



TOWN OF RANDOLPH
INC. 1793

Town of Randolph

OFFICE OF PLANNING BOARD

TOWN HALL
RANDOLPH, MASS. 02368

January 20, 2022

Paul V. Scally, Jr.
Joan M. Scally
Scally Family Living Trust
131 Oak Street
Randolph, MA 02368

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RE: Kiley Circle – Unrecorded Subdivision

In May 2020, the Planning Board requested information regarding the supposed subdivision of land on Oak Street that resulted in the creation of Kiley Circle and associated parcels (see attached). Following the correspondence, the Planning Board chairperson Anthony Plizga met with you in August 2020 to further discuss the need for information. As of this correspondence, no additional information has been received by the Planning Board.

Pursuant to Massachusetts General Law Chapter 41 Section 81W:

A planning board, on its own motion or on the petition of any person interested, shall have power to modify, amend or rescind its approval of a plan of a subdivision, or to require a change in a plan as a condition of its retaining the status of an approved plan. All of the provisions of the subdivision control law relating to the submission and approval of a plan of a subdivision shall, so far as apt, be applicable to the approval of the modification, amendment or rescission of such approval and to a plan which has been changed under this section.

No modification, amendment or rescission of the approval of a plan of a subdivision or changes in such plan shall affect the lots in such subdivision which have been sold or mortgaged in good faith and for a valuable consideration subsequent to the approval of the plan, or any rights appurtenant thereto, without the consent of the owner of such lots, and of the holder of the mortgage or mortgages, if any, thereon; provided, however, that nothing herein shall be deemed to prohibit such modification, amendment or rescission when there has been a sale to a single grantee of either the entire parcel of land shown on the subdivision plan or of all the lots not previously released by the planning board.

The Board respectfully requests information from you before their meeting on **TUESDAY, APRIL 26, 2022** at 6:00pm when they will consider any action permitted by law. They are conducting meetings using a video platform (ZOOM) and you may submit any response to the Board in writing to my attention or participate in an upcoming meeting via video. Please contact my office at 781-961-0936 or mtyler@randolph-ma.gov if I can be of assistance in providing information or guidance on process or schedule you for an upcoming Planning Board meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle R. Tyler".

Michelle R. Tyler
Director of Planning

Cc: Jean Pierre-Louis, Engineer
Anthony Plizga, Planning Board Chairperson



Town of Randolph
Planning Department
41 South Main Street
Randolph, MA 02368
Phone: 781-961-0936

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mailed 2nd time 7-22-2020

May 5, 2020

Paul V. Scally, Jr.
Joan M. Scally
Scally Family Living Trust
131 Oak Street
Randolph, MA 02368

RE: Kiley Circle

During a recent review of the Town's records of the lots purported to be located on Kiley Circle and a comparison with the records on file at the Norfolk County Register of Deeds, we have found some inconsistencies between said records that I hope you can help us to resolve.

1) We have not located a recorded plan of land for the subdivision that created Kiley Circle on file with the Registry of Deeds. The documents that depict any layout for Kiley Circle are:

a. Book 4177 page 240 → ANR plan from 1964

b. Book 527 page 32 → Mathematical Correction Plan from 2004

It would appear that Kiley Circle may have been laid out between 1958 and 1964 yet we have not located the recorded plan at the Norfolk Registry of Deeds. Please advise.

2) The deeds for the lots referenced on the "Mathematical Correction" dated 2004 plan do not align with that plan through frontage or lot size. Should you provide the reference for the original recorded subdivision plan, the deeds would still not align with the plan as they reference frontage on Oak Street.

As you can see, the inconsistencies are problematic. Could you provide any documentation or reference to the recording of the subdivision at the Registry of Deeds to resolve the question about the creation of Kiley Circle? I can be reached via email at mttyler@randolph-ma.gov or by phone at 781-961-0936.

Regarding any required correction of the deeds for the lots depicted on Kiley Circle, I have included copies download from the Norfolk Register of Deeds for your information. Please