

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4907
www.franklinma.gov

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MEMORANDUM

DATE: January 5, 2022
TO: Franklin Planning Board
FROM: Department of Planning and Community Development
RE: 162 Grove St
Special Permit & Site Plan Modification

The DPCD has reviewed the above referenced Site Plan Modification application for the Monday, January 10, 2022 Planning Board meeting and offers the following commentary:

General:

1. The site is located at 162 Grove St in the Industrial Zoning District and Marijuana Overlay District.
2. The site is currently a Retail Marijuana use under the Planning Board Special Permit.
3. The Applicant is requesting to modify their Special Permit to allow walk-in customers.
4. The Applicant has provided a traffic study.

Comments:

1. The Special Permit Condition reads:
 - The proposed facility will operate as a Reserve Ahead-only dispensary, which would require customers and patients to place an order in advance and select a scheduled pick up time to retrieve the product. Applicant may request this be reviewed after 30 days of opening.
2. The Applicant opened on December 3, 2021.
3. DPCD has not requested any engineering review, as the Applicant is requesting a change in conditions, no site changes are proposed.
4. The Planning Board is required to take a roll call vote.

ROLE CALL VOTE:

This determination shall be in addition to the following specific findings:

If you vote NO on any of the following, please state reason why you are voting NO:

(1) Special Permits: To amend the Special Permit and allow the follow:

a. Walk-in customers

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

Gregory Rondeau	YES	NO	Jennifer Williams	YES	NO
Rick Power	YES	NO	Beth Wierling	YES	NO
William David	YES	NO			

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

Gregory Rondeau	YES	NO	Jennifer Williams	YES	NO
Rick Power	YES	NO	Beth Wierling	YES	NO
William David	YES	NO			

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

Gregory Rondeau	YES	NO	Jennifer Williams	YES	NO
Rick Power	YES	NO	Beth Wierling	YES	NO
William David	YES	NO			

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

Gregory Rondeau	YES	NO	Jennifer Williams	YES	NO
Rick Power	YES	NO	Beth Wierling	YES	NO
William David	YES	NO			

(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.

Gregory Rondeau	YES	NO	Jennifer Williams	YES	NO
Rick Power	YES	NO	Beth Wierling	YES	NO
William David	YES	NO			

(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.

Gregory Rondeau	YES	NO	Jennifer Williams	YES	NO
Rick Power	YES	NO	Beth Wierling	YES	NO
William David	YES	NO			

(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.

Gregory Rondeau	YES	NO	Jennifer Williams	YES	NO
Rick Power	YES	NO	Beth Wierling	YES	NO
William David	YES	NO			

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.

Gregory Rondeau	YES	NO	Jennifer Williams	YES	NO
Rick Power	YES	NO	Beth Wierling	YES	NO
William David	YES	NO			



December 29, 2021

Ms. Lauren Burm
Senior Director, External Affairs
Parallel/NETA
5 Forge Parkway
Franklin, MA 02038

**Re: Trip Generation Summary
NETA Dispensary
162 Grove Street, Franklin**

Dear Ms. Burm:

This letter provides a summary of our updated trip generation projections for the existing New England Treatment Access (NETA) facility, located at 162 Grove Street in Franklin, Massachusetts. The project site had previously supported a commercial vehicle design and fabrication facility and was recently redeveloped to support a marijuana dispensary with supporting office and warehouse space. The facility opened for business on Saturday, November 27, 2021 and currently operates as a Reserve Ahead only facility. NETA is seeking to have the Reserve Ahead only restriction reviewed, consistent with the Special Conditions of Approval. This letter documents our findings.

Project Description

The project site was previously comprised of a house and a 9,640 square foot rear warehouse. A 2,583 square foot building addition brought the total building area up to 16,087 square feet (sf), including 3,856 sf of retail space, 4,647 sf of office space, and 7,584 sf of warehouse space related to the sale of medical and adult-use marijuana products. A total of 141 parking spaces, including five handicap accessible spaces support the project. The dispensary is open from 8:00 AM to 9:00 PM Monday through Saturday and 9:00 AM to 9:00 PM on Sunday.

The project had received initial Town approval on October 20, 2020, with a Special Condition to “operate as a Reserve Ahead only dispensary, which would require customers and patients to place an order in advance and select a scheduled pick-up time to retrieve the product. [NETA] may request this be reviewed after 30 days of opening.” NETA currently limits pick up slots to 950 transactions on a daily basis, with a maximum capacity of 45 transactions in a 30-minute window on weekdays and 40 transactions per 30-minute window on Saturdays. To reduce impacts during the weekday commuter peak periods, NETA limits transactions to 15 available pick-up slots during each 30-minute period from 8:00 AM to 9:00 AM and 3:30 PM to 6:00 PM.

Previous Projections

Initial trip generation projections for the site were based on the industry standard Institute of Transportation Engineers' *Trip Generation* manual and also projected based on NETA's transaction data from the Northampton site to provide a conservative estimate. The conservative trip generation was used to assess the project's impacts. In response to comments made by the Planning Board at the July 27, 2020 hearing, NETA voluntarily changed its

proposed operations to Reserve Ahead only to minimize the project’s impacts. The previous trip generation summary is provided in Table 1.

As shown in Table 1 below, the approved project was expected to generate approximately 1,992 daily trips on a weekday, including 75 trips during both the morning and evening peak commuter hours.

Existing Trip Generation

Traffic count data was collected at the site to evaluate the current trip generation with the Reserve Ahead (RA) only restriction in place. Automatic Traffic Recorder (ATR) data was collected from Thursday, December 16, 2021 through Saturday, December 18, 2021. The NETA site with the RA restriction in place generated approximately 476 weekday vehicle trips, including 13 trips (12 entering and one exiting) and 56 trips (27 entering and 29 exiting) during the commuter peak hours. On Saturday, the NETA facility generated 432 vehicle trips, including 54 trips (32 entering and 22 exiting) during the peak hour.

The existing trip generation, compared to the previously projected trip generation, is shown in Table 1.

Table 1 Project Trip Generation Summary

Time Period	Initially Proposed: Walk-in/Reserve Ahead ¹	Approved: Reserve Ahead Only ¹	Actual – Observed: Reserve Ahead Only ²
Weekday Daily			
Enter	1,708	996	242
<u>Exit</u>	<u>1,708</u>	<u>996</u>	<u>234</u>
<i>Total</i>	3,416	1,992	476
Weekday Morning Peak Hour			
Enter	101	45	12
<u>Exit</u>	<u>86</u>	<u>30</u>	<u>1</u>
<i>Total</i>	187	75	13
Weekday Evening Peak Hour			
Enter	160	30	27
<u>Exit</u>	<u>175</u>	<u>45</u>	<u>29</u>
<i>Total</i>	335	75	56
Saturday Daily			
Enter	1,825	990	220
<u>Exit</u>	<u>1,825</u>	<u>990</u>	<u>212</u>
<i>Total</i>	3,650	1,980	432
Saturday Peak Hour			
Enter	194	80	32
<u>Exit</u>	<u>209</u>	<u>95</u>	<u>22</u>
<i>Total</i>	403	175	54

¹Source: Updated Traffic Summary Letter, dated August 14, 2020

²Source: ATR data – December 16, 2021 to December 18, 2021

As shown in Table 1, the project is generating significantly less than projected on a daily basis during a weekday and Saturday. The weekday morning and Saturday peak hours are also significantly lower than projected, while the weekday evening peak hour is generating approximately 75 percent of the previously projected number of vehicle trips.

Revised Trip Generation

Previously, transaction data from NETA’s Northampton dispensary was used to project trip the number of transactions at the new Franklin facility since projections at the time would have led to a significantly higher trip generation than projected using the ITE data. However, at the time the data was collected, there were a limited number of dispensaries open across the Commonwealth of Massachusetts. Since then, new dispensaries have opened, totaling over 150 dispensaries across Massachusetts. As a result, the number of transactions has decreased significantly at NETA since 2019 and therefore, NETA’s projections for the Franklin site have also decreased significantly since then.

New transaction data from NETA’s Northampton dispensary (which operates as a full service dispensary, allowing both walk-ins and reserve ahead orders) were obtained as a basis for projecting the trip generation for the Franklin site if the Reserve Ahead only restriction was lifted. From mid-October to mid-November 2019, the Northampton site generated a maximum of 2,608 and 2,794 daily transactions on a weekday and Saturday, respectively. This included a maximum of 136, 253, and 307 hourly transactions during the weekday morning, weekday afternoon, and Saturday peak hours, respectively.

From mid-October to mid-November 2021, NETA Northampton generated a maximum of 943 and 1,197 daily transactions on a weekday and Saturday, respectively. This included 59, 99, and 129 hourly transactions during the weekday morning, weekday evening, and Saturday peak hours, respectively. The 2021 transaction counts are approximately 55 to 65 percent lower than 2019 transactions. The 2019 projected transaction numbers presented in the July 2020 Traffic Impact Study have been adjusted to account for the decrease in transactions over time. Based on this, the Franklin facility would be expected to generate approximately 717 transactions on a weekday and 869 transactions on a Saturday. A summary of the transactions is shown in Table 2.

Table 2 Transaction Summary

Time Period	Northampton 2019 (Actual) ¹	Northampton 2021 (Actual) ²	% Change	Franklin 2019 (Projected) ³	Franklin 2021 (Projected) ⁴
Maximum Weekday Transactions					
Daily	2,608	943	-64%	1,982	717
AM Peak Hour	136	59	-57%	103	45
PM Peak Hour	253	99	-61%	192	75
Maximum Saturday Transactions					
Daily	2,794	1,197	-59%	2,123	869
Peak Hour	307	129	-58%	233	98

¹Based on NETA transaction data from 10/13/19 to 11/11/19.

²Based on NETA transaction data from 10/20/21 to 11/17/21.

³Franklin projected transactions from July 13, 2020 Traffic Impact Study, by Tetra Tech.

⁴2019 projections factored down by % change to reflect 2021 projections.

Similar to the methodology from our previous study, employee trips would also contribute to the overall trip generation for the site. NETA provided projected staffing levels for shift times throughout the day. The staffing levels were used to calculate the new employee trips associated with the proposed retail on the site. A total of up to 50 retail employees are projected each day, staggered over the course of the day. Up to an additional six warehouse employees are expected on site over the course of the day on weekdays. A breakdown of employees by shift is included in Table 3.

Table 3 NETA Staffing Levels

Employee Type	6:00 AM – 4:30 PM	7:00 AM – 5:30 PM	9:00 AM – 7:30 PM	10:00 AM – 8:30 PM	12:00 PM – 10:30 PM	Total
Warehouse	3	0	3	0	0	6
Retail	<u>0</u>	<u>15</u>	<u>10</u>	<u>15</u>	<u>10</u>	<u>50</u>
Total	3	15	13	15	10	56

The projected customer transactions were converted to vehicle trips assuming one entering and one exiting trip for each customer. As shown, the dispensary is expected to generate approximately 1,434 customer trips on a weekday, including approximately 90 and 150 customer trips during the morning and afternoon peak hours, respectively. On a Saturday, the dispensary is expected to generate approximately 1,738 customer trips, including 196 customer trips during the peak hour. The retail employee trips were then added to the retail customer trips and warehouse employee trips to determine the total trip generation for the proposed site. The total trip generation is shown in Table 4.

Table 4 Revised Project Trip Generation Summary

Time Period	ITE		NETA		
	Total Trip Generation ¹	Customer Trips ²	Customer Vehicle Trips ³	Employee Trips ⁴	Total Trip Generation ⁵
Weekday Daily					
Enter	448	717	598	56	654
Exit	<u>448</u>	<u>717</u>	<u>598</u>	<u>56</u>	654
Total	896	1,434	1,196	112	1,308
Weekday Morning Peak Hour					
Enter	28	45	38	15	53
Exit	<u>22</u>	<u>45</u>	<u>38</u>	<u>0</u>	38
Total	50	90	76	15	91
Weekday Evening Peak Hour					
Enter	39	75	63	0	63
Exit	<u>45</u>	<u>75</u>	<u>63</u>	<u>15</u>	78
Total	84	150	126	15	141
Saturday Daily					
Enter	506	869	724	50	774
Exit	<u>506</u>	<u>869</u>	<u>724</u>	<u>50</u>	774
Total	1,012	1,738	1,448	100	1,548
Saturday Peak Hour					
Enter	56	98	82	0	82
Exit	<u>57</u>	<u>98</u>	<u>82</u>	<u>15</u>	97
Total	113	196	164	15	179

¹Based on ITE *Trip Generation Manual, 11th Edition* as detailed in attachments. (for comparison purposes only)

²Assumes one trip in and one trip out per customer.

³Based on a Vehicle Occupancy Rate (VOR) of 1.20 persons/vehicle.

⁴Based on NETA employee shift projections.

⁵Sum of employee and customer vehicle trips.

As shown in Table 4, with the removal of the Reserve-Ahead (RA) only restriction the NETA dispensary with associated office and warehouse space is expected to generate approximately 1,308 vehicle trips on a weekday, including 91 during the morning peak hour and 141 trips during the afternoon peak hour. On a Saturday, the site is expected to generate approximately 1,548 vehicle trips, including 179 peak hour trips.

The revised projections for the facility are compared to the previously approved projections in Table 5.

Table 5 Project Trip Generation Comparison

Time Period	Previously Approved RA Only Operations ¹	Current Projections Without RA Restriction ²	Difference
Weekday Daily			
Enter	996	654	-342
<u>Exit</u>	<u>996</u>	<u>654</u>	<u>-342</u>
<i>Total</i>	1,992	1,308	-684
Weekday Morning Peak Hour			
Enter	45	53	+8
<u>Exit</u>	<u>30</u>	<u>38</u>	<u>+8</u>
<i>Total</i>	75	91	+16
Weekday Evening Peak Hour			
Enter	30	63	+33
<u>Exit</u>	<u>45</u>	<u>78</u>	<u>+33</u>
<i>Total</i>	75	141	+66
Saturday Daily			
Enter	990	774	-216
<u>Exit</u>	<u>990</u>	<u>774</u>	<u>-216</u>
<i>Total</i>	1,980	1,548	-432
Saturday Peak Hour			
Enter	80	82	+2
<u>Exit</u>	<u>95</u>	<u>97</u>	<u>+2</u>
<i>Total</i>	175	179	+4

¹See Table 1.

²See Table 4.

The removal of the RA restriction from the site would allow customers to visit the site at any time, instead of having to schedule an appointment for a specific time to pick up an order. As shown in Table 5, with the proposed removal of the RA restriction, an increase is expected in peak hour volumes, but the daily volumes are expected to be lower than previous projections. The removal of the RA restriction is expected to generate an additional 16 vehicles per hour during the weekday morning peak hour, approximately one vehicle every four minutes. During the weekday afternoon peak hour, the removal of the RA restriction is expected to generate an additional 66 vehicles, approximately one vehicle per minute. During the Saturday peak hour, the removal of the RA restriction would have nearly no impact with an increase of only four vehicles per hour.

Grove Street Planned Improvements

The intersection of Grove Street at Washington Street was noted to have operational deficiencies in the original traffic impact study. Mitigation for the many recently approved and proposed developments along the Grove Street

corridor is warranted. The Planning Board noted a desire for a traffic signal at the intersection of Grove Street and Washington Street during NETA's project review. NETA, through its Host Community Agreement (HCA), has contributed funds toward the design and/or construction of the traffic signal at the intersection. Since the project's approval, the Town of Franklin has also received a MassWorks grant to reconstruct a portion of Grove Street from Kenwood Circle to Washington Street, including a traffic signal at the Washington Street intersection. The proposed signal is expected to improve operations at the intersection in the future.

Conclusions

The number of dispensaries that have opened across the Commonwealth has increased substantially since the project last underwent Town review. Recent data indicates that the number of transactions at the NETA full service facility have declined significantly due to the increased competition. The projected number of transactions at this facility is also expected to be lower than previously projected. Therefore, NETA is requesting the removal of the Reserve Ahead only operation restriction from the facility at 162 Grove Street.

The previous trip generation projections for the site were based on 2019 operational data, which has decreased significantly (down approximately 60 percent) since then. As a result, the projections for this facility have also decreased. Based on NETA's Northampton site, this Franklin facility with no Reserve Ahead restriction is expected to generate approximately 1,308 daily trips on a weekday and approximately 1,548 daily trips on a Saturday, which is lower than previously projected with the RA only restriction. With the removal of the RA restriction, the proposed full service facility would result in only minor peak hour traffic increases relative to the previously approved project (16, 66, and four additional trips during the weekday morning, weekday evening, and Saturday peak hours, respectively). These minor traffic increases are not expected to have a noticeable impact on future traffic operations relative to the existing (Reserve Ahead only) facility.

The trip generation projections presented in this letter are conservative, higher than expected using ITE or local dispensary count data, which is included in the attachments for reference. Based on the revised trip generation presented in this report, the projected traffic increases associated with the proposed removal of the Reserve Ahead only restriction can be accommodated without a noticeable impact to area operations. Additionally, as the adjacent dispensary at 164 Grove Street opens for business, the demand at 162 Grove Street is expected to decline which will further reduce potential traffic increases associated with the currently requested full service operation.

As part of the original project's approval, NETA had developed a Transportation Demand Management Plan (TDMP), which included a traffic monitoring program. The TDMP has been revised to reflect the full service model. This TDMP, attached, is being submitted to the Town and aims to minimize vehicle trips to the site and commits NETA to monitoring at three and 15 months after opening. If the performance goals laid out in the TDMP are not met, then NETA will be responsible for remedial actions, which could include re-implementation of the Reserve Ahead only restriction or other measures to reduce vehicle trips to the site.

We trust that this information will prove useful in the Town's review of the proposed removal of the Reserve Ahead only restriction from the site. If you have any questions or require any further information, please feel free to call.

Very truly yours,



Sasha L. Wood, PE



Doherty, Dugan, Cannon,
Raymond & Weil, P.C.

124 Grove Street, Suite 220
Franklin, MA 02038
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FAX NO. (508) 541-3008
www.ddcrwlaw.com

Michael P. Doherty
mpd@ddcrwlaw.com

December 20, 2021

HAND-DELIVERED

Mr. Gregory Rondeau, Chair
ATTN: AMY LOVE, TOWN PLANNER
Franklin Planning Board
355 East Central Street
Franklin, MA 02038

Re: 162 Grove Street, Franklin, MA - Application for Special Permit

Dear Mr. Rondeau:

Enclosed is an Application by New England Treatment Access, LLC ("NETA") to modify the Special Permit granted on October 25, 2020 to remove a limitation that the retail facility at 162 Grove Street require call ahead sales only. A check in the amount of \$750 is enclosed for the filing fee.

The October 25, 2020 Special Permit issued by the Planning Board limited as a special condition a Reserve Ahead only dispensary but did allow the Applicant to request this condition be reviewed after opening. The NETA facility at 162 Grove Street opened in November and now seeks removal of the call ahead only condition.

At the time the condition was entered, marijuana retail facilities were new, and the novelty and limited number of facilities did cause long lines at some of the first locations to open in Massachusetts. The novelty and limited number of facilities is no longer the case such that there is no longer a reason for reserve call ahead only limitations. A review of other facilities will demonstrate that there have now been no long lines or traffic problems at other facilities in recent times such that there is no need for the limitation for reservation only. In addition, allowing retail sales will improve the revenues generated at this location which will increase the revenues NETA pays to the Town of Franklin.

Very truly yours,

Michael P. Doherty

MPD/bcs

Enclosures

cc: Matthew Crowley, P.E., Project Manager

**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 Layout Plan - 162 Grove Street, Franklin, Massachusetts**" and Special Permit(s) for _____ 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: New England Treatment Access, LLC
Address of Applicant: 5 Forge Parkway, Franklin, MA 02038
Phone No.: 617-309-8730 Email: lburm@liveparallel.com
2. Name of Owner (if not the Applicant): Charley2017 LLC
Address of Owner: 7 Myrtle Street, Norfolk, MA 02056
Phone No.: 508-889-5789 Email: bmholmes5@comcast.net
3. Name of Engineer: United Consultants, Inc. - Rick Goodreau
Address of Engineer: 850 Franklin Street, Suite 11D, Wrentham, MA 02093
Phone No.: 508-384-6560 Email: Rick@uci850.com

1. Deed of Property recorded with Norfolk Registry of Deeds in Book 35681, Page 179, (or Certificate of Title No. _____)

2. Location and Description of Property:
162 Grove Street, Franklin, MA 02038

Zoning District: Industrial; Marijuana Use Overlay District; Water Resource District

Assessor's Map: 306 Lot: 003

Square Footage of Building(s): 16,087 sf

Impervious Coverage of Existing Upland: 50% (76,417 sf)

3. Purpose of Site Plan: To allow modifications and minor expansion to existing improvements and approval to Section 185-31(1)(a); to allow improvements within Water Resource Overlay District pursuant to 185-40(D)(1)(i)(ii).

4. Special Permit(s) Requested:
Medical Marijuana Treatment Center - Section 185-49(4)(b)(i)
Non-Medical Marijuana Establishment - Section 185-49(4)(b)(iii)

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TOWN OF FRANKLIN
TOWN CLERK

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: None
-
-

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.

By: Lauren Burn

Signature of Applicant
Lauren Burn, Sr. Director External Affairs

NEW ENGLAND TREATMENT ACCESS, LLC

Print Name of Applicant

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 (circle one) ANR 81-P; Preliminary Subdivision

Definitive Subdivision.; Site Plan; Special Permit

Title of Plan: Site Layout Plan - 162 Grove Street, Franklin, Massachusetts

Date of Plan: May 21, 2020 Assessor's Information: Map 306; Lot 003

Prepared by: United Consultants, Inc.

New England Treatment Access, LLC

Applicant Name & Address: 5 Forge Parkway, Franklin, MA 02038

SECTION B:

Name of Record Owner(s): Charley2017 LLC

Address of Record Owner(s): 7 Myrtle Street

Norfolk, MA 02056

****Attach Property Deed matching the owner name's listed above.**

*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):
Brian R. Holmes, Manager, 7 Myrtle Street, Norfolk, MA 02056

*If in the name of a Trust or Corporation, list the Beneficiary(ies) of the Trust or the Shareholder(s) of the Corporation:

N/A

*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:

Charley2017 LLC - December 12, 2017 - Commonwealth of Massachusetts

Executed as a sealed instrument this 17th day of December 17 2021

Lauren Burm
Signature of Applicant
Lauren Burm, Sr. Director External Affairs

New England Treatment Access, LLC

Print name of Applicant

Brian R. Holmes
Signature of Owner
Brian R. Holmes, Manager

Charley2017 LLC

Print name of Owner

COMMONWEALTH OF MASSACHUSETTS

Norfolk ss.

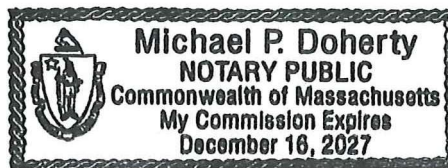
December 17, 2021

On this 17 day of December 2021, before me, the undersigned notary public, personally appeared Brian R. Holmes, Manager as aforesaid, (*name of owner*), proved to me through satisfactory evidence of identification, which were MA Driver's License to be the person whose name is signed on the preceding document in my presence.

Michael P. Doherty
(Official signature and seal of notary)

Notary Public:

My Commission Expires: 12/16/27



APPLICANT: NEW ENGLAND TREATMENT ACCESS, LLC
OWNER: CHARLEY2017 LLC
LOCATON OF PROPERTY: 162 GROVE STREET, FRANKLIN, MA 02038
PARCEL ID: 306-003-000-000

**SPECIAL PERMIT
APPLICANT'S ANSWERS TO WRITTEN FINDINGS**

185-45 E(3)

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

Answer: The project is completed. Only relief sought is for the Board to remove Special Condition 1 of the October 19, 2020 Planning Board vote to approve the project that limits dispensary to Reserve Ahead only sales. The project is in an industrial area and in the Marijuana Overly District and thus consentient with the Town's intended use for the area. Among other benefits, it serves Franklin residents who have a medical need for cannabis as well as recreational use. Sales at this location also generate revenue to the Town. Removal of the limitation will not result in any harm and will improve access for residents and additional revenue for the Town.

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

Answer: See attached traffic study.

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

Answer: The project was built to comply with the Board's requirements for drainage, utilities and other infrastructure. The site has 141 parking spots and more than adequate room for customers. In addition, \$275,000 from NETA Host Community Agreement has been allocated by the Town toward the costs of the planned road improvements on Grove Street from Washington Street to Kenwood Circle.

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

Answer: The project is in the Marijuana Overly District and an industrial area. The building was designed and built to fit into the area and is objectively attractive.

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TOWN CLERK
DEC 20 2020 3:06

- (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.

Answer: The project has been built in compliance with an order of condition from the Conservation Commission and removal of Special Condition 1 will not have any negative impact on the environment.

- (f) Number, height, bulk, location and sitting 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.

Answer: The building and parking are set back and located such that it does 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.

Answer: The building and use do not excessively use water or create wastewater. Removal of Special Condition 1 will not result in an increase in water use or the creation of wastewater.

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{Signature page to follow}

*{Signature Page to Special Permit
Applicant's Answers to Written Findings}*

APPLICANT:

NEW ENGLAND TREATMENT
ACCESS, LLC

Print Name of Applicant

By: Lauren Burm
Lauren Burm, Sr. Director External
Affairs

Its duly authorized representative

CHARLEY2017 LLC
7 MYRTLE ST
NORFOLK, MA 02056

YERGATIAN VERNON C
V & A REALTY TRUST AVEDIS
168 GROVE STREET
FRANKLIN, MA 02038

CORE REAL ESTATE HOLDINGS
2 HAMPSHIRE ST - SUITE 302
FOXBORO, MA 02035

HENNEP PROPERTIES LLC
200 BROOKLINE AVE #508
BOSTON, MA 02215

LEWIS ALBERT G, TR
GROVE STREET REALTY TRUST
7 UNCAS BROOK ROW
FRANKLIN, MA 02038

MCP III 176 GROVE LLC
C/O MARCUS PARTNERS, INC.
260 FRANKLIN ST
BOSTON, MA 02110

NLCP 164 GROVE STREET MA
27 PINE ST - SUITE 50
NEW CANAAN, CT 06840

TRPF 157 165 GROVE ST LLC
C/O NUVEEN
PO BOX 30428
CHARLOTTE, NC 28230

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C/O NUVEEN
PO BOX 30428
CHARLOTTE, NC 28230

UNITED STATES OF AMERICA
696 VIRGINIA ROAD
CONCORD, MA 01742

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Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4907
www.franklinma.gov

PLANNING BOARD

The following notice will be published in the Milford Daily Newspaper on
Monday, December 27, 2021 and Monday January 3, 2022

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 at the Town Hall (and can also be attended remotely) on **Monday, January 10, 2022 at 7:10 PM** in the Town Council Chambers of the Franklin Municipal Building, 355 East Central Street, for a modification of the Special Permit for 162 Grove Street in Franklin, MA submitted to the Department of Planning & Community Development by New England Treatment Access, LLC, 5 Forge Parkway, Franklin, MA 02038.

The site is located at 162 Grove Street in the Industrial Zoning District (Assessors Map 306, Lot 003). The applicant is requesting a modification to the Special Permit approved on October 25, 2020. The modification is to allow walk-in customers, and not require appointment only.

Please note: This will be your only written notice of this public hearing. All future Public Hearings on this matter, 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.

Copies of the plan and supporting documentation may be reviewed on the Planning Board website at <https://www.franklinma.gov/planning-board>

Gregory Rondeau, Chairman