-520-4926

### ZBA APPLICATION FORM

### DIMENSIONAL INFORMATION

OCATION:	10 Margaret's Cove ZONE: Single Family Res III					
HONE: (508)	837-1664		REQUESTED USE/	OCCUPANCY: Single Fa	mily Dwelling	
			EXISTING CONDITIONS	REQUESTED CONDITIONS	ORDINANCE REQUIREMENTS	I -
ot Area:			32,685 SF	Same	20,000 SF	(min.)
Continuous	Frontage	<u>:</u>	211 FT	Same	125 FT	(min.)
oine of Io	<b>+</b> •	Width	> 112.5 FT	Same	112.5 FT	(min.)
Size of Lo	<u>c.</u>	Depth	161 FT	Same	160 FT	(min)
Setbacks i	n	Front	47.6 FT	Same	40 FT	(min.)
Feet:	=	Rear	69.7 FT	Same	30 FT	(min.)
		Left Side	37.0 FT	Same	25 FT	_ (min.)
		Right Side	62.0 FT	Same	25 FT	_ (min.)
Building F	Meight:	Stories	2	Same	3	(max.)
		Feet	< 35 FT	Same	35 FT	_ (max.)
	11' II-		1	1	1	(max.
NO. of Dwe			N/A	N/A	N/A(m	in./max
on same steel, et	where app lot, and c.	licable, othe type of con		n same lot, the sonsed, e.g.; wood	ize of adjacent l frame, concrete	ouildin

SEE FRANKLIN ZONING BYLAW ARTICLE 185, ATTACHMENT 9.





#### ZBA APPLICATION FORM SUPPORTING STATEMENT FOR A SPECIAL PERMIT

Please describe in complete detail how you meet each of the following criteria in accordance with Zoning Bylaw Section 185-45(D)(2)(a) referring to the property and proposed changes or uses which are requested in your application. Attach sheets with additional information for special permits for which additional criteria must be met under the Zoning Bylaw.

185-45(D)(2)(A) BOARD OF APPEALS: TO HEAR AND DECIDE APPLICATIONS FOR SPECIAL PERMITS UPON WHICH THE BOARD IS EMPOWERED TO ACT UNDER THIS CHAPTER. SPECIAL PERMITS SHALL BE GRANTED BY THE BOARD OF APPEALS ONLY UPON ITS WRITTEN DETERMINATION THAT THE PROPOSED USE WILL NOT HAVE ADVERSE EFFECTS WHICH OVERBALANCE ITS BENEFICIAL EFFECTS ON EITHER THE NEIGHBORHOOD OR THE TOWN, IN VIEW OF THE PARTICULAR CHARACTERISTICS OF THE SITE AND OF THE PROPOSAL IN RELATION TO THAT SITE. THIS DETERMINATION SHALL BE IN ADDITION TO THE FOLLOWING SPECIFIC FINDINGS: (1) Proposed project addresses or is consistent with neighborhood or Town need.

Proposed project is a single family home on an existing lot located in a Single Family Residence

III zoning district. (2) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed.

Proposed project is a single family home on an existing Lot located in a Single Family Residence III District with ample parking on Lot.

(3) Public roadways, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development.

Exiting Lot is located in an approved subdivision which is currently under construction.

(4) Neighborhood character and social structure will not be negatively impacted.

Proposed project is a single family home on an existing lot located within a Single Family Residence III Zone in keeping in character with the surrounding neighborhood.

(5) Project will not destroy or cause substantial damage to any environmentally significant natural resource, habitat, or feature or, if it will, proposed mitigation, remediation, replication, or compensatory measures are adequate.

No wetland resource areas, buffer zones, or habitat exist on the existing lot. Please refer to attached letter for information relative to Water Resource District.

- (6) Number, height, bulk, location and siting of building(s) and structure(s) will not result in abutting properties being deprived of light or fresh air circulation or being exposed to flooding or subjected to excessive noise, odor, light, vibrations, or airborne particulates.

  Proposed project is a single family home on an existing lot located within a Single Family Residence III Zone in keeping in character with the surrounding neighborhood.
- (7) Water consumption and sewer use, taking into consideration current and projected future local water supply and demand and wastewater treatment capacity, will not be excessive.

Exiting Lot is located in an approved subdivision which is currently under construction.

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October 12, 2021

Town of Franklin Zoning Board of Appeals 355 East Central Street Franklin, MA 02038

10 Margaret's Cove

Special Permit for Impervious Cover in Water Resources District

Dear Members of the Board:

Strong Point Engineering Solutions, LLC. (SPES) is pleased to provide this letter on behalf of the Applicant, Ms. Shala Ranieri, to accompany an application for a Special Permit for impervious cover with a Water Resource District. The total proposed impervious cover for the single family dwelling located at 10 Margaret's Cove exceeds the 15% impervious area requirement allowed by right in the Water Resource District.

The Zoning Board of Appeals previously issued a Special Permit to the builder of the lot to allow impervious coverage of up to 22.8% prior to construction of the lot. The current homeowner seeks to make improvements to the lot including expanding the existing driveway and proposed pool patio area, and installing a shed. The current proposal will exceed the amount of impervious area previously allow by the ZBA.

As part of the previous application, the home builder installed rooftop runoff collection and infiltration systems on the lot to provide enhanced recharge of clean runoff on the lot.

Under existing conditions the house, driveway, walks, and pool result in 20.8% impervious coverage to the lot which is under the 22.8% previously approved.

The existing driveway is proposed to be widened by 9 feet which results in an additional 2.8% impervious cover to the lot. As depicted on the approved subdivision plans for the development, the majority of stormwater runoff from the proposed lot is directed to the closed drainage system in Margaret's Cove where it is captured and discharged to a stormwater infiltration basin located to the west of the subject lot. That basin is designed to infiltrate stormwater runoff from the proposed project roadway and lots.

The proposed shed and patio account for a total of 11.0% additional impervious coverage to the lot. Stormwater runoff from the proposed shed and patio areas is considered to be clean and will be directed to the flat, pervious surface of the lawn area. A retaining wall has recently been installed along the perimeter of the rear yard to allow the yard to be graded such that it will direct stormwater runoff towa the paved surface of Margaret's Cove as intended by the approved subdivision design. The shallow graand vegetative treatments of the lawn area will provide for increased contact time allowing the majority of the stormwater runoff to be recharged through the ground surface. Once the natural recharge capacity of the area is met, any additional stormwater runoff will flow toward the paved surface of Margaret's Cove where it will be incorporated into the closed drainage system and ultimately the stormwater infiltration basin located just west of the subject parcel.

STRONG POINT ENGINEERING SOLUTIONS, INC.

340 Manley Street Unit 2, West Bridgewater, Massachusetts 02379 tel (508) 682-0229

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The following table provides a tabulation of the proposed impervious areas and their percent coverages:

Description	Area (%)	Comments
Total Lot Area =	32,685 SF	
Previously Approved Impervious Coverage=	7,450 SF (22.8%)	
Existing Impervious Surface =	6,795 SF (20.8%)	Previously Mitigated
Proposed Driveway Expansion =	910 SF (2.8%)	Directed to Infiltration Basin West of the Site
Proposed Shed and Patio Expansion =	3,580 SF (11.0%)	Directed to Grassed Area and Infiltration Basin West of the Site.
Total Proposed Impervious Area Requested =	11,285 SF (34.5%)	35.0% Requested

It should be noted that while the proposed impervious area does exceed that allowed under the Water Resource District, it does comply with the maximum allowed in the underlying zoning district (35%) which is the maximum coverage allowance being requested.

Based on the above, it is the opinion of this office that further mitigation and/or recharge of stormwater runoff from additionally proposed impervious surfaces is not warranted in this case and instead the design of the subdivision project meets the intent of residential development within the Water Resource District.

On behalf of the Applicant, we respectfully request that this matter be heard at the next available public hearing of the Zoning Board of Appeals.

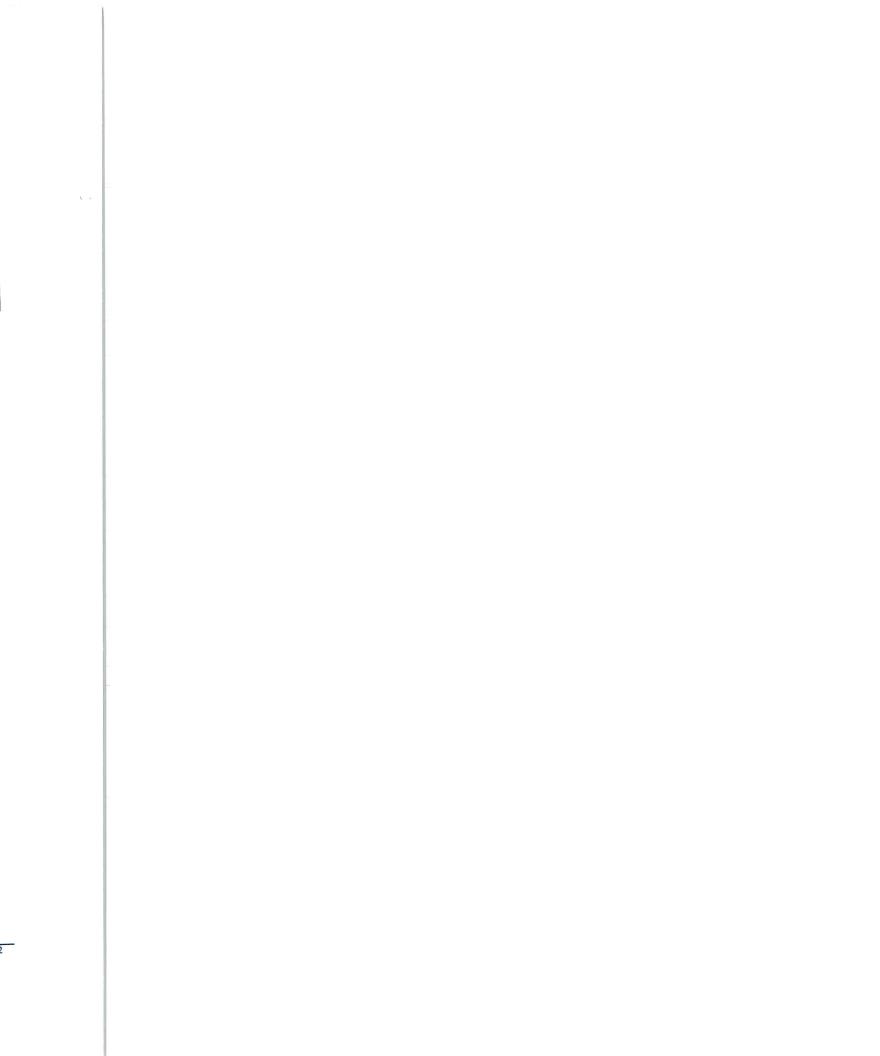
If you have any questions or wish to discuss this matter further, please feel free to contact our office at (508) 682-0229 at your leisure.

Kind Regards,

Eric Dias, P.E President/Owner



Page 2 of 2



Bk 38359 Pg19 #98105 09-17-2020 @ 02:50p

#### QUITCLAIM DEED

WHITMAN HOMES, INC., a Massachusetts corporation with a mailing address of 1200 Turnpike Street, Canton, Massachusetts 02021,

For full consideration paid in the amount of Three Hundred Fifteen Thousand (\$315,000.00) Dollars,

Grants to SHALA RANIERI, of 19 Mary Ellen Lane, Franklin, Massachusetts 02038,

### WITH QUITCLAIM COVENANTS:

That certain parcel of land together with any buildings and improvements thereon, shown as Lot 73A, on a plan entitled "Definitive Subdivision Modification, "Mine Brook Estates", Franklin, Massachusetts", prepared by Guerriere & Hanlon, Inc. and recorded in the Norfolk County Registry of Deeds in Plan Book 688, Page 6, which Plan may be referred to for a more particular legal description of the premises herein conveyed.

Said Lot contains 32,685 square feet, more or less, according to said Plan.

The Premises are conveyed subject to a Declaration of Restrictive Covenants for Lot 73A Minebrook Estates dated September 9, 2020 and recorded herewith.

The Premises are conveyed together with the right to use in common with others the private road extension known as Margaret's Cove, which road extension may become a public way if and when accepted by the Town of Franklin, however notwithstanding such, no fee in the right of way is conveyed herewith.

Subject to and with the benefit of all easements, agreements, restrictions, covenants and other matters of record, in so far as the same are in force and applicable.

Subject to all real estate taxes for the current fiscal year and for all future fiscal years which are not yet due and payable, all of which the Grantee, by acceptance hereof, agrees to pay.

WILLIAM P. O'DONNELL, REGISTER NORFOLK COUNTY REGISTRY OF DEEDS RECEIVED & RECORDED ELECTRONICALLY

CUS: 10 Margarets Cove, (Lot 73A), Franklin, Norfolk County, MA

Bk 38359 Pg20 #98105

NOT

N O T

Being a portion of the PrePhises conveyed by Deed of Margaret C. Ranieri and Catherine Miller, Trustees of the Rasieri Truste to Whitman Hones, Inc. dated as of December 3, 2019 and recorded on December 3Y, 2019 with the Norfolk County Registry of Deeds at Book 37493 Page 424.

This conveyance does not constitute all or substantially all of the assets of Whitman Homes, Inc.

Executed and delivered as a sealed instrument this 15 day of September, 2020.

WHITMAN HOMES, INC.

Richard P. Whittington, President

and Treasurer

### COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

On this \_\_/5' day of September, 2020, before me, the undersigned notary public, personally appeared Richard P. Whittington, as President and Treasurer aforesaid, proved to me through satisfactory evidence of identification, which was/were [ ] Mass. driver's license(s) or [ /] personal knowledge or [ ]personal knowledge \_\_\_\_\_, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily in said capacities for its stated purpose on behalf of WHITMAN HOMES, INC..

Notary Public

My Commission Expires:

Commer My

VERA D. CRUICKSHANK-BLYE
Notary Public
Commonwealth of Massachusetts
My Commission Expires
January 25, 2024

2926623.2/14615-2

## Town of Franklin – Board of Assessors

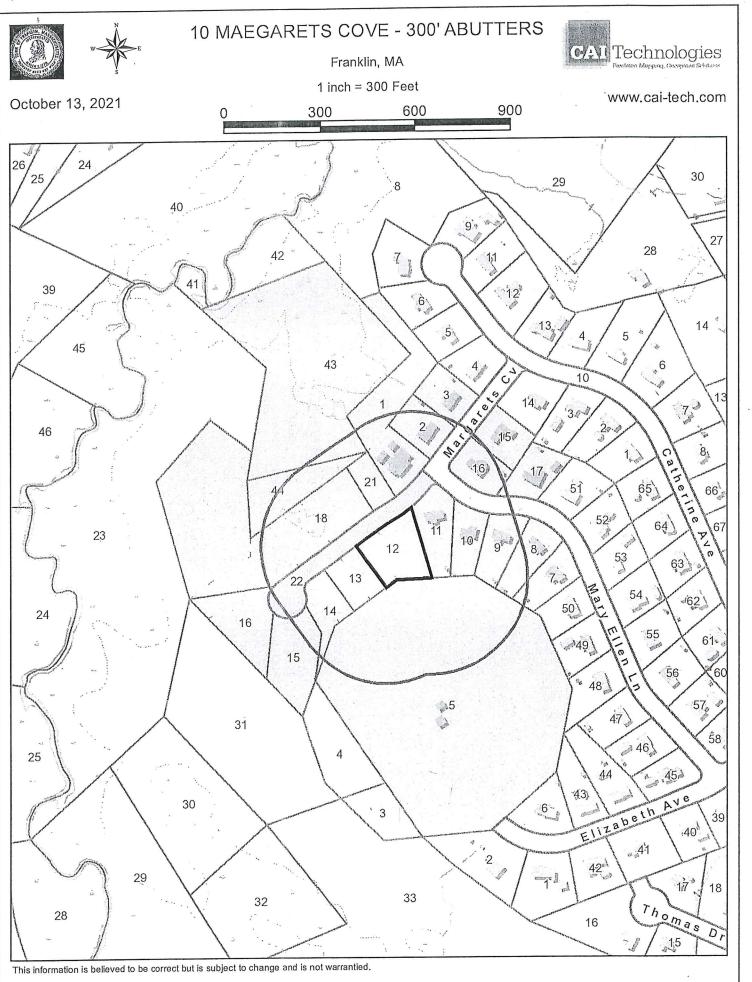
355 East Central St Franklin, MA 02038 Tel # 508-520-4920 Fax # 508-520-4923

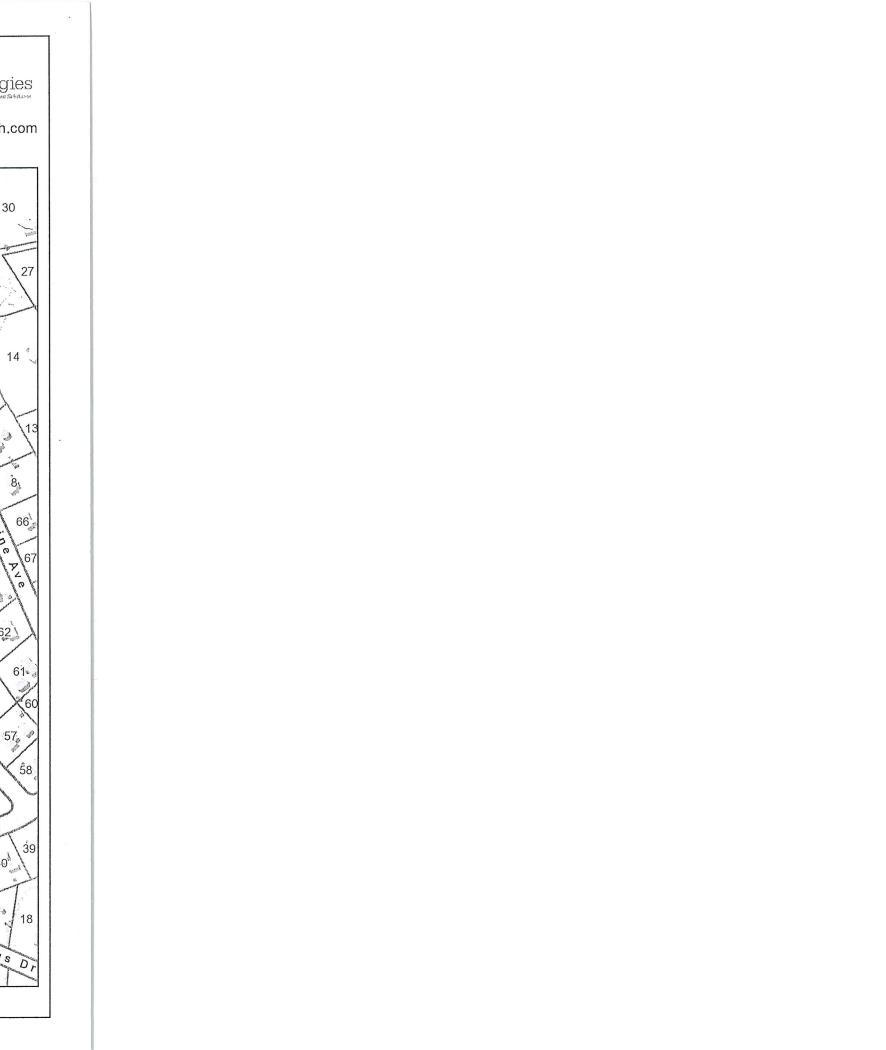


## **Abutters List Request Form**

Please Note: A \$25.00 Fee PER PARCEL 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 payment and submission of the form for the Assessors office to complete the processing of your request.

Date of Request 10 / 12 / 2021
Assessors Parcel ID # (12 digits) 237 - 012 - 000 - 000 V
Property Street Address 10 MARGARETS COVE
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 LHALA RANZERT
Property Owner's Mailing Address 10 MARGARETS COUL
Town/City FRANKLIN State MA Zip Code 0203 8
Property Owner's Telephone #
Requestor's Name (if different from Owner) ZERC DIAS (STRONG POSNIT ENG)
Requestor's Address 340 MANLEY ST, WIBRIDGEWATER, MA 02379
Requestor's Telephone # _ <u>308</u> - <u>672</u> - <u>0224</u>
Office Use Only: Date Fee Paid 10/12/21 Paid in Cash \$
Paid by Check \$ 25.00 Check # 1853 Town Receipt # 27449
RETURN TO LEEANNE







#### **Subject Property:**

Parcel Number:

237-012-000

237-012-000-000 CAMA Number: Property Address: 10 MARGARETS CV Mailing Address: RANIERI SHALA

10 MARGARETS CV FRANKLIN, MA 02038

Abutters:

Parcel Number:

224-001-000

224-001-000-000 CAMA Number: Property Address: 7 MARGARETS CV

Parcel Number: CAMA Number:

Parcel Number:

224-002-000 224-002-000-000

Property Address: 5 MARGARETS CV

224-003-000 224-003-000-000

CAMA Number: Property Address: 3 MARGARETS CV

Parcel Number: 224-015-000 CAMA Number:

224-015-000-000 Property Address: 4 MARGARETS CV

Parcel Number: 224-016-000

224-016-000-000 CAMA Number: Property Address: 19 MARYELLEN LN

224-017-000 Parcel Number: CAMA Number: 224-017-000-000

Property Address: 17 MARYELLEN LN

Parcel Number: CAMA Number:

224-043-000-000 Property Address: MINE BROOK

224-043-000

Parcel Number: 224-044-000 CAMA Number:

224-044-000-000 Property Address: MINE BROOK

237-005-000 Parcel Number: 237-005-000-000 CAMA Number: Property Address: 21 ELIZABETH AVE

10/13/2021

237-007-000 Parcel Number: 237-007-000-000 CAMA Number: Property Address: 14 MARYELLEN LN

Mailing Address: RANIERI DONALD G JR RANIERI

SUZANNE M

7 MARGARETS COVE FRANKLIN, MA 02038

Mailing Address: DULONG TUCKER DULONG SARAH E

**5 MARGARETS COVE** FRANKLIN, MA 02038

Mailing Address: GILBERT JEFFERY GILBERT CHRISTINE

3 MARGARETS COVE FRANKLIN, MA 02038

Mailing Address: KEANE JAMES F JR KEANE JEANNE M

**4 MARGARETS COVE** FRANKLIN, MA 02038

Mailing Address: DIBELLA ANTHONY DIBELLA MEGAN 19 MARYELLEN LN

FRANKLIN, MA 02038

Mailing Address: POWERS JOHN D TANIAN-POWERS LINDA

17 MARYELLEN LN FRANKLIN, MA 02038

Mailing Address: UNITED STATES OF AMERICA USA

696 VIRGINIA ROAD CONCORD, MA 01742

Mailing Address: UNITED STATES OF AMERICA USA 696 VIRGINIA ROAD

CONCORD, MA 01742

Mailing Address: FRANKLIN TOWN OF 355 EAST CENTRAL STREET

FRANKLIN, MA 02038

Mailing Address: PATJANE WILLIAM A PATJANE GISELLE

14 MARYELLEN LN FRANKLIN, MA 02038

www.cai-tech.com This information is believed to be correct but is subject to change and is not warrantied.

Page 1 of 2



Parcel Number: CAMA Number: 237-008-000 237-008-000-000

Property Address: 16 MARYELLEN LN

Mailing Address: DANAHY MICHAEL DANAHY AMY

16 MARYELLEN LN

FRANKLIN, MA 02038

Parcel Number: CAMA Number: Property Address: 18 MARYELLEN LN

237-009-000 237-009-000-000

Mailing Address: LYNCH EDWARD C LYNCH ALLYSEN D

18 MARYELLEN LN

FRANKLIN, MA 02038

Parcel Number: CAMA Number:

237-010-000 237-010-000-000 Property Address: 20 MARYELLEN LN

Mailing Address: WARD DAVID D WARD CHRISTINE R

20 MARYELLEN LN FRANKLIN, MA 02038

Parcel Number: CAMA Number:

237-011-000 237-011-000-000 Property Address: 22 MARYELLEN LN

Mailing Address: SINKS LUCIUS F SINKS STACY B

22 MARYELLEN LN FRANKLIN, MA 02038

Parcel Number: CAMA Number:

Parcel Number:

CAMA Number:

237-012-000

237-012-000-000

Mailing Address: RANIERI SHALA

10 MARGARETS CV FRANKLIN, MA 02038

Property Address: 10 MARGARETS CV

237-013-000

237-013-000-000

Mailing Address: SIMON KIRK D SIMON ELIZABETH F

6 MONTEREY DR FRANKLIN, MA 02038

Property Address: 12 MARGARETS CV

237-014-000 Parcel Number: CAMA Number:

237-014-000-000 Property Address: 14 MARGARETS CV

Mailing Address: ST. PETER TRAVIS ST. PETER

**JENNIFER** 

14 MARGARETS CV FRANKLIN, MA 02038

237-015-000 Parcel Number: 237-015-000-000 CAMA Number:

Mailing Address: WHITMAN HOMES INC 1200 TURNPIKE ST CANTON, MA 02021

Property Address: 16 MARGARETS CV

237-016-000 237-016-000-000 Property Address: 17 MARGARETS CV

Mailing Address: KUMAR SUDHA KUMAR THIRUMAL

7 CANTOR LN

FRANKLIN, MA 02038

Parcel Number: CAMA Number:

Parcel Number:

CAMA Number:

237-018-000 237-018-000-000 Property Address: 15 MARGARETS CV

Mailing Address: WHITMAN HOMES INC 1200 TURNPIKE ST CANTON, MA 02021

237-021-000 Parcel Number: CAMA Number: 237-021-000-000 Property Address: 9 MARGARETS CV

Mailing Address: WHITMAN HOMES INC 1200 TURNPIKE ST CANTON, MA 02021

Parcel Number: CAMA Number:

10/13/2021

237-022-000 237-022-000-000 Property Address: MARGARETS CV

Mailing Address: RANIERI DONALD G 438 WEST CENTRAL ST FRANKLIN, MA 02038



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

DANAHY MICHAEL DANAHY AMY 16 MARYELLEN LN FRANKLIN, MA 02038

RANIERI DONALD G 438 WEST CENTRAL ST FRANKLIN, MA 02038 WHITMAN HOMES INC 1200 TURNPIKE ST CANTON, MA 02021

DIBELLA ANTHONY DIBELLA MEGAN 19 MARYELLEN LN FRANKLIN, MA 02038 RANIERI DONALD G JR RANIERI SUZANNE M 7 MARGARETS COVE FRANKLIN, MA 02038

WHITMAN HOMES INC 1200 TURNPIKE ST CANTON, MA 02021

DULONG TUCKER DULONG SARAH E 5 MARGARETS COVE FRANKLIN, MA 02038

RANIERI SHALA 10 MARGARETS CV FRANKLIN, MA 02038

FRANKLIN TOWN OF 355 EAST CENTRAL STREET FRANKLIN, MA 02038 SIMON KIRK D SIMON ELIZABETH F 6 MONTEREY DR FRANKLIN, MA 02038

GILBERT JEFFERY GILBERT CHRISTINE T 3 MARGARETS COVE FRANKLIN, MA 02038 SINKS LUCIUS F SINKS STACY B 22 MARYELLEN LN FRANKLIN, MA 02038

KEANE JAMES F JR KEANE JEANNE M 4 MARGARETS COVE FRANKLIN, MA 02038 ST. PETER TRAVIS ST. PETER JENNIFER 14 MARGARETS CV FRANKLIN, MA 02038

KUMAR SUDHA KUMAR THIRUMAL 7 CANTOR LN FRANKLIN, MA 02038 UNITED STATES OF AMERICA USA 696 VIRGINIA ROAD CONCORD, MA 01742

LYNCH EDWARD C LYNCH ALLYSEN D 18 MARYELLEN LN FRANKLIN, MA 02038 UNITED STATES OF AMERICA USA 696 VIRGINIA ROAD CONCORD, MA 01742

PATJANE WILLIAM A PATJANE GISELLE C 14 MARYELLEN LN FRANKLIN, MA 02038 WARD DAVID D WARD CHRISTINE R 20 MARYELLEN LN FRANKLIN, MA 02038

POWERS JOHN D TANIAN-POWERS LINDA 17 MARYELLEN LN FRANKLIN, MA 02038

WHITMAN HOMES INC 1200 TURNPIKE ST CANTON, MA 02021

