

## APPLICATION FOR APPROVAL OF A SITE PLAN AND SPECIAL PERMIT(S)

To the Franklin Planning Board:

The undersigned, herewith, submits the accompanying Site Plan entitled "**Site Development for Cannabis Cultivation**", **4 Liberty Way** and Special Permit(s) for Cannabis Cultivation activities and requests approval for under the provisions of the Zoning By-Laws of the Town of Franklin covering Site Plans and Special Permits.

1. Name of Applicant: 19th Fairway Development Inc.  
Address of Applicant: 42 Adin Street, Hopedale MA 01747  
Phone No.: 508-954-0209 Email: mspeinc@aol.com
2. Name of Owner (if not the Applicant): Liberty Realty <sup>TRUST</sup> Group *WMA 10-5-18*  
Address of Owner: PO Box 36 Mattapoisett MA 02739  
Phone No.: 508-758-6051 Email: BillCANTON@Tall@GMAIL.COM *WMA 10-5-18*
3. Name of Engineer: Mark M Santora PE, #40167  
Address of Engineer: 123 Old Westboro Road  
Phone No.: 508-887-0170 Email mspeinc@aol.com: \_\_\_\_\_
1. Deed of Property recorded with Norfolk Registry of Deeds in Book 11342, Page 577, (or Certificate of Title No. \_\_\_\_\_)
2. Location and Description of Property:  
4 Liberty Way, Wooded undeveloped lot in Franklin Industrial Park  
Zoning District: I  
Assessor's Map: 329 Lot: 2  
Square Footage of Building(s): 37,200  
Impervious Coverage of Existing Upland: 39% - 85,105 ft sq
3. Purpose of Site Plan:  
To obtain approval for Commercial building with utilities and parking for proposed facility.
4. Special Permit(s) Requested:  
A special permit is requested for the use of Cultivation and of Marijuana and production its byproducts.

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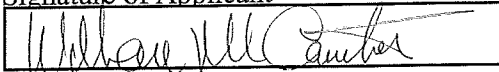
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5. Special Permit Criteria: please provide on a separate document, written findings for special permit criteria a-g for each special permit being requested. Criteria are listed below. Applications will not be accepted until findings are submitted.

Chapter 185, Section 45.E

(3). Findings. Special permits shall be granted by the special permit granting authority 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:

- (a) Proposed project addresses or is consistent with neighborhood or Town need.
  - (b) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed.
  - (c) Public roadways, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development.
  - (d) Neighborhood character and social structure will not be negatively impacted.
  - (e) 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.
  - (f) 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.
  - (g) 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.
6. Other issues requiring Planning Board Consideration: The proposed use of the facility is for the cultivation and manufacturing of marijuana and eadible byproducts. Both medical and recreational markets will be served. No retail sales are proposed at this location.
7. A certified list (by Office of the Assessors) of abutters within 300 feet of the site is also submitted with the application.
8. Certificate of Ownership.

  
Signature of Applicant  
  
Signature of Owner

19th Fairway Development Inc

Print Name of Applicant

Liberty Realty Group

Print Name of Owner

CERTIFICATE OF OWNERSHIP

I the undersigned Applicant, do hereby certify to the Town of Franklin, through its Planning Board, that all parties of interest to the below-listed plan are identified in Section B: below,

SECTION A:

Type of Plan: 81-P; Prelim.; Def.; Site Plan

Title of Plan: Site Plan for Commercial Building, 4 Liberty Way, Franklin MA

Date of Plan: September 25th 2018 Assessor's Information: \_\_\_\_\_

Prepared by: Mark M Santora PE # 40167

Applicant Name & Address: 19th Fairway Development Inc., 42 Adin Street,  
Hopedale MA 01747

SECTION B:

Name of Record Owner(s): Liberty Realty Group <sup>TRUST</sup>

Address of Record Owner(s): P.O. Box 36  
Mattapoisett, MA 02739

\*If in the name of a Trust, Corporation or Partnership, list the names and addresses of all Trustee(s), Corporate Officer(s) or Partner(s):

William M. Cantor

\*If in the name of a Trust or Corporation, list the Beneficiary(ies) of the Trust or the Shareholder(s) of the Corporation: William M. Cantor Trustee of William M. Cantor Revocable Trust dated June 17, 1993 & Kristen E. Eastman

\*If in the name of a Trust or Corporation, list the date, county, book and page of recording of the Trust Instrument, or the date and State of incorporation: APR 26, 1996 NORFOLK CO  
BK 11342 PG 564

Executed as a sealed instrument this 5th day of October 2018

[Signature]  
Signature of Applicant

Scott SAVAGE  
Print name of Applicant

William M. Cantor  
Signature of Owner

William M. Cantor  
Print name of Owner

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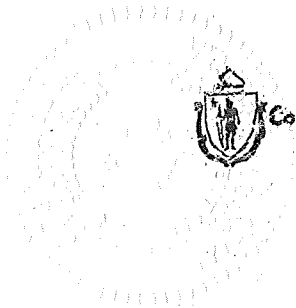
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COMMONWEALTH OF MASSACHUSETTS

Plymouth ss.

2018

On this 5<sup>th</sup> day of October 2018, before me, the undersigned notary public, personally appeared Scott Savage (name of Applicant), proved to me through satisfactory evidence of identification, which were MA drivers license to be the person whose name is signed on the preceding document in my presence.



**VICTORIA J.C. ASIAT**  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
April 12, 2024

Victoria JC Asiat  
(Official signature and seal of notary)

Notary Public:

My Commission Expires: April 12, 2024

## Special Permit Application

Marijuana Use Overlay District § 185-49

For

Non-Medical Marijuana Establishment § 185-3{94} at

4 Liberty Way, Franklin MA

Applicant: 19th Fairway Development Inc., 42 Adin Street, Hopedale MA  
01747

Owner: Liberty Realty Group, William Cantor Trustee, PO Box 36  
Mattapoisett MA 02739

**Request for Special Permit Approval: § 185-49 Marijuana Use Overlay District, § 185-3{94} Non-Medical Marijuana Establishment.**

To Allow by Special Permit the construction of a 37,200 sq. ft. Facility for the cultivation, processing, and distribution of Marijuana and Marijuana related products.

As shown on Site Plan entitled "Site Development for Cannabis Cultivation", 4 Liberty Way, dated September 25<sup>th</sup> 2018 Prepared by Mark M Santora PE, Inc. 123 Old Westboro Road, N Grafton MA 01536.

### § 185-49 1 Marijuana Use Overlay District, § 185-49 1. (a) Purpose and Intent

*This section is adopted with the purpose and intent of establishing zoning to allow the use of medical marijuana treatment centers, medical marijuana testing facilities, and non-medical marijuana facilities in the Town of Franklin*

### SPECIAL PERMIT APPROVAL

1. Special Permit Approval Requirements under § 185-45 (E)(3): of the Zoning Bylaws, states in part:

*(3) Findings Special permits shall be granted by the special permit granting authority 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: [Amended 3/35/1987 by Bylaw Amendment 87-91; 3/21/2012 by Bylaw Amendment 12-669]*

**Mark M. Santora P.E., Inc.**  
Civil & Environmental Engineering

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(a) Proposed project addresses or is consistent with neighborhood or Town need.

- The subject site is located in the Franklin Industrial Park.
- The Franklin Industrial Park has commercial buildings of similar scale and character as the proposed facility.
- The proposed facility is located within the Marijuana Use Overlay District within the Industrial Zone as designated by the Town of Franklin Zoning Map and Section 185-49 of the Zoning Bylaw
- The proposed facility will become a member of the Franklin Industrial Park Association
- The Franklin Industrial Park Association is aware and supportive of the proposed construction and intended use

(b) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed.

**The applicant has engaged the services of the MDM Transportation Consultants Inc. from Marlborough MA.**

**A complete traffic study has been performed by a MA Registered Professional Traffic Engineer and submitted to the Town.**

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

- The facility is proposed to be constructed in the last available parcel in the Franklin industrial Park.
- The parcel is located on Liberty Way, which is a public road.
- The drainage, utilities and other infrastructure has been designed by a MA Registered Professional Engineer in accordance with best civil engineering practices and the Town of Franklin DPW rules and regulations.
- The proposed drainage system has also been designed in accordance with the DEP Stormwater Management Guidelines Volumes I, II & III.



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

- The proposed building aesthetics and use are consistent with the industrial park.
- Working hours will be consistent with normal daily working hours with no or few exceptions.
- The construction will be of high quality and in accordance with the MA Building Code, The International Building Code, the Town of Franklin DPW rules and regulations and the Franklin Industrial Park Association Bylaws.

(e) 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.

- The building is proposed to be part of an already developed industrial park.
- There are no known significant natural resources, habitats or features within or adjacent to the project area.
- The project location is greater than 200' from any DEP Bordering Vegetative wetlands, waterways or wetland resource.

(f) 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.

- The building is approximately 26' in height and meets all dimensional setback requirements.
- The building is not of a scale where it would affect neighboring buildings for daylight or fresh air.
- Significant space between buildings is typical of this industrial park.
- The proposed drainage system has been designed in accordance with the DEP Stormwater Management Guidelines Volumes I, II & III to prevent flooding of abutting properties.
- The facility will be fully enclosed and will not emit excessive light, noise, vibrations, or airborne particulates.
- The facility will feature a sophisticated mechanical system that includes odor mitigation components such as carbon filters to mitigate odors both within and beyond the building. Abutting properties will not be subjected to excessive odor.

(g) 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.

- **Water use is not unusual and is consistent with tap sizes for the property. Filtered water production is spread over the course of the day and stored in domestic tanks for ongoing use.**

**The applicant has included a calculation of daily water/sewer use based on 310 CMR 15.203 Title 5.**

**Sewer use is primarily for typical domestic use by facility employees.**

- a. Irrigation waste from cultivation operations is very limited. The facility will feature a recirculating irrigation system (as opposed to drain-to-waste).**
- b. A very small amount of irrigation waste is produced from cleaning operations and PH is near neutral.**
- c. Facility operations will not produce any hazardous waste.**



**WAIVERS:**

1. A waiver is hereby requested for **§ 185-21 (B)(2): Parking, loading and driveway requirements.**

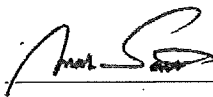
The parking requirements are shown on page 4 of Site Plan entitled **"Site Development for Cannabis Cultivation", 4 Liberty Way, dated September 25<sup>th</sup> 2018 Prepared by Mark M Santora PE, Inc. 123 Old Westboro Road, N Grafton MA 01536.**

The applicant respectfully requests a waiver from the required 63 Total spaces to 50 Total spaces. The applicant will provide testimony and demonstrate that the requested number of spaces will be adequate for the intended use.

**WHEREFORE,** The Applicant respectfully requests that the Planning Board Grant a SPECIAL PERMIT under section **§ 185-49 Marijuana Use Overlay District & § 185-3{94} Non-Medical Marijuana Establishment** to allow for marijuana cultivation, processing, and distribution of marijuana and marijuana and related products as shown on Site Plan entitled **"Site Development for Cannabis Cultivation", 4 Liberty Way, dated September 25<sup>th</sup> 2018 Prepared by Mark M Santora PE, Inc. 123 Old Westboro Road, N Grafton MA 01536**

Dated: **October 5, 2018**

Respectfully Submitted,



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Mark Santora PE # 40167  
President Mark M Santora PE Inc.  
123 Old Westboro Road  
N Grafton MA 01536  
(508)-887-0170

**Mark M. Santora P.E., Inc.**  
Civil & Environmental Engineering

## Town of Franklin



## Planning Board

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The following notice will be published in the Milford Daily Newspaper on  
Monday, October 15, 2018 and again on Monday, October 22, 2018

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### FRANKLIN PLANNING BOARD PUBLIC HEARING NOTICE

In accordance with the Town of Franklin Zoning By-Laws, the Franklin Planning Board will hold a public hearing on **Monday, October 29, 2018 at 7:05 PM** in the Town Council Chambers of the Franklin Municipal Building, 355 East Central Street, for a Special Permit & Site Plan application titled "Site Plan for Commercial Building 4 Liberty Way in Franklin Massachusetts" and submitted to the Franklin Department of Planning & Community Development on October 9, 2018 by 19<sup>th</sup> Fairway Development Inc., 42 Adin Street, Hopedale, MA.

The site is located at 4 Liberty Way in the Industrial Zoning District –Marijuana Use Overlay District (Assessors Map 329, Lot 002). The purpose of the Site Plan and Special Permit is to construct a 35,000 +/- commercial building for Marijuana Cultivation and Product Manufacturing and Research Facility Use.

Copies of the plan and supporting documentation may be reviewed in the Department of Planning & Community Development during regular office hours.

**Please note:** This will be your only written notice of this public hearing. Should the Planning Board vote to continue this Public Hearing, the date and time will be posted on the Planning Board's website under Agendas.

Please contact the Department of Planning & Community Development at (508) 520-4907 if you require further information or if you need to make arrangements to provide translation services for the hearing impaired, or for persons with language barriers.

Anthony Padula, Chairman