

City of Framingham

The City Council of Framingham



ORDER NO. 2025-039 REQUEST OF CHARLES F. ROUSSEAU

UPON THE REQUEST OF CHARLES F. ROUSSEAU, THE CITY OF FRAMINGHAM, THROUGH THE FRAMINGHAM CITY COUNCIL, IT IS SO ORDERED:

That the City Council of Framingham, upon certification by the Public Works Division City Engineer to abandon any part or all of that drainage easement acquired by the Inhabitants of the Town of Framingham from and after consideration of the matter, does hereby adjudge:

THAT the Town of Framingham, through its Board of Selectmen, by an instrument of taking dated April 28, 1997, recorded with the Middlesex South District Registry of Deeds Book 27311, Page 241, did take for the purposes set forth in said instrument a permanent right and easement for drainage and sloping purposes over, through, under and in a certain parcel of land 3,390 square feet in area, depicted as Parcel D-1 in Plan No. 489 of 1997, the "Easement", which plan was approved by the Board of Selectmen on May 19, 1997, and recorded with the Middlesex South District Registry of Deeds Book 27311, Page 239;

THAT the Easement was taken pursuant to the order of taking from land formerly owned by MGI Point West Corp., and no payment of damages was made for the Easement, the parcel of land having been donated by the owner to the Town;

THAT the Easement has not been used and is not necessary for any future public use, and there is no public need or purpose requiring the retaining of the Easement;

THAT the easement should be abandoned and released to the lawful owner of record of the parcel, at the cost to the owner of all fees and costs associated with preparation of documents and instruments required to release the Easement, including but not limited to recording costs, subject to the City Solicitor's review and approval; and

THAT the Mayor is authorized to execute on behalf of the City of Framingham and the Inhabitants of the City of Framingham any and all documents, instruments, and agreements, under such terms, conditions and/or restrictions as the Mayor may deem necessary and appropriate, and take all actions necessary or convenient as the Mayor deems appropriate in order to effectuate the purposes of this City Council Order.

City of Framingham



The City Council of Framingham



YEAS: Alexander, Bryant, Cannon, King, Leombruno, Long, Mallach, Ottaviani,
Steiner, Ward, White Harvey
NAYS: None
ABSTAIN: None
ABSENT: All other members were present in person or via teleconference

PASSED IN COUNCIL: May 20, 2025

A TRUE RECORD, ATTEST:

5/21/2025
Date Approved

Lisa A. Ferguson, City Clerk
Emily L. Butler, Assistant City Clerk

~~5/22/25~~
Date Approved

Charlie Sisitsky, Mayor



CITY OF FRAMINGHAM

DEPARTMENT OF PUBLIC WORKS | OPERATIONS

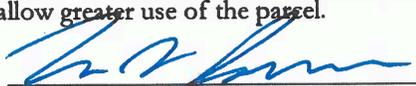
508-532-6010
engineering@framinghamma.gov
www.framinghamma.gov

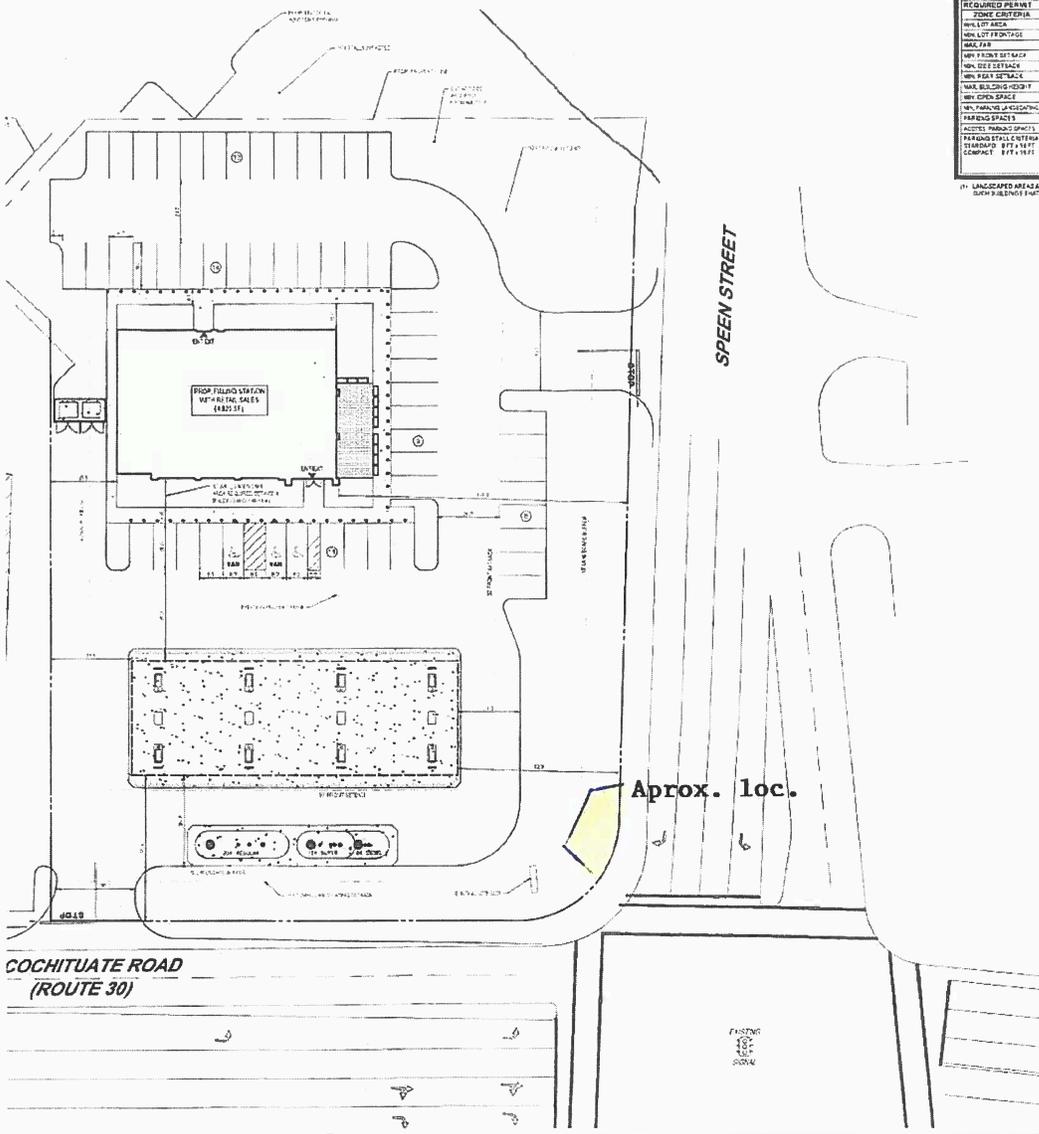
OPERATIONS CENTER
100 Western Avenue
Framingham, MA 01702

CERTIFICATION OF CITY ENGINEER ERIC V. JOHNSON, P.E. RE: Drain and Slope Easement located at 111 Speen Street

I, Eric V. Johnson, in my capacity as City Engineer on behalf of the City of Framingham, do hereby certify the following:

1. I have served in my official capacity as City Engineer since November 2014.
2. In my capacity as City Engineer, I am familiar with roadways, roadway projects, and infrastructure and improvements and improvement projects in and along Framingham Roadways. This includes familiarity with the use and location of various easements taken for roadway purposes, both temporary and permanent.
3. I reviewed the site, records and documentation on the permanent easement taken in 1997 for the widening of Speen Street. As indicated in the Report of the Selectmen on the Widening & Relocation of Speen Street, as part of the widening and relocation of Speen Street, this easement was acquired for the purposes of "draining and maintaining the... Town way, constructing slopes of excavation and/or embankment and perform any other necessary incidental construction." The Report states no payment was made for taking because land was donated. **Attachment 1-Report of the Selectmen on the Widening & Relocation of Speen Street Dated April 28, 1997.**
4. The easement is 3,390 square feet in area and depicted as Parcel D-1 in the attached figure. **Attachment 2- Town of Framingham Plan of the Widening and Relocation of a Portion of Speen Street from Station 0+00.00 to Station 4+37.04 Dated August 15, 1996.**
5. The City did not utilize the easement for these purposes and will not need to do so in the foreseeable future.
6. As part of a previous roadway improvement project on Cochituate Road and Speen Street, the Commonwealth of Massachusetts did not utilize the easement for drainage or slope purposes and will not need to do so in the foreseeable future.
7. There is no existing City infrastructure within this easement and it does not serve as a detention basin or other stormwater management purpose.
8. The easement is not situated in a location where construction of such a facility would benefit the City.
9. The land surface of the easement area is relatively flat and at consistent grade with the roadway, therefore it is not needed to maintain slope stability.
10. The easement is on privately owned land, and the current owner sought review of the unused easement. **Attachment 3-Charles F. Rousseau Letter to the Mayor Dated May 1, 2025**
11. In my opinion, the easement is no longer required for the public purposes of drainage or sloping, which were the purposes for which it was originally taken, is will not be necessary for those purposes in the future, and I recommend the easement be abandoned to allow greater use of the parcel.


Eric V. Johnson, P.E.
City Engineer



| OVERLAY DISTRICT | REGULATORY CENTER | PROPOSED |
|----------------------|-------------------|------------|
| REQUIREMENTS | 1929 | 1929 |
| ZONE | COMMERCIAL | COMMERCIAL |
| MIN. FRONT SETBACK | 10 FT | 10 FT |
| MIN. SIDE SETBACK | 5 FT | 5 FT |
| MIN. REAR SETBACK | 5 FT | 5 FT |
| MIN. BUILDING HEIGHT | 12 FT | 12 FT |
| MIN. OPEN SPACE | 20% | 20% |
| PARKING SPACES | 25 | 25 |
| ACCESS DRIVEWAYS | 1 | 1 |
| PARKING SPACES | 25 | 25 |
| STREET LIGHTS | 1 | 1 |
| LANDSCAPING | 1 | 1 |

BOHLER
 SITE CIVIL AND CONCRETE ENGINEERING
 312 TURNPIKE ROAD
 SOUTHBOROUGH, MA 01777
 PHONE: (508) 845-9400
 WWW.BOHLERENGINEERING.COM

| REV | DATE | COMMENTS |
|-----|------|----------|
| | | |
| | | |

811
 Massachusetts
 Call before you dig
 ALWAYS CALL 811
 It's free. It's fast. It's the law!

FOR CONCEPT PURPOSES ONLY
 PROJECT NO.: 08-077-043
 DRAWING NO.: LMO
 CREATED BY: JCS
 DATE: 02/20/23
 CAD ID: 001081237524

PROPOSED SITE PLAN DOCUMENTS
 FOR
GLOBAL
 PROPOSED DEVELOPMENT
 PARCEL ID: 08-077-043
 696 COCHITUATE ROAD
 CITY OF FRAMINGHAM
 MIDDLESEX COUNTY
 MASSACHUSETTS

BOHLER
 312 TURNPIKE ROAD
 SOUTHBOROUGH, MA 01777
 Phone: (508) 845-9400
 www.BohlerEngineering.com

J.G. SWERLING
 DRAFT: 2/2/23
 PROFESSIONAL ENGINEER
 LICENSE NO. 10123
 EXPIRES 12/31/24
 PROJECT NO. 08-077-043
 DRAWING NO. LMO
 DATE: 02/20/23
 PROJECT: 696 COCHITUATE RD

CONCEPTUAL LAYOUT PLAN
 SHEET NUMBER
CA-01
 C.D.G. DATE: 02/20/23

CONCEPT LAYOUT PLAN NOTES

- THIS PLAN HAS BEEN PREPARED BASED ON REFERENCES INCLUDING:
 - CITY OF THE PARCEL MAP
 - CITY OF THE ZONING
 - ALL EXISTING AND PROPOSED UTILITIES SHOWN ON THE CITY OF THE PARCEL MAP AND THE CITY OF THE ZONING
- EXACT LOCATION OF PROPOSED BUILDING AND IMPROVEMENTS MUST BE CONFIRMED ON THE DATE OF CONSTRUCTION.
- THIS PLAN IS INTENDED FOR CONCEPTUAL REVIEW PURPOSES ONLY. THE EXISTING CONDITIONS SHOWN ARE BASED ON INFORMATION THAT WAS SUPPLIED TO US BY THE CLIENT. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF FRAMINGHAM.

SCALE: 1" = 20'

**Proposed Rebuild
 Mobil Service Station
 696 Cochituate Road**