

## 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 Plan, Hennep Cultivation and Production Facility" and Special Permit(s) for a marijuana cultivation and product manufacturing facility 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: Hennep Cultivation LLC  
Address of Applicant: c/o Prince Lobel Tye LLP, One International Place, Boston, MA 02110  
Phone No.: 617-456-8153 Email: abraillard@princelobel.com
2. Name of Owner (if not the Applicant): Josephine J Bartolini 279 Grove St Nominee Trust  
Address of Owner: P.O. Box 369, Southborough, MA 01772  
Phone No.: \_\_\_\_\_ Email: \_\_\_\_\_
3. Name of Engineer: Land Planning Inc., Norman G. Hill #31887  
Address of Engineer: 167 Hartford Ave, Bellingham, MA  
Phone No.: 508-966-4130 Email: \_\_\_\_\_
1. Deed of Property recorded with Norfolk Registry of Deeds in Book 10775, Page 270, (or Certificate of Title No. \_\_\_\_\_)
2. Location and Description of Property:  
160 Grove Street: Partly development land  
\_\_\_\_\_  
Zoning District: Industrial I  
Assessor's Map: 306 Lot: 2  
Square Footage of Building(s): Proposed 121,197  
Impervious Coverage of Existing Upland: Proposed 52.2% or 194,314 +/-
3. Purpose of Site Plan:  
As required by the necessity for a Special Permit to install and operate a recreational use cultivation and production manufacturing marijuana establishment
4. Special Permit(s) Requested:  
to install and operate a recreational use cultivation and production manufacturing marijuana establishment, pursuant to Section 185-49 of the zoning regulations

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 Proposal is to install and operate a recreational use cultivation and production  
manufacturing marijuana facility, pursuant to Section 185-49 of the zoning regulations. The  
facility will not operate as a retail store and it will not be open to the public.

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

Adam F. Brailard, of Prince Lobel Tye LLP, for  
Hennep Cultivation LLC  
\_\_\_\_\_  
Print Name of Applicant  
Leo Bartolini for  
Josephine J Bartolini 279 Grove St Nominee Trust  
\_\_\_\_\_  
Print Name of Owner

November 22, 2019

Town of Franklin  
Planning Board  
355 East Central Street  
Franklin, MA 02038

Re: Waiver Requests:  
For a Special Permit and Site Plan Review Application  
Property Address: 160 Grove Street, Franklin, MA  
Parcel ID: 306-002-000-000 (the “**Property**”)  
Applicant: Hennep Cultivation LLC (the “**Applicant**”)

Dear Honorable Members of the Planning Board:

This firm represents the Applicant in connection with a Waiver request relating to its application for a Special Permit and Site Plan Review from the Town of Franklin Planning Board (the “**Board**”) to allow the construction and operation of its proposed recreational cannabis cultivation and production manufacturing establishment on the Property (the “**Facility**”), consisting of a 100,000 +/- square foot grow warehouse, and 21,000 +/- square feet of office and production space. The Property is located in the Industrial zoning district and within the Marijuana Use Overlay District, and pursuant to Section 185-49.4(b) of the Town of Franklin’s zoning regulations (the “**Bylaws**”), the use of the Property for the Facility is permitted through the granting of a Special Permit and Site Plan approval from the Board.

### WAIVER REQUESTS:

#### **1. Section 185-21(B)(3): Parking:**

Pursuant to Section 185-21(B)(2) (Parking) of the Bylaws, the total number of parking spaces required for the Facility is 159, (see below use and are analysis). The Applicant proposes develop 138 parking spaces, as referenced on the plans attached hereto and incorporated by reference. Therefore, the Applicant respectfully requests a waiver from the Board from the required 159 spaces, to the proposed 138 spaces (21 spaces, or a 13% difference).

#### **Parking Summary**

Use	Regulation	Area	Required Spaces
Industrial	1 per 400 ft <sup>2</sup>	16145 ft <sup>2</sup>	41 spaces
Warehouse	1 per 1000 ft <sup>2</sup>	100841 ft <sup>2</sup>	101 spaces
Office	1 per 250 ft <sup>2</sup>	4211 ft <sup>2</sup>	17 spaces
Total Parking Required = 159 spaces			

Total proposed parking = 138 spaces



Pursuant to Section 185-21(A)(4) of the Bylaws, the Board may reduce the number of parking spaces required if the Board determines that a lesser provision would be adequate for all parking needs because of such special circumstances as shared parking for uses, having peak parking demands at different times, unusual age or other characteristics of site users, company-sponsored carpooling or other trip-conserving measures.

The Applicant's proposed 138 parking spaces is adequate for all parking needs for the Facility and for the intended use of the Property because the total number of employees expected to be in the Facility at any given time will be between 30-35 employees. Moreover, the Facility is not open to the public, and will be used for cultivation and production manufacturing uses only. Therefore only employees will be allowed to enter the Facility.

**2. Section 185-21(C)(6): Parking Location:**

Pursuant to Section 185-21(C)(6) of the Bylaws, parking spaces more than 300 feet from the building entrance that they serve may not be counted towards fulfillment of parking requirements, unless the Board determines that circumstances justify this greater separation of parking from the use.

The Applicant proposes to develop 138 parking spaces for the Facility. 68 of these will be located in the rear of the Property and more than 300' from the entrance of the Facility (the "Rear Parking"). Therefore, the Applicant respectfully requests a waiver from the Board from the 300' requirement for the 68 parking spaces in the rear of the Property, and that circumstances justify this greater separation of parking from Facility.

The Applicant is proposing to locate the Rear Parking in the least obtrusive location available on the Property to existing environmental vegetated wetlands. Moreover, as noted above, the total number of employees expected to be in the Facility at any given time is from 30-35 employees. Finally, there are proposed egress locations on the Facility located within 300' of the Rear Parking. However, because of strict security requirements, employees are not authorized to enter through those egresses. Consequently, the Applicant does not expect significant, if any, use of the Rear Parking.

For the foregoing reasons, the Applicant respectfully requests that the Board grant the foregoing waivers.

Sincerely,

  
Adam F. Braillard, Esq.

Direct: 617-456-8153

Email: abraillard@princelobel.com