

City of Framingham



The City Council of Framingham



ORDER NO. 2025-046 REQUEST OF DUDLEY STEPHAN

UPON THE REQUEST OF DUDLEY STEPHAN, THE CITY OF FRAMINGHAM, THROUGH THE FRAMINGHAM CITY COUNCIL, IT IS SO ORDERED:

That the Framingham City Council votes to accept donation of permanent water easement 1065 Edmands Road and votes to abandon and release water easement 1061 and 1065 Edmands Road, and after consideration of the matter, does hereby adjudge:

THAT the City Engineer reviewed the matter of a forty-foot wide (40') City water easement located along 1061 and 1065 Edmands Road, the "Existing Easement", depicted on Lots 1 and 2 of Plan No. 485 of 2012, approved by the Framingham Planning Board on June 14, 2012 and recorded with the Middlesex South District Registry of Deeds in Plan Book 0212 Page 0485;

THAT the City Engineer certifies conditions on acceptance of a permanent water easement donated to the City by the Owner of 1065 Edmands Road, and the Owner consents to and grants the permanent forty-foot wide (40') City water easement on 1065 Edmands Road, the "1065 Edmands Road Easement"; as depicted on a Plan entitled Easement Plan 1061-1065 Edmands Road, Framingham, Mass., prepared by Guerriere & Halnon, Inc., dated May 27, 2025; and the City accepts the donation by Owner of the 1065 Edmands Road Easement;

THAT the City Engineer certifies conditions on abandonment and release of a portion of the Existing Easement and any infrastructure remaining therein, after installation of City water infrastructure in the 1065 Edmands Road Easement is completed according to the requirements of law and specifications of the Public Works Division at the Owner's expense; and the City authorizes the abandonment and release of a portion of the Existing Easement provided all conditions are met;

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 and under such terms as the Mayor deems necessary and 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, Mallach, Ottaviani, Steiner,
Ward, White Harvey
NAYS: Long
ABSTAIN: None
ABSENT: All members were present in person or via teleconference

PASSED IN COUNCIL: June 3, 2025

A TRUE RECORD, ATTEST:

6/4/2025
Date Approved

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

6/5/25
Date Approved

Charlie Sisitsky
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: Water Easement-1061 and 1065 Edmands Road

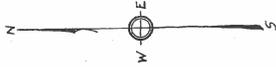
I, Eric V. Johnson, in my capacity as City Engineer on behalf of the City of Framingham, do hereby certify the following:

1. I have served in my official capacity as City Engineer since November of 2014.
2. In my capacity as City Engineer, I am familiar with utilities, utility projects, and infrastructure improvements and improvement projects in and along Framingham roadways and easements. This includes familiarity with the use and location of various easements taken for utility purposes, both temporary and permanent.
3. I reviewed the site, records and documentation on the permanent 40' foot water easement depicted in Plan No. 1271 of 1949 Plan of Land for Easements and Water Works, recorded at the Middlesex South District Registry. **Attachment 1-Plan No. 1271 of 1949 prepared by Samuel Dyer, Town Engineer, January 1949.**
4. The Easement is also depicted along Lots 1 and 2 in Plan No. 485 of 2012, the Plan of Land In Framingham, Mass.-Subdivision, recorded at the Middlesex South District Registry of Deeds at Book 02012, Page 485. **Attachment 2-Plan No. 485 of 2012 prepared by Sullivan Surveying Company.**
5. The easement is a 40' wide easement across the lots of land of 1065 and 1061 Edmands Road now and/or formally owned by P. Catalano Land Development LLC. and contains City-owned water infrastructure.
6. The owner proposes to relocate the City infrastructure by installing new infrastructure within the new easement at 1065 Edmands Road and within the Edmands Road public right of way to permit construction of the lots.
7. The easement is on privately owned land, and the current owner requested to grant a new easement located on 1065 Edmands Road, to relocate the City water infrastructure, following which portions of the existing easement could be abandoned. The owner has agreed to convey the new easement to the City and install the new infrastructure at no cost to the City. The owner has also agreed to enter an agreement with the City to accept all liability for any infrastructure remaining within the abandoned easement area. **Attachment 3-Arthur M. White, Esq. Letter to the Mayor Dated May 14, 2025.**
8. The proposed new water easement and proposed portion of easement to be abandoned are depicted on a plan prepared by & Halnon, Inc. that has been reviewed and approved by the Engineering Division of the Department of Public Works Divisions. **Attachment 4-Easement Plan – 1061-1065 Edmands Road, Framingham, Mass.**
9. In my opinion, the new proposed easement is acceptable for use for the installation of City water infrastructure, following which the existing water easement dissecting two private parcels of land can be abandoned, and I recommend the easement be relocated, water infrastructure relocated at the owner's expense and to the satisfaction of the Department of Public Works, and once relocated, the existing water easement abandoned, to allow greater use of the parcels affected.

Eric V. Johnson, P.E.
City Engineer

Attachment 1

- Plan No. 1271 of 1949 prepared by Samuel Dyer, Town Engineer, January 1949

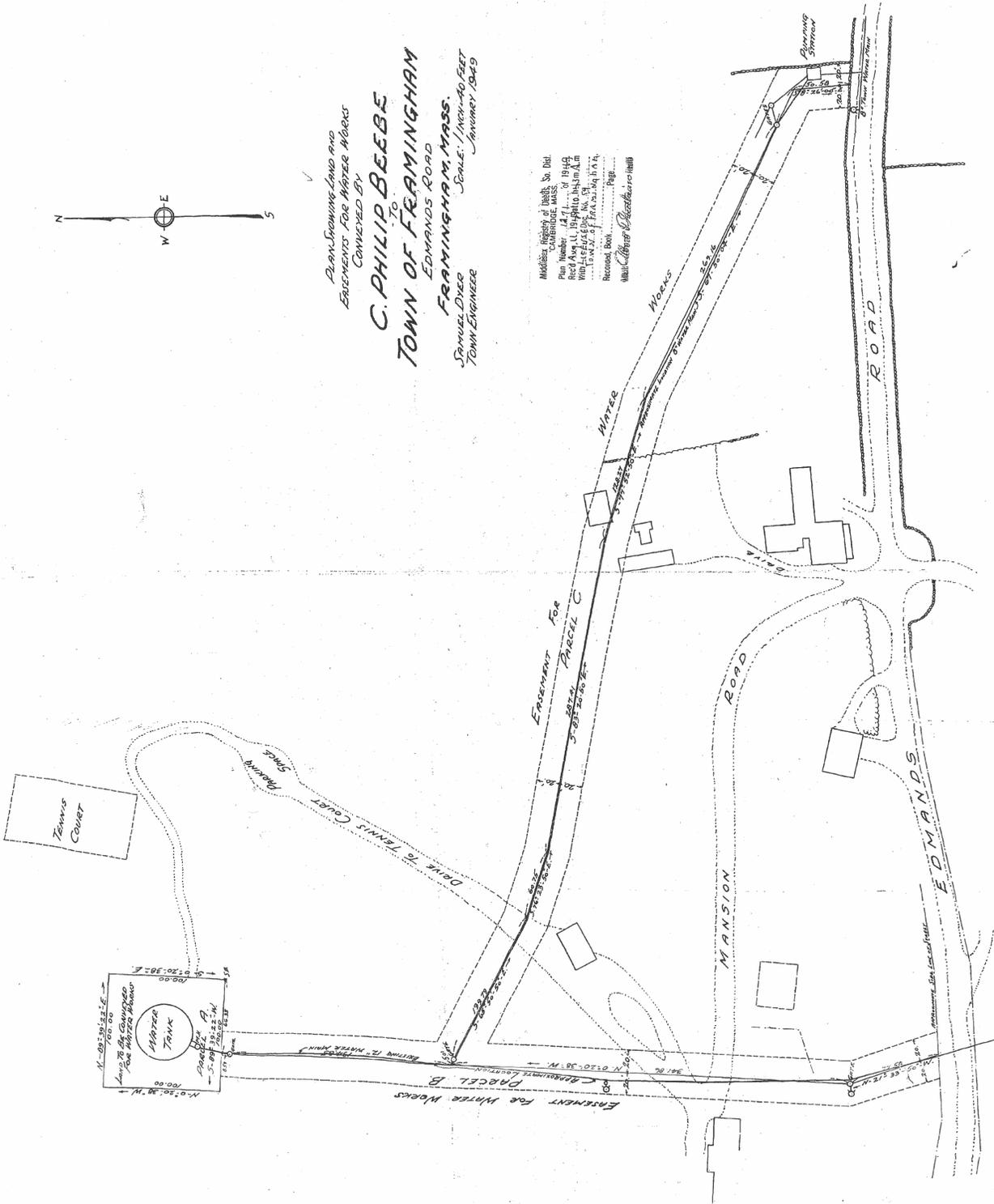


PLAN SHOWING LAND AND
EASEMENTS FOR WATER WORKS
CONVEYED BY

C. PHILIP BEEBE
TO
TOWN OF FRAMINGHAM

EDWARDS ROAD
FRAMINGHAM, MASS.
SAMUEL DIER
TOWN ENGINEER
SCALE: 1"=100'-0.00" SET
JANUARY 1949

Middlesex Registry of Deeds, No. Deed
"C" 1471, of 1949
FILED IN THE OFFICE OF THE
REGISTER OF DEEDS FOR THE
COUNTY OF MIDDLESEX,
RECORD BOOK, PAGE 1471
THOMAS C. BEEBE, REGISTER



Attachment 2

- Plan No. 485 of 2012 prepared by Sullivan Surveying Company

Attachment 3

- Arthur M. White, Esq. Letter to the Mayor Dated May 14, 2025

LAW OFFICES OF
BENJAMIN & WHITE, P.C.
600 WORCESTER ROAD, SUITE 401
FRAMINGHAM, MASSACHUSETTS 01702
TELEPHONE: (508) 879-5000 - FACSIMILE: (508) 620-1779

ARTHUR M. WHITE
awhite@bwblawyers.com
PHILIP B. BENJAMIN
pbenjamin@bwblawyers.com

May 14, 2025

Mayor Charles Sisitsky
Framingham City Hall
150 Concord Street
Framingham, MA 01702

Re: 1061 and 1065 Edmands Road

Dear Mayor Sisitsky:

This office represents Dudley Stephan in his pending purchase of the above two (2) vacant residential lots known and numbered as 1061 and 1065 Edmands Road. These two lots have a Municipal water line and a 40' wide City water easement running through the center portions. Enclosed is a 2012 Plot Plan that depicts the location of the water line and Easement, (Enclosure #1).

In order to better utilize these lots, Mr. Stephan has met recently with personnel at the City's Department of Police Works. Collectively, they have agreed upon a process whereby Mr. Stephan, upon obtaining ownership of the lots, would have a new water line installed along and under Edmands Road to replace the current water line. The new water line would continue along Edmands Road until it turned due North along the westerly boundary of the 1065 Edmands Road lot. A preliminary plan for this relocated water line is enclosed herewith. (Enclosure #2).

Also enclosed is a May 13, 2025 plan prepared by Guerriere & Halnon Engineering and Land Surveying (G&H), that depicts where the city would have a relocated Water Easement to access the new location of the water line. (Enclosure #3). We are advised we would need the City to enter in an Agreement to approve this relocation of the easement due to the relocation of the water line. A proposed Agreement entitled "Relocation of City Water Easement" is enclosed (Enclosure #4).

It is our understanding that this Agreement must be approved by the City Solicitor and by the City Council.

Please advise of any further information/documentation is needed for the city to approve the "Relocation of City Water Easement" and the May 13, 2025 plan of G&H.

Thank you for your attention to this matter.

Very truly yours,
BENJAMIN & WHITE, P.C.



Arthur M. White

AMW/mk
Enclosure

ENCLOSURE 1

1.
 Southern District
 Cambridge, Massachusetts
 Plan No. 485 of 2012
 Rec'd 7-18-12 M P M

Attest
Joseph C. Bremer
 Registrar

27,438

FOR REGISTRY USE ONLY
 I CERTIFY THAT THE PREPARATION OF THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTRARS OF DEEDS.

Joseph R. Sullivan
 JOSEPH R. SULLIVAN, REG. PROF. LAND SURVEYOR

APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED.
 FRAMINGHAM PLANNING BOARD.

Joseph R. Sullivan
Allen M. Glick
Joseph C. Bremer

DATE: *June 14, 2012*

THE DISPOSMENT OF THE PLANNING BOARD SHOULD NOT BE CONSIDERED TO BE A DETERMINATION OF CONFORMANCE WITH ZONING REGULATIONS FOR ALL LOTS AFFECTED. LOTS 1 AND 2 CONTAIN 100% UPLAND.

THIS DISPOSMENT OF THE PLANNING BOARD SHOULD NOT BE CONSIDERED TO BE A DETERMINATION OF CONFORMANCE WITH THE ZONING BY-LAW RELATIVE TO PREVIOUSLY-APPROVED CONSTRUCTION AND FLOOR AREA RATIO IN ACCORDANCE WITH SECTION 21A.2, 3.c., 3.d., 4.b., 6.c.-e. AND 7.c. OF THE ZONING BY-LAW FOR ALL LOTS AFFECTED.

THIS DISPOSMENT OF THE PLANNING BOARD SHOULD NOT BE CONSIDERED TO BE A DETERMINATION OF CONFORMANCE WITH SECTION 21A.2 OF THE ZONING BY-LAW FOR ALL LOTS AFFECTED.

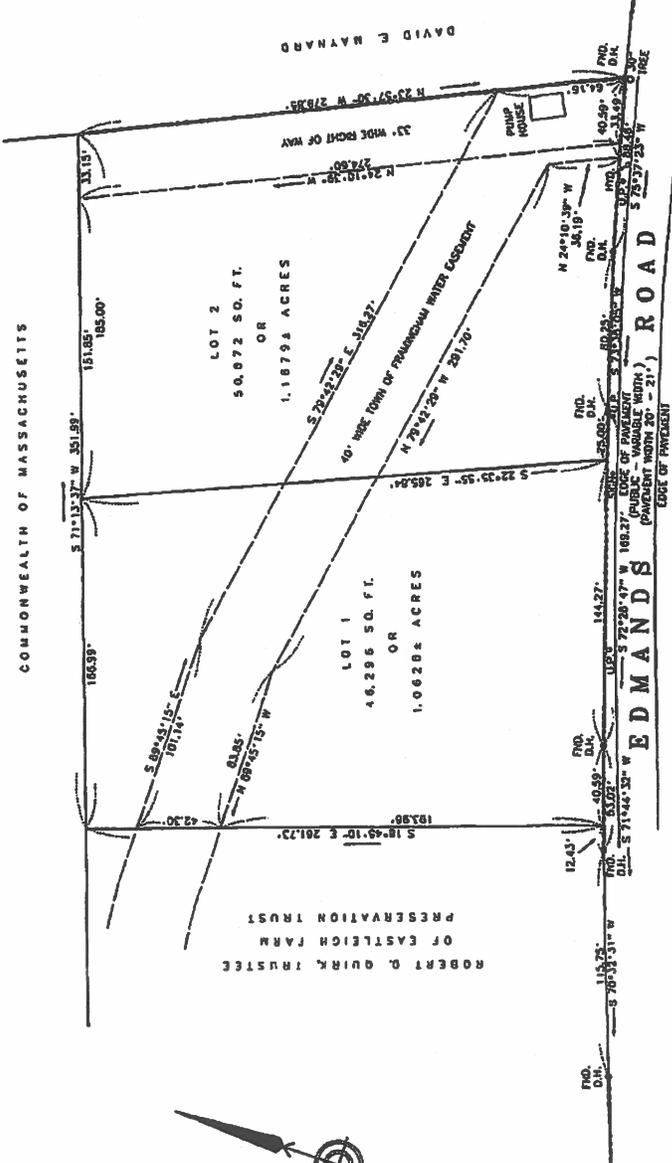
THIS DISPOSMENT OF THE PLANNING BOARD SHOULD NOT BE CONSIDERED TO BE A DETERMINATION OF CONFORMANCE WITH THE FRAMINGHAM GENERAL BY-LAW IN ACCORDANCE WITH ARTICLE 3, SECTION 12, AND SECTION 13. THE MASSACHUSETTS WETLANDS PROTECTION ACT, M.G.L. CH. 131, SECTION 40 AND ITS IMPLEMENTING REGULATIONS, 310 CMR 10.00 FOR ALL LOTS AFFECTED.

DEED REF.: BOOK 13316, PAGE 510
 SOUTH INDEXED REGISTRY OF DEEDS.

ASSESSORS MAP 423, BLOCK 3, LOT 142
 ZONING CLASSIFICATION - R-1

27,438

COMMONWEALTH OF MASSACHUSETTS



PLAN OF LAND IN FRAMINGHAM, MASS.

OWNED BY: ALLEN M. GLICK

SCALE: 1" = 40'

SURVEY BY: SULLIVAN SURVEYING COMPANY
 209 WEST CENTRAL STREET - NATICK, MASS.



NOVEMBER 22, 2011



485

12:11 PM

7/18/12

PL: 485

ENCLOSURE 2

STATEMENT OF PURPOSE: THE PURPOSE OF THIS PLAN IS TO SHOW THE PROPOSED 16" DIP WATER LINE TO BE RELOCATED FROM THE EXISTING LOTS ON EDMANDS STREET IN FRAMINGHAM, MA.

NOTES:

- EXISTING INFORMATION IN BACKGROUND WAS PROVIDED BY FRAMINGHAM MAPCO. THIS PLAN IS FOR HORIZONTAL LOCATION ONLY, AND IS TO ONLY BE UTILIZED FOR SUCH.
- THIS PLAN IS FOR PLANNING USE ONLY.

THE CONSTRUCTION SEQUENCE SHOULD BE AS FOLLOWS:

- INSTALL BUTTERFLY VALVE AT EXISTING 16" DIP STUB.
- INSTALL 6" BYPASS AT VALVE LOCATION.
- EXTEND 16" DIP LINE TO CORNER OF 1065 AND 1075 EDMANDS ROAD.
- INSTALL 45 DEG FITTINGS.
- INSTALL BUTTERFLY VALVE WITH 8" BYPASS TO EXISTING 8" MAIN LINE IN ROADWAY.
- EXTEND 16" DIP LINE TO EXISTING EASEMENT LOCATION.
- INSTALL 1 EA 45 DEG AND 1 EA 22.5 DEG BENDS AT END OF RUN.
- CAP LINE TO PRESSURE TEST.
- SHUT DOWN MAIN LINE.
- CUT AND INSTALL NEW END TO EXISTING PIPE.
- CAP AND ABANDON EXISTING MAIN ON PROPERTY.
- CUT AND REMOVE 16"x16" TEE AT 16" MAIN LOCATION. REPLACE WITH STRAIGHT 16" SECTION.
- CUT AND REMOVE 16"x8" TEE AT 8" MAIN LOCATION. REPLACE WITH STRAIGHT 8" SECTION.

REVISIONS	
REV#	DATE

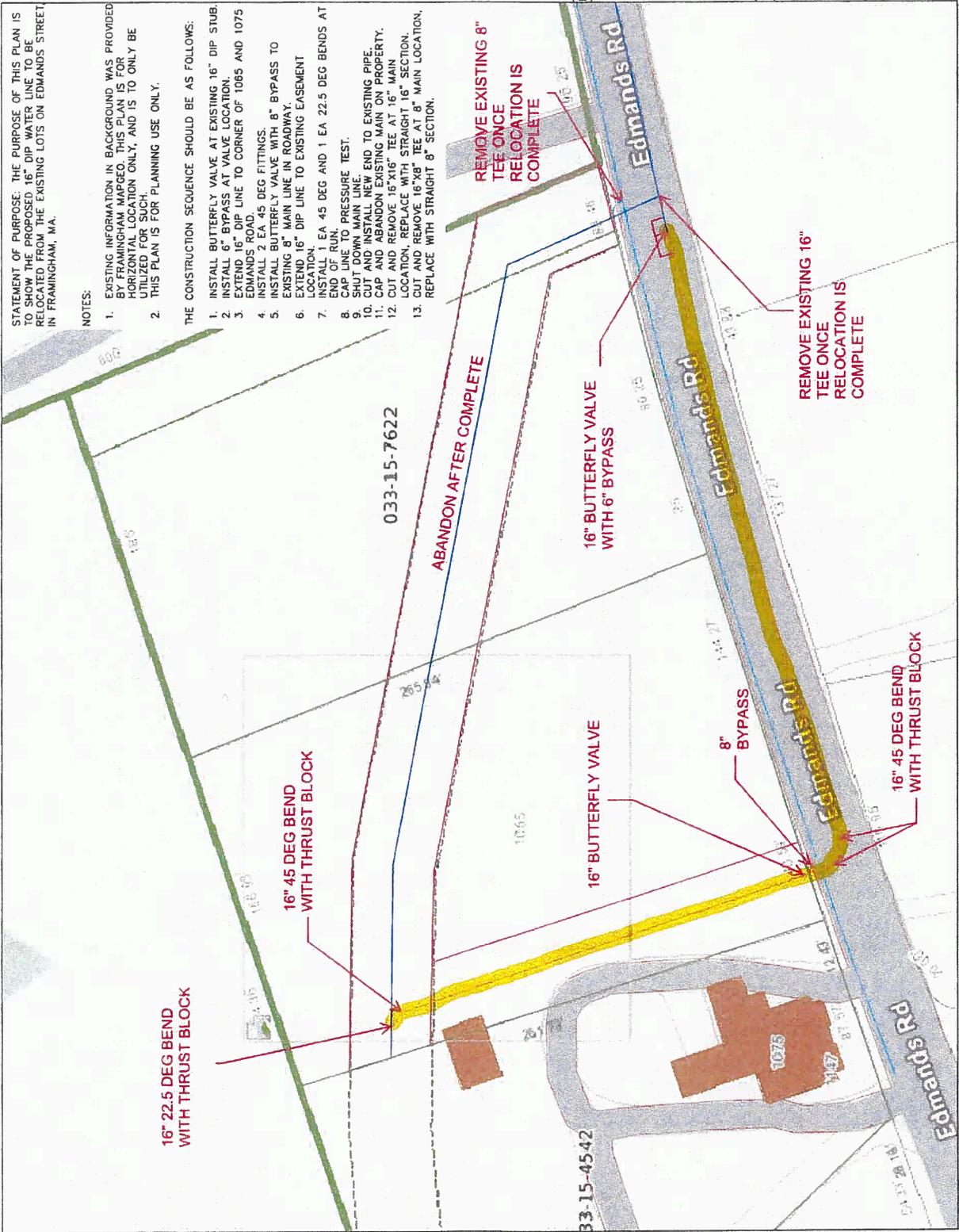
COMMENTS:

DRAWN & CHECKED BY: KEL
PE. STAMP.

DATE: 05.12.2024

RELOCATION OF 16" DIP MAIN WATER LINE ON EDMANDS ROAD, FRAMINGHAM, MA 01886

BELLA CONSTRUCTION
119 EAST CENTRAL ST.
FRANKLIN, MA 02038



ENCLOSURE 3

ENCLOSURE 4

RELOCATION OF CITY WATER EASEMENT

This Relocation of City Water Easement (hereinafter referred to as "Relocation Agreement") is entered into this day of May, 2025 by and between The City of Framingham, a Municipal Corporation in Middlesex County, Commonwealth of Massachusetts (hereinafter referred to as "City") and M & D Building LLC, a Massachusetts Limited Liability Company located at 842 Edmands Road, Framingham, Massachusetts (hereinafter referred to as "M&D")(Collectively referred to as "Parties").

M&D is in the process of purchasing from the current owner, P. Catalano Land Development LLC, the properties known and numbered as 1061 Edmands Road, Framingham, MA and 1065 Edmands Road, Framingham, MA (hereinafter collectively referred to as "Property"). There is an underground municipal water line on the Property and the City has been granted a Forty (40) foot wide Water Easement on the Property as set forth in the Deed recorded in Book 7465, Page 98 at the Middlesex South District Registry of Deeds. Said Water Easement is depicted in a Plan dated June 14, 2012 and recorded as Plan Number 485 of 2012 at the Middlesex South District Registry of Deeds.

The parties hereby agree that when acquisition of ownership of the property by M&D is completed, M&D will install a new water line along and in Edmands Road and then up through a new Easement area, connecting with the existing water line in the northwest section of the current Easement area on the 1065 Edmands Road lot. Such installation shall be done by and at the sole expense of M&D, but subject to the supervision and approval of the City. The attached Plan dated May 13, 2025 as prepared by Guerriere and Halnon, Inc. depicts the location of the new Thirty (30) foot wide City Water Easement. Said Plan shall be recorded at the Middlesex South District Registry of Deeds with this Relocation Agreement and shall replace and supersede all prior plans that depicted the previous location of the City Water Easement.

Witness our hands and seals on the date first written above.

City of Framingham
BY:

M&D Building LLC
BY:

Approved:

City Solicitor for Framingham

Attachment 4

- Easement Plan – 1061-1065 Edmands Road, Framingham, Mass

