Tel: (508) 520-4907 Fax: (508) 520 4906

Town of Franklin



Planning Board

Due to the growing concerns regarding the COVID-19 virus, we will be conducting a remote/virtual Planning Board Meeting. In an effort to ensure citizen engagement and comply with open meeting law regulations, citizens will be able to dial into the meeting using the provided phone number (Cell phone or Landline Required) OR citizens can participate by copying the link (Phone, Computer, or Tablet required).

Please click on the link https://us02web.zoom.us/j/84204106132 or call on your phone at 312-626-6799, meeting # 84204106132

October 19, 2020

7:00 PM Commencement/General Business

7:05 PM PUBLIC HEARING - Continued

70, 72 & 94 East Central St – Multi-Family Adv.: Jan 27 & Feb 3, 2020

Special Permit & Site Plan Modification Abuts: Jan. 22, 2020

7:10 PM PUBLIC HEARING – Continued

164 Grove Street Adv.: July 13 & July 20, 2020

Special Permit & Site Plan Abuts: July 13, 2020

GENERAL BUSINESS:

A. Decision: 162 Grove Street

B. **Endorsement**: Panther Way – Site Plan

C. 81-P ANR: 310 Chestnut St

D. Limited Site Plan: 100 Financial Way – Parking Configuration

E. 81-P ANR: 100 Financial WayF. Final Form H: Lakeview Terrace

This agenda is subject to change. Last updated: October 13, 2020

The next meeting of the Planning Board is scheduled for November 2, 2020.

THE DOOR HELD NOT HEL

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

355 EAST CENTRAL STREET, ROOM 120 FRANKLIN, MA 02038-1352 TELEPHONE: 508-520-4907

MEMORANDUM

DATE: October 15, 2020

TO: Franklin Planning Board

FROM: Department of Planning and Community Development

RE: 162 Grove Street – NETA

Special Permit & Site Plan Modification

General:

1. The site is approximately 4 acres and is located at 162 Grove Street in the Industrial Zoning and Marijuana Overlay District; Assessor's Map 306 Lot 003.

- 2. Applicant has filed for a Special Permits: To allow Non-medical marijuana facility under 185 Attachment 3, Part II Section 2.23 and To allow Medical Marijuana under 185-49(4)(b)(iii)
- 3. The footprint of the existing buildings is approximately 12,421 square feet. NETA proposes to expand the existing buildings, as shown on the proposed Site Plans and to convert the existing buildings into approximately 3,856 square feet of retail space, approximately 4,647 square feet of office space, and approximately 7,584 square feet of warehouse space. There will be no product manufacturing, testing or research operations at the Facility.
- 4. Applicant has been approved by the Conservation Commission.
- 5. Applicant has received recommendation from Design Review.

Waiver Requests:

- 1. To allow less than 42" of cover over the RCP drain pipe, proposed class V RCP
- 2. To allow the use of HDPE pipe for manifolds and pond 11. Existing roof piping is 8' PVC
- 3. To allow minimal light spillage onto the abutting properties.

Suggested Special Conditions based on the last Meeting:

- 1. 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 Transportation Demand Management Plan, submitted by the applicant, shall be included with the Certificate of Vote.
- 3. Town Council will authorize funding in the form of a traffic control light at the intersection of Washington and Grove Streets.
- 4. Design Review color recommendations shall be included in the endorsed set of plans.

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 allow Non-medical marijuana facility under 185 Attachment 3, Part II Section 2.23 and To allow Medical Marijuana under 185-49(4)(b)(iii).
- (a) Proposed project addresses or is consistent with neighborhood or Town need.

Anthony Padula	YES	NO	Joseph Halligan	YES	NO
Rick Power	YES	NO	Gregory Rondeau	YES	NO
William David	YES	NO			

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

Anthony Padula	YES	NO	Joseph Halligan	YES	NO
Rick Power	YES	NO	Gregory Rondeau	YES	NO
William David	YES	NO			

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

Anthony Padula	YES	NO	Joseph Halligan	YES	NO
Rick Power	YES	NO	Gregory Rondeau	YES	NO
William David	YES	NO			

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

Anthony Padula	YES	NO	Joseph Halligan	YES	NO
Rick Power	YES	NO	Gregory Rondeau	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.

Anthony Padula	YES	NO	Joseph Halligan	YES	NO
Rick Power	YES	NO	Gregory Rondeau	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.

Anthony Padula	YES	NO	Joseph Halligan	YES	NO
Rick Power	YES	NO	Gregory Rondeau	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.

Anthony Padula	YES	NO	Joseph Halligan	YES	NO
Rick Power	YES	NO	Gregory Rondeau	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.

Anthony Padula	YES	NO	Joseph Halligan	YES	NO
Rick Power	YES	NO	Gregory Rondeau	YES	NO
William David	YES	NO			

STANDARD CONDITIONS OF APPROVAL

- 1. This Special Permit shall not be construed to run with the land and shall run with the Site Plan as endorsed by the Planning Board. A new Special Permit shall be required from the Planning Board if any major change of use or major change to the site plan is proposed.
- 2. This Special Permit shall lapse if a substantial use or construction has not begun, except for good cause, within twenty four (24) months of approval, unless the Board grants an extension. No final Certificate of Occupancy shall be issued until all requirements of the Special Permit have been completed to the satisfaction of the Board unless the applicant has submitted a Partial Certificate of Completion for the remainder of the required improvements and received approval by the Planning Board. The applicant's engineer or surveyor, upon completion of all required improvements, shall submit a Certificate of Completion. The Board or its agent(s) shall complete a final inspection of the site upon filing of the Certificate of Completion by the applicant. Said inspection is further outlined in condition #4.
- 3. Construction or operations under this Special Permit shall conform to any subsequent amendment of the Town of Franklin Zoning Bylaw (§185) unless the use or construction is commenced within a period of six (6) months after the issuance of this Special Permit and, in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.
- 4. The Planning Board will use outside consultant services to complete construction inspections upon the commencement of construction. The Franklin Department of Public Works Director, directly and through employees of the Department of Public Works and outside consultant services shall act as the Planning Board's inspector to assist the Board with inspections necessary to ensure compliance with all relevant laws, regulations and Planning Board approved plan specifications. Such consultants shall be selected and retained upon a majority vote of the Board.
- 5. Actual and reasonable costs of inspection consulting services shall be paid by the owner/applicant before or at the time of the pre-construction meeting. Should additional inspections be required beyond the original scope of work, the owner/applicant shall be required to submit fees prior to the issuance of a Final Certificate of Completion by the Planning Board (Form H). Said inspection is further outlined in condition #4.
- 6. No alteration of the Special Permit and the plans associated with it shall be made or affected other that by an affirmative vote of the members of the Board at a duly posted meeting and upon the issuance of a written amended decision.
- 7. All applicable laws, by-laws, rules, regulations, and codes shall be complied with, and all necessary licenses, permits and approvals shall be obtained by the owner/applicant.
- 8. Prior to the endorsement of the site plan, the following shall be done:
 - The owner/applicant shall make a notation on the site plan that references the Special Permit and the conditions and dates of this Certificate of Vote.

- A notation shall be made on the plans that all erosion mitigation measures shall be in place prior to major construction or soil disturbance commencing on the site.
- All outstanding invoices for services rendered by the Town's Engineers and other reviewing Departments of the Town relative to their review of the owner/applicant's application and plans shall have been paid in full.
- The owner/applicant shall submit a minimum of six copies of the approved version of the plan.
- 9. Prior to any work commencing on the subject property, the owner/applicant shall provide plans to limit construction debris and materials on the site. In the event that debris is carried onto any public way, the owner/applicant and his assigns shall be responsible for all cleanup of the roadway. All cleanups shall occur within twenty-four (24) hours after first written notification to the owner/applicant by the Board or its designee. Failure to complete such cleanup may result in suspension of construction of the site until such public way is clear of debris.
- 10. The owner/applicant shall install erosion control devices as necessary and as directed by the Town's Construction Inspector.
- Prior to construction activities, there shall be a pre-construction meeting with the owner/applicant, and his contractor(s), the Department of Public Works and the Planning Board's Inspector.
- 12. Any signage requires the Applicant to file with the Design Review Commission.
- 13. Prior to the endorsement, the Certificate of Vote and Order of Conditions shall be added to the Site Plans.



FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

355 EAST CENTRAL STREET, ROOM 120 FRANKLIN, MA 02038-1352

TELEPHONE: 508-520-4907

MEMORANDUM

DATE: October 13, 2020

TO: Franklin Planning Board

FROM: Department of Planning and Community Development

RE: West Central St & Panther Way

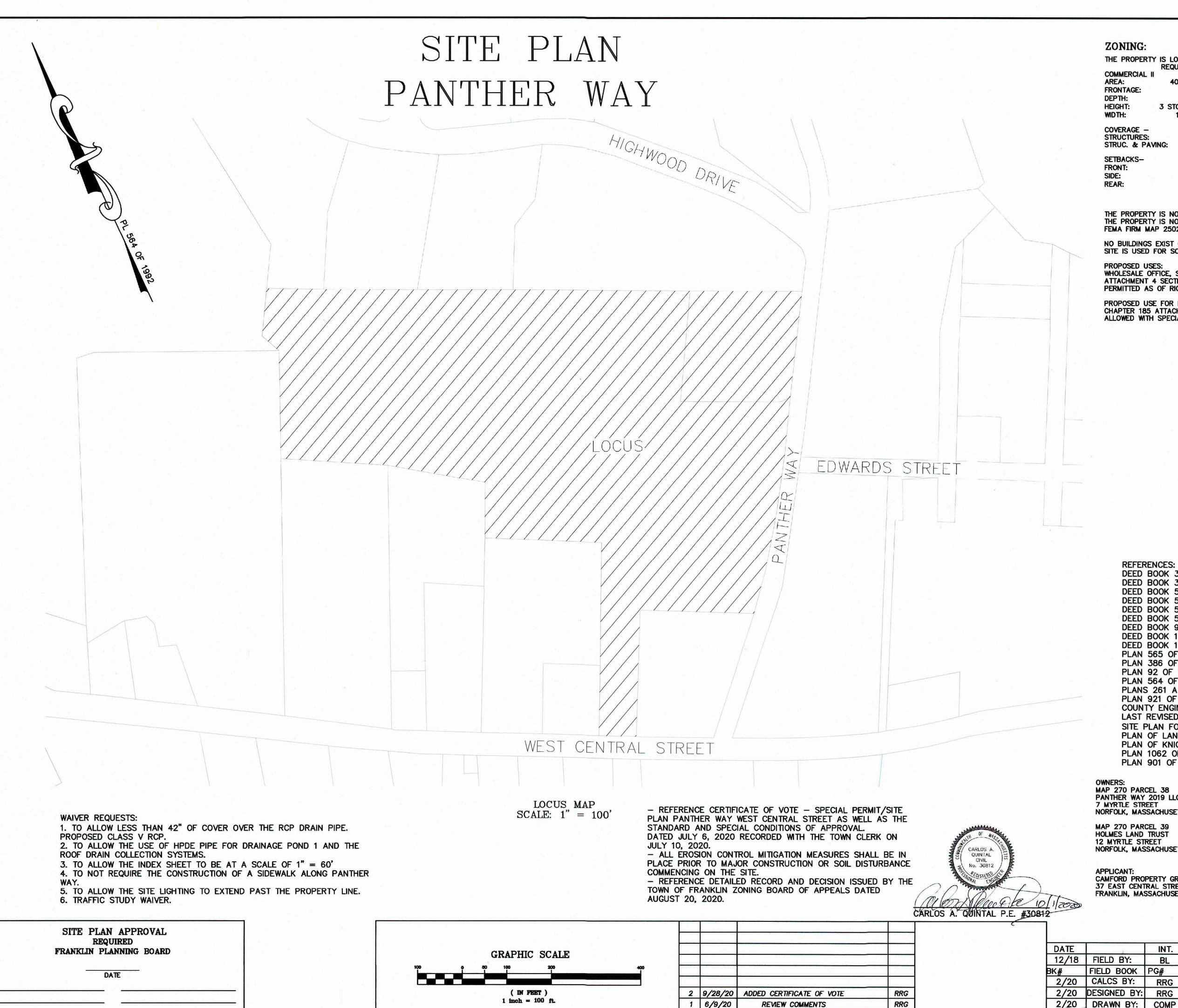
Special Permit & Site Plan - Endorsement

General:

• The Planning Board approved the Site plan and Special Permits on June 29, 2020 for Panther Way and West Central St.

• Applicant has added to the Certificate of Vote to the Site Plans.

DPCD recommends the Planning Board endorse the Site Plan.



NO. DATE

DESCRIPTION

BY

THE PROPERTY IS LOCATED WITHIN A COMMERCIAL II ZONE REQUIREMENTS: EXISTING **PROPOSED** COMMERCIAL II 40,000 S.F. $591,830 \pm S.F.$ $591,830 \pm S.F.$ FRONTAGE: 175 499.73 499.73 200' 1,150'+ 1,150'+ 3 STORIES - 40' 3 STORIES 465'+ COVERAGE -STRUCTURES: 0% 3.4% STRUC. & PAVING: 0% 14.5% SETBACKS-165' 45'

THE PROPERTY IS NOT LOCATED WITHIN A FRANKLIN WATER RESOURCE DISTRICT. THE PROPERTY IS NOT LOCATED WITHIN A ZONE A OR B BASED ON FEMA FIRM MAP 25021C0308E DATED JULY 17, 2012.

NO BUILDINGS EXIST ON SITE.

SITE IS USED FOR SCHOOL BUS PARKING.

WHOLESALE OFFICE, SALESROOM: WITH STORAGE - SEE ZONING BYLAW CHAPTER 185 ATTACHMENT 4 SECTION 3.11a. PERMITTED AS OF RIGHT WITH WATER CONSUMPTION UNDER 15,000 GALLONS PER DAY.

PROPOSED USE FOR BUS PARKING - MOTOR VEHICLE LEASING - SEE ZONING BYLAW CHAPTER 185 ATTACHMENT 3 SECTION 2.6.g. ALLOWED WITH SPECIAL PERMIT FROM THE PLANNING BOARD.

DRAWING INDEX:

C-1 COVER SHEET I-1 INDEX PLAN EC-1 TO EC-3 EXISTING CONDITIONS PLAN SL-1 SITE LAYOUT PLAN GU-1 SITE GRADING AND UTILITY PLAN PP-1 SITE PLANTING PLAN ERC-1 EROSION CONTROL PLAN CD-1 TO CD-5 CONSTRUCTION DETAILS CV-1 CERTIFICATE OF VOTE -SPECIAL PERMITS/SITE PLAN APPROVAL SITE LIGHTING-LIGHTING PLAN, PHOTOMETRICS AND SCHEDULES BY SK & ASSOCIATES

REFERENCES: DEED BOOK 37290 PAGE 474 DEED BOOK 37152 PAGE 343 DEED BOOK 5602 PAGE 614 DEED BOOK 5804 PAGE 316 DEED BOOK 5844 PAGE 87 **DEED BOOK 5924 PAGE 180** DEED BOOK 9471 PAGE 641 DEED BOOK 10499 PAGE 680 DEED BOOK 11341 PAGE 545 PLAN 565 OF 1970 PLAN 386 OF 1979 PLAN 92 OF 1979 PLAN 564 OF 1992 PLANS 261 A - C OF 1994 PLAN 921 OF 1980 COUNTY ENGINEERS PLAN FOR EDWARD STREET LAST REVISED AUG. 28, 2000 SITE PLAN FOR "THREE" RESTAURANT LAST REVISED 10-17-06 PLAN OF LAND BY PAUL ROBINSON DATED NOVEMBER 14, 1978 PLAN OF KNIGHTS OF COLUMBUS LAST REVISED 3-8-2000 PLAN 1062 OF 1972 PLAN 901 OF 1974

MAP 270 PARCEL 38 PANTHER WAY 2019 LLC 7 MYRTLE STREET NORFOLK, MASSACHUSETTS

MAP 270 PARCEL 39 HOLMES LAND TRUST 12 MYRTLE STREET NORFOLK, MASSACHUSETTS

APPLICANT: CAMFORD PROPERTY GROUP, INC. 37 EAST CENTRAL STREET FRANKLIN, MASSACHUSETTS

COVER SHEET PANTHER WAY FRANKLIN, MASSACHUSETTS PREPARED FOR CAMFORD PROPERTY GROUP, INC. 37 EAST CENTRAL STREET FRANKLIN, MASSACHUSETTS

FEBRUARY 19, 2020

SCALE: 1" = 100

INT. FIELD BOOK PG# 2/20 DRAWN BY: COMP 2/20 CHECKED BY: CAQ

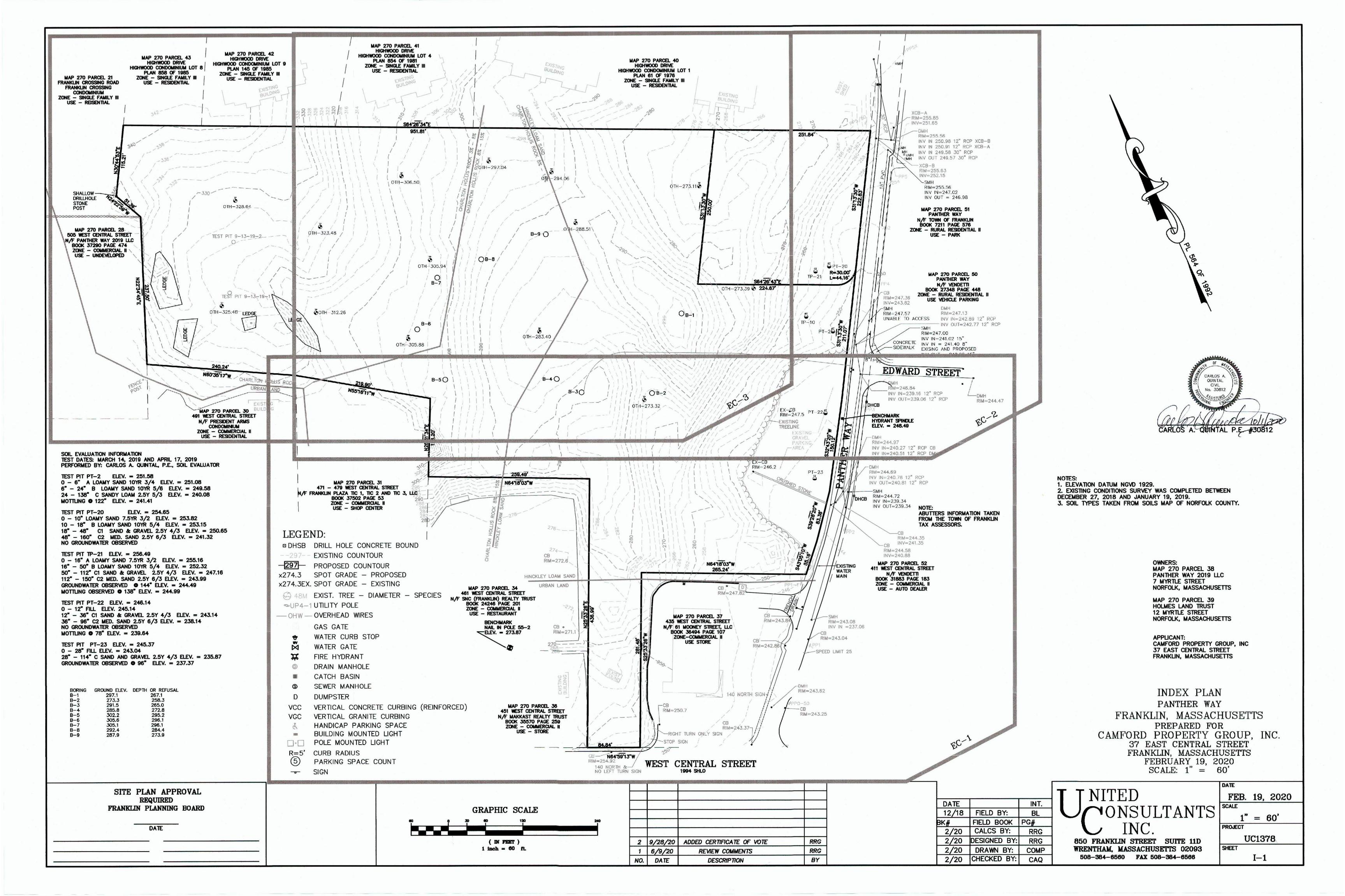
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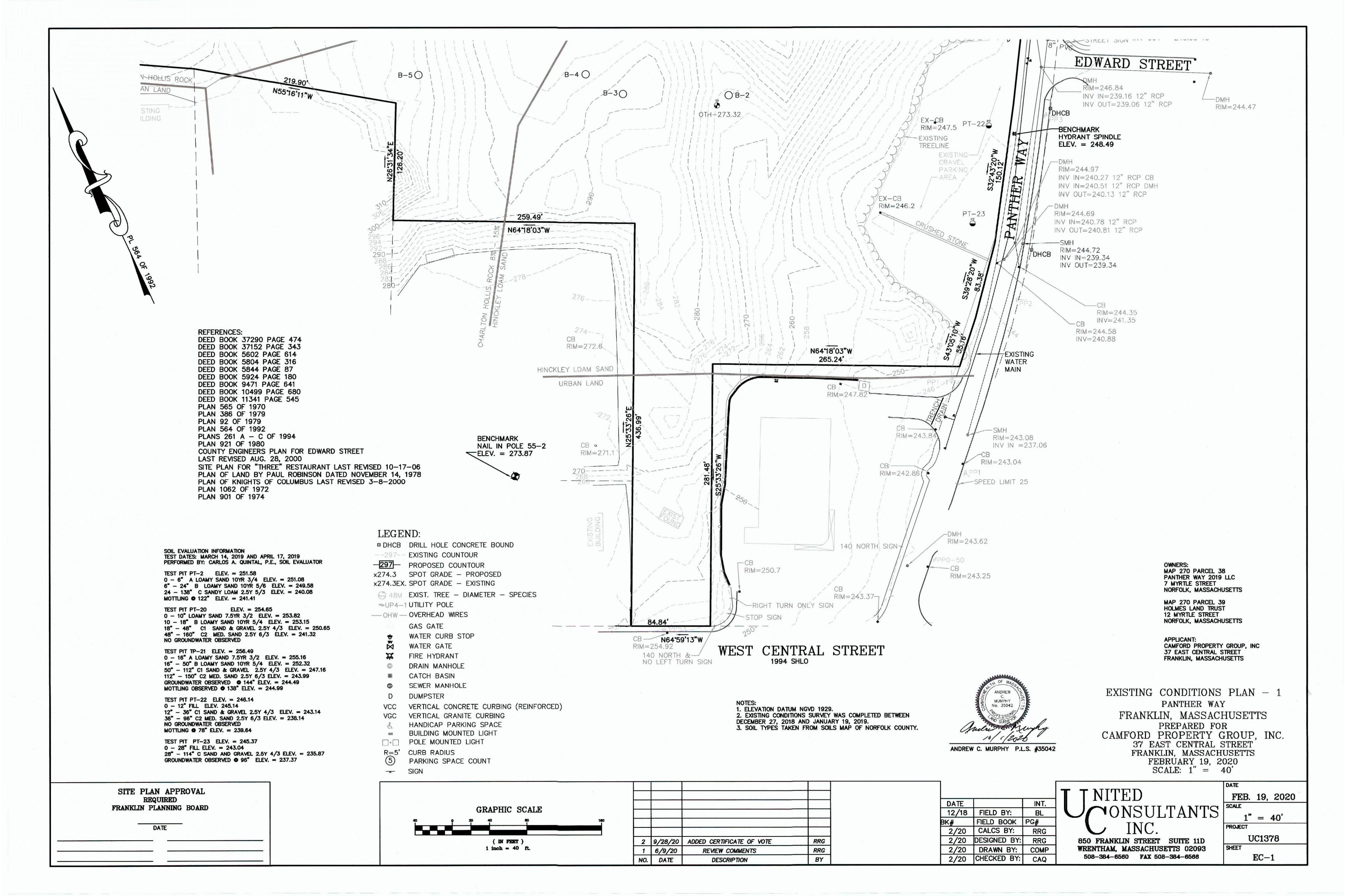
FEB. 19, 2020 1" = 100'

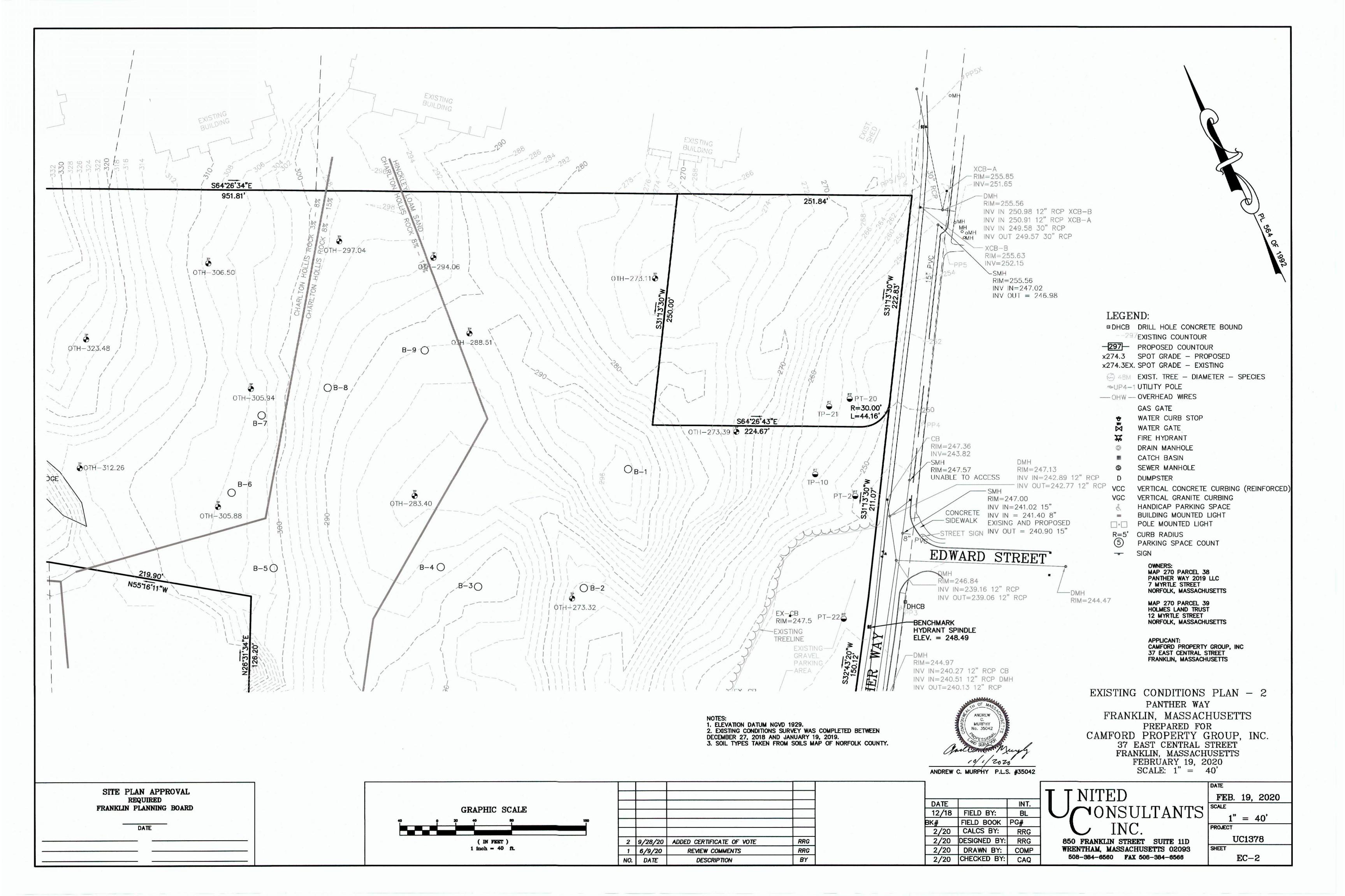
UC1378

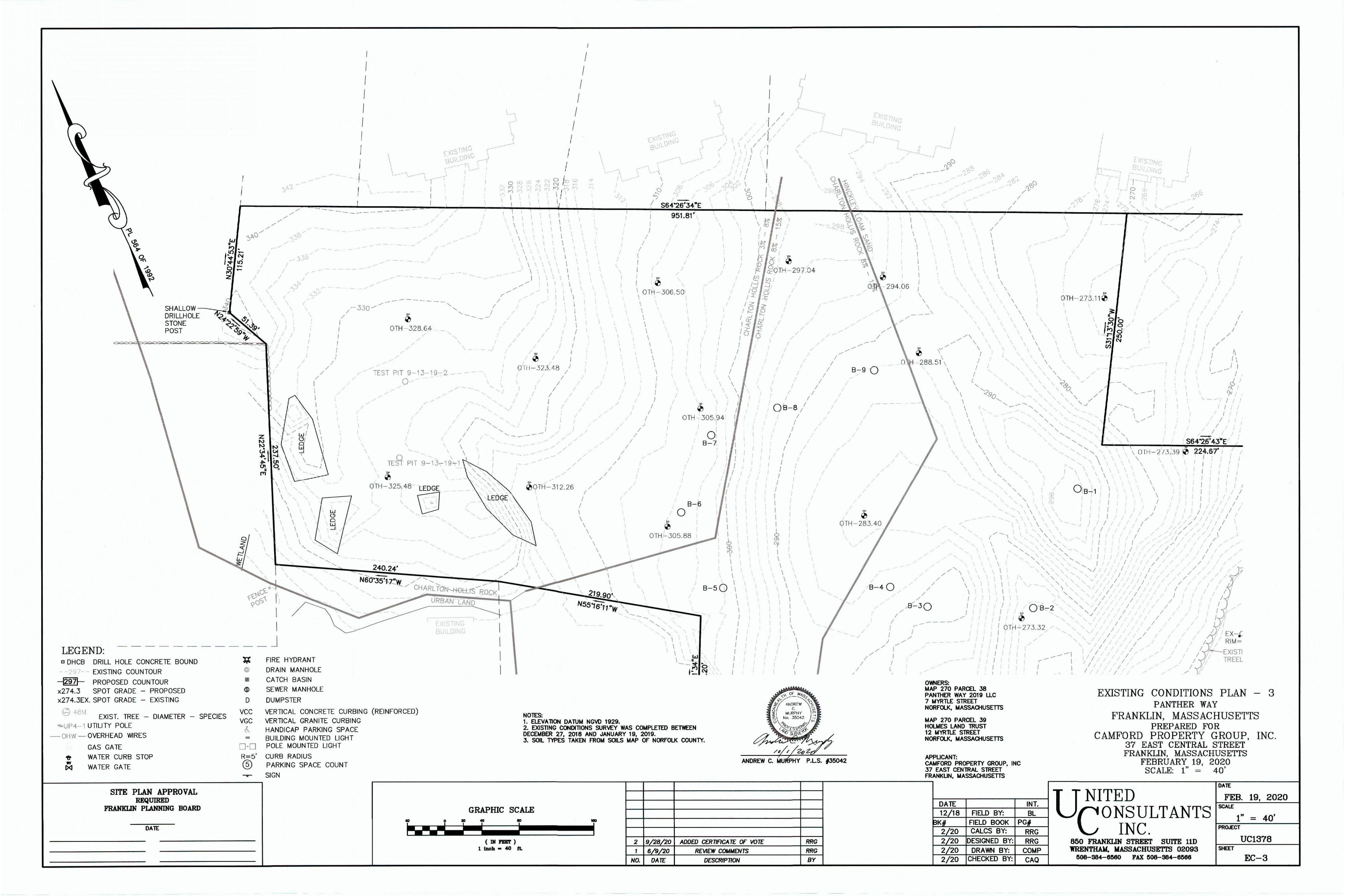
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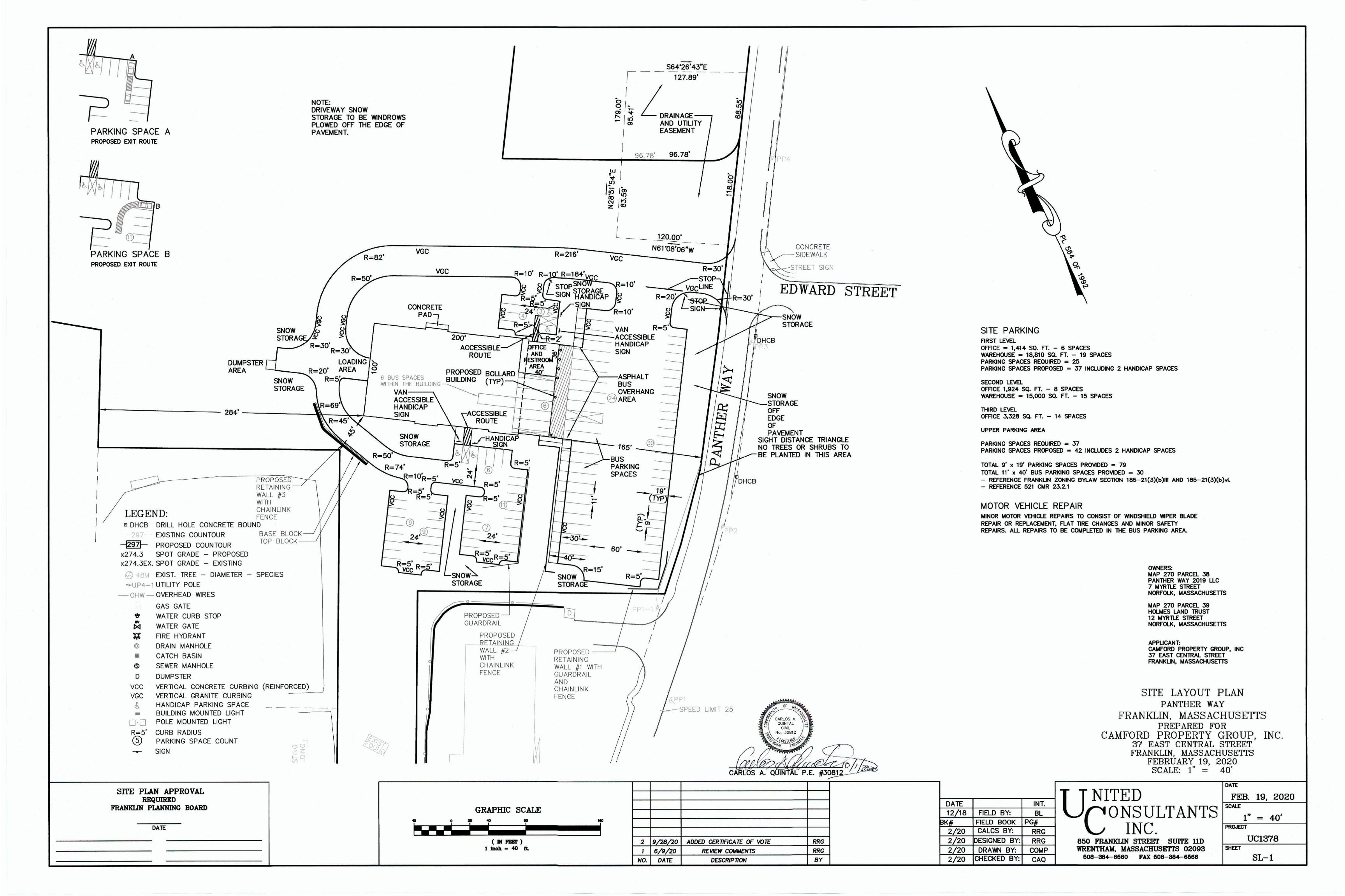
PROJECT WRENTHAM, MASSACHUSETTS 02093 SHEET 508-384-6560 FAX 508-384-6566

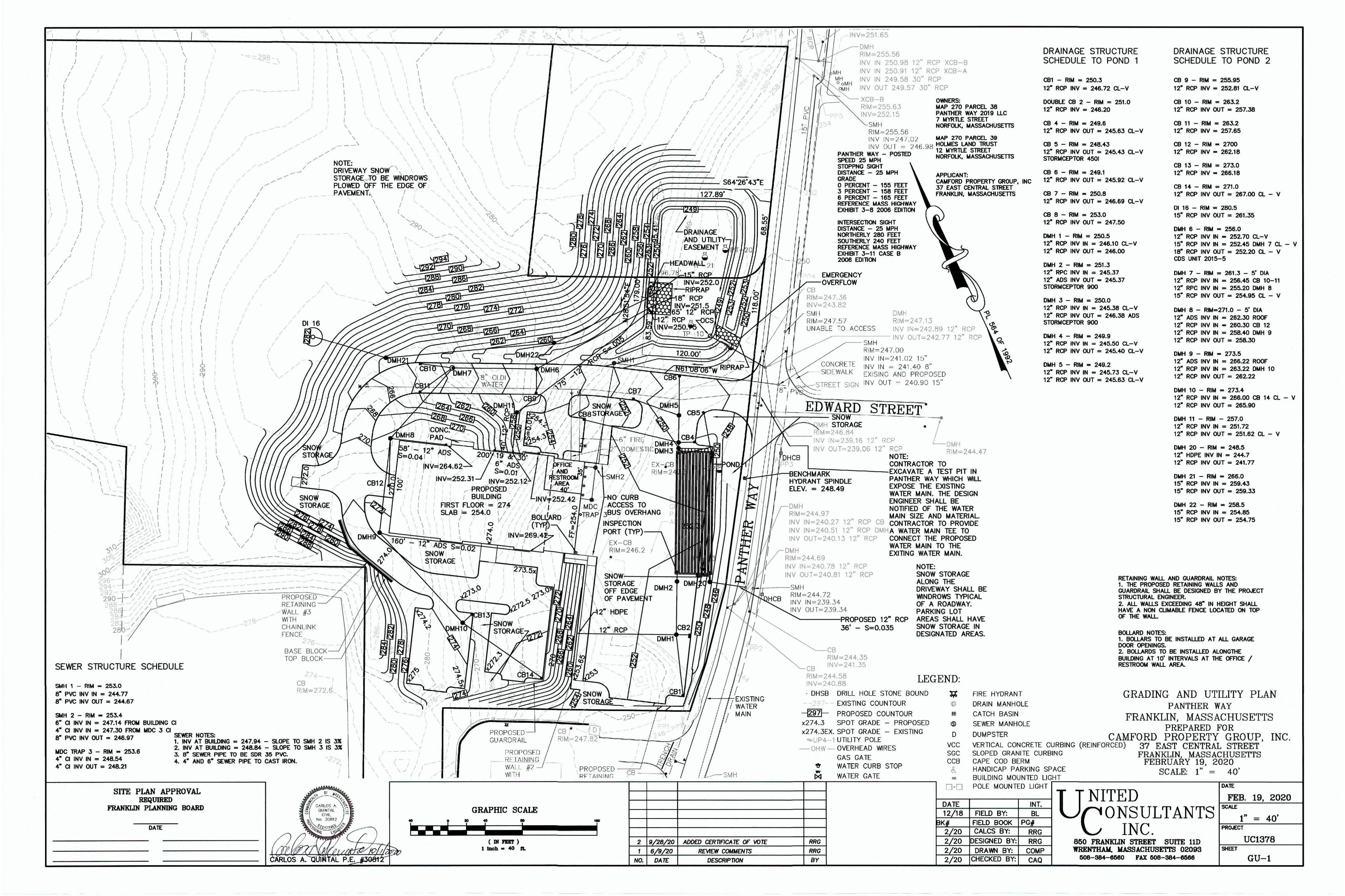


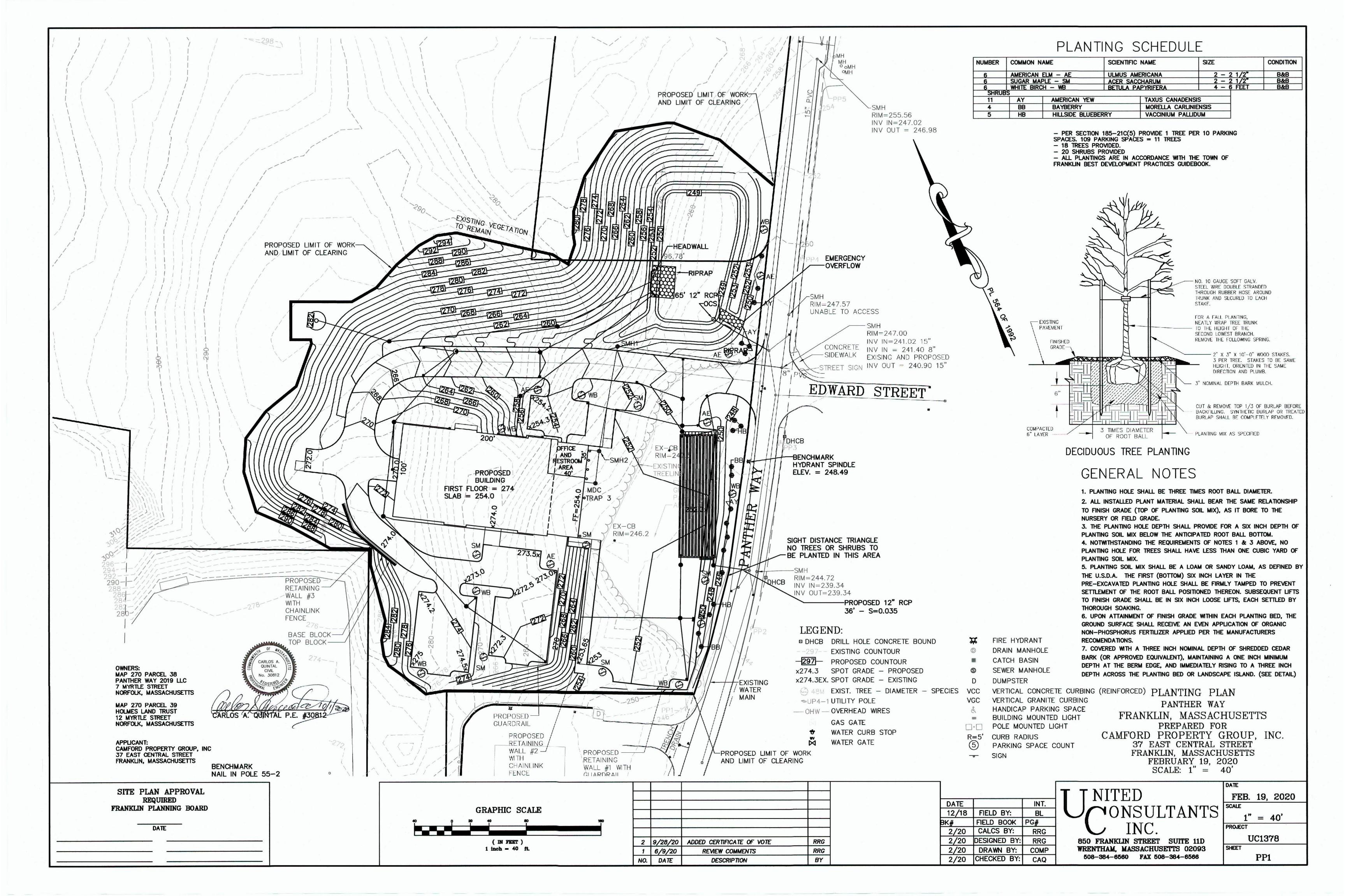


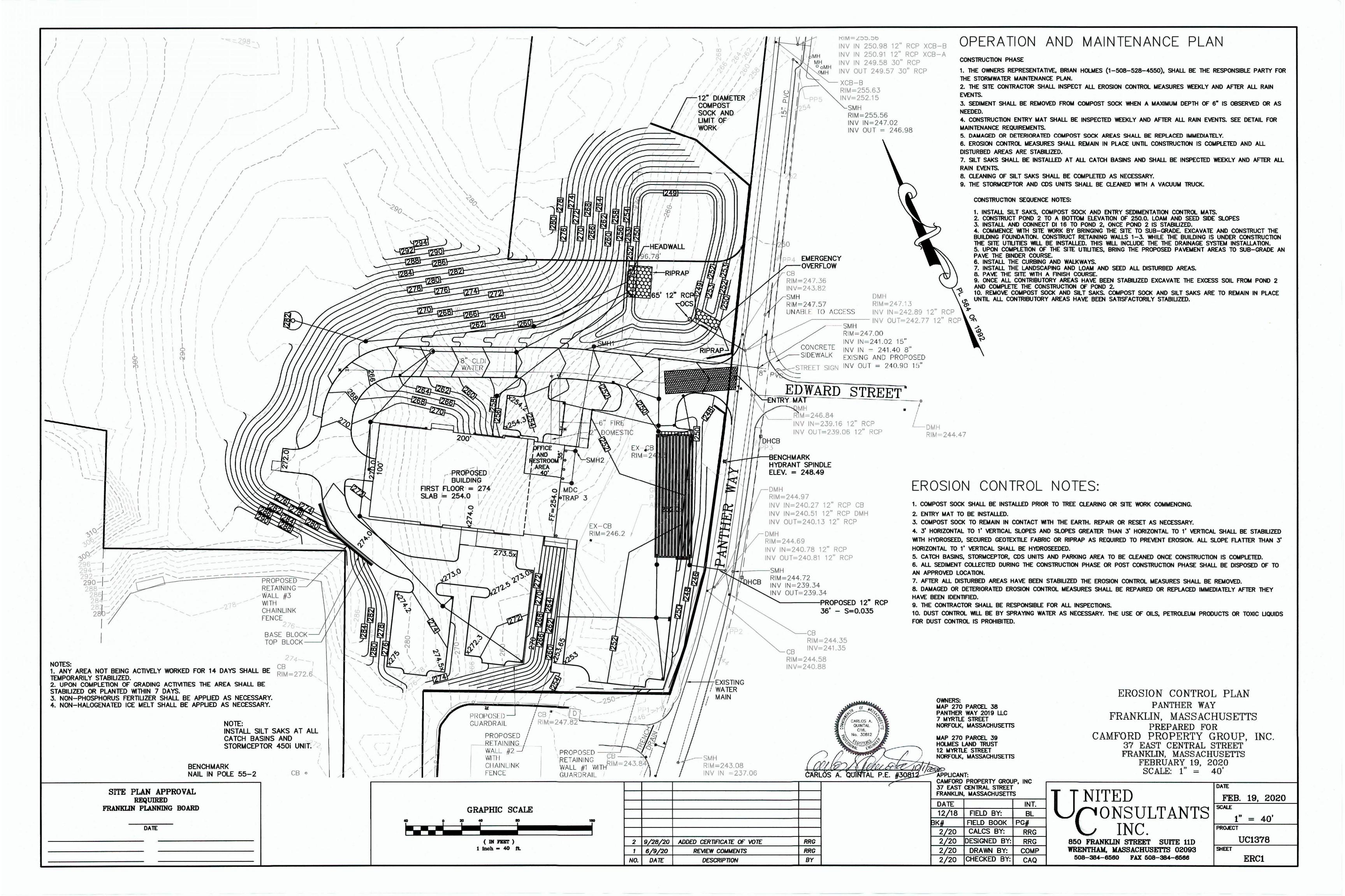


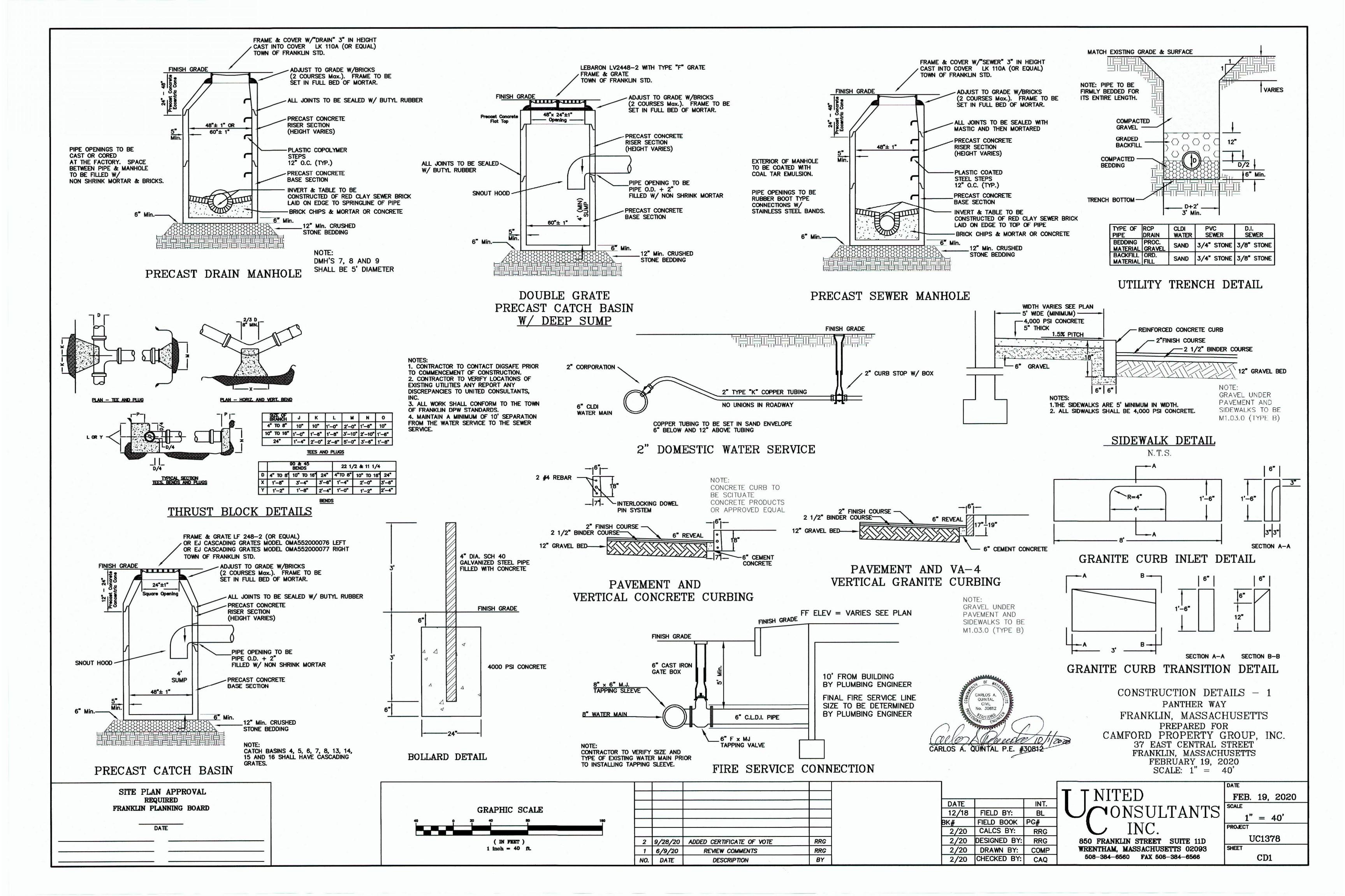


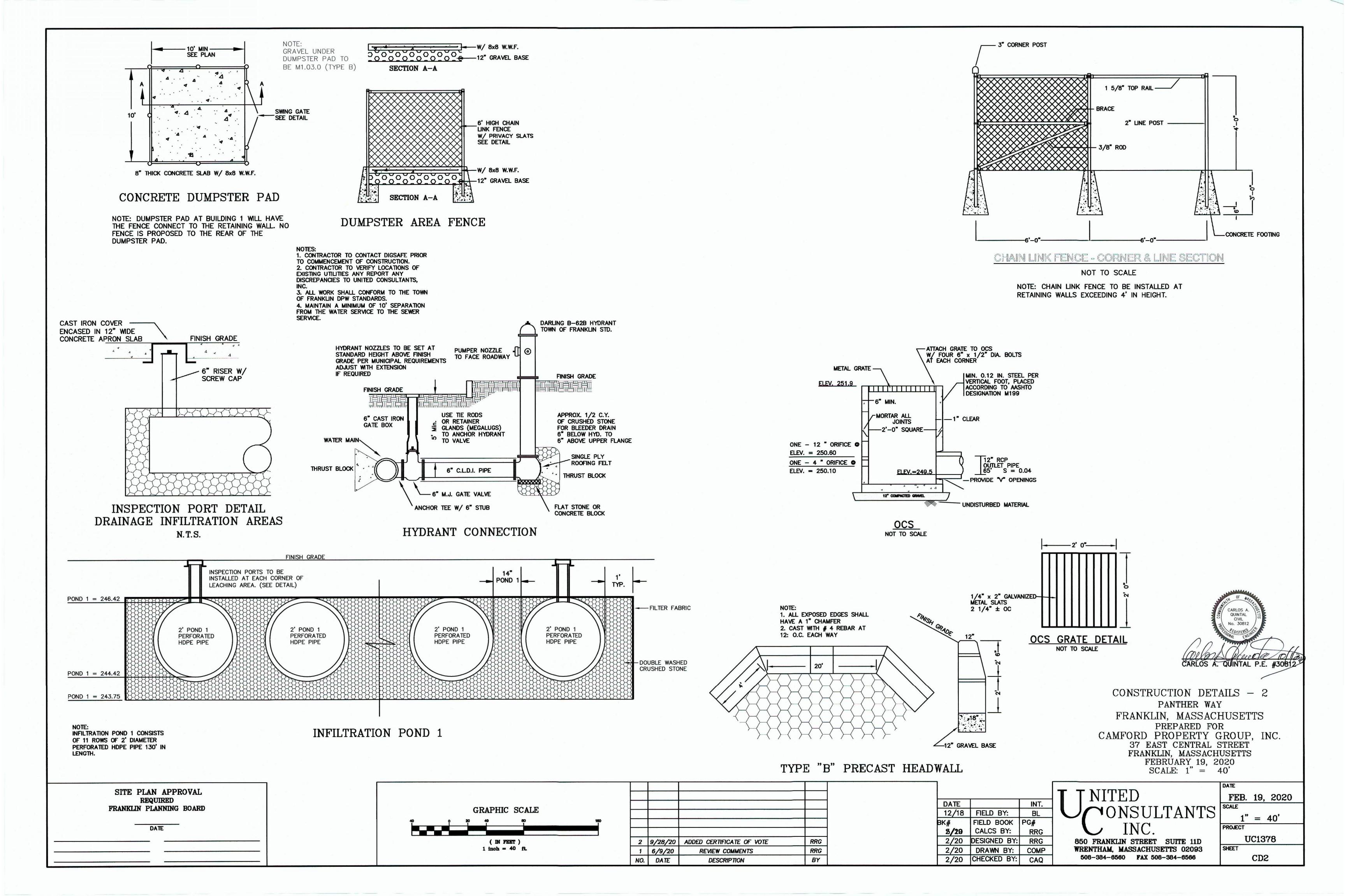


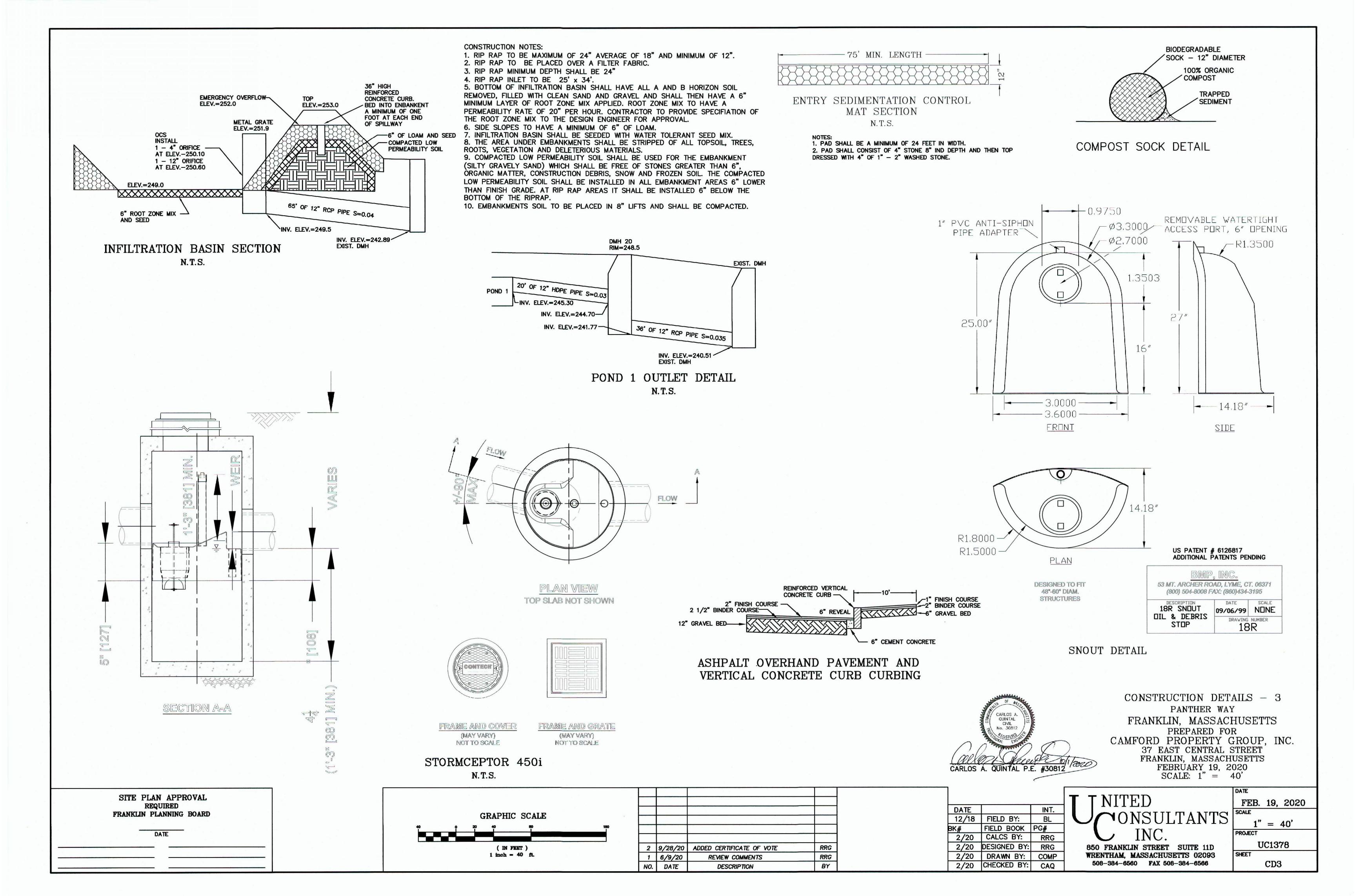


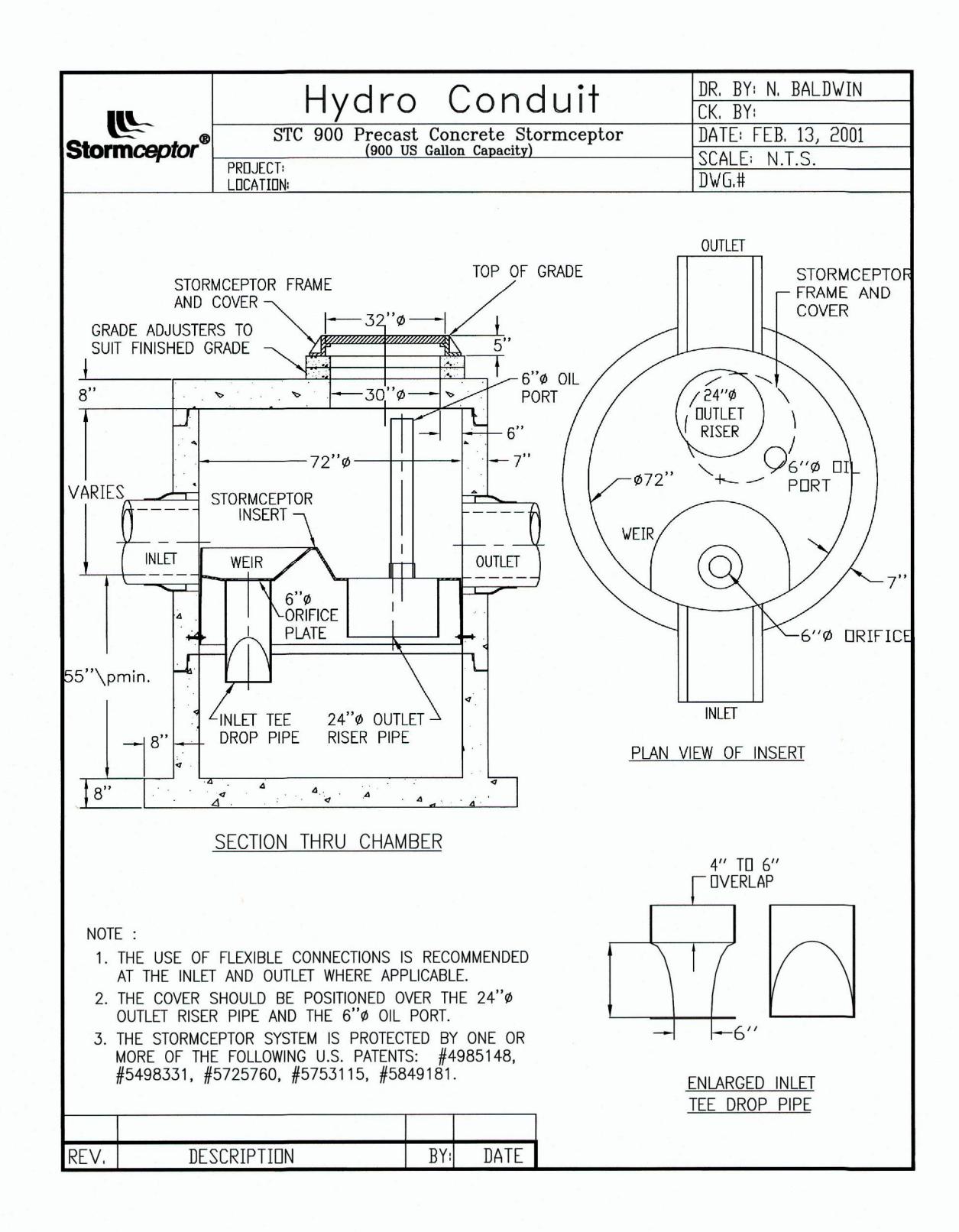


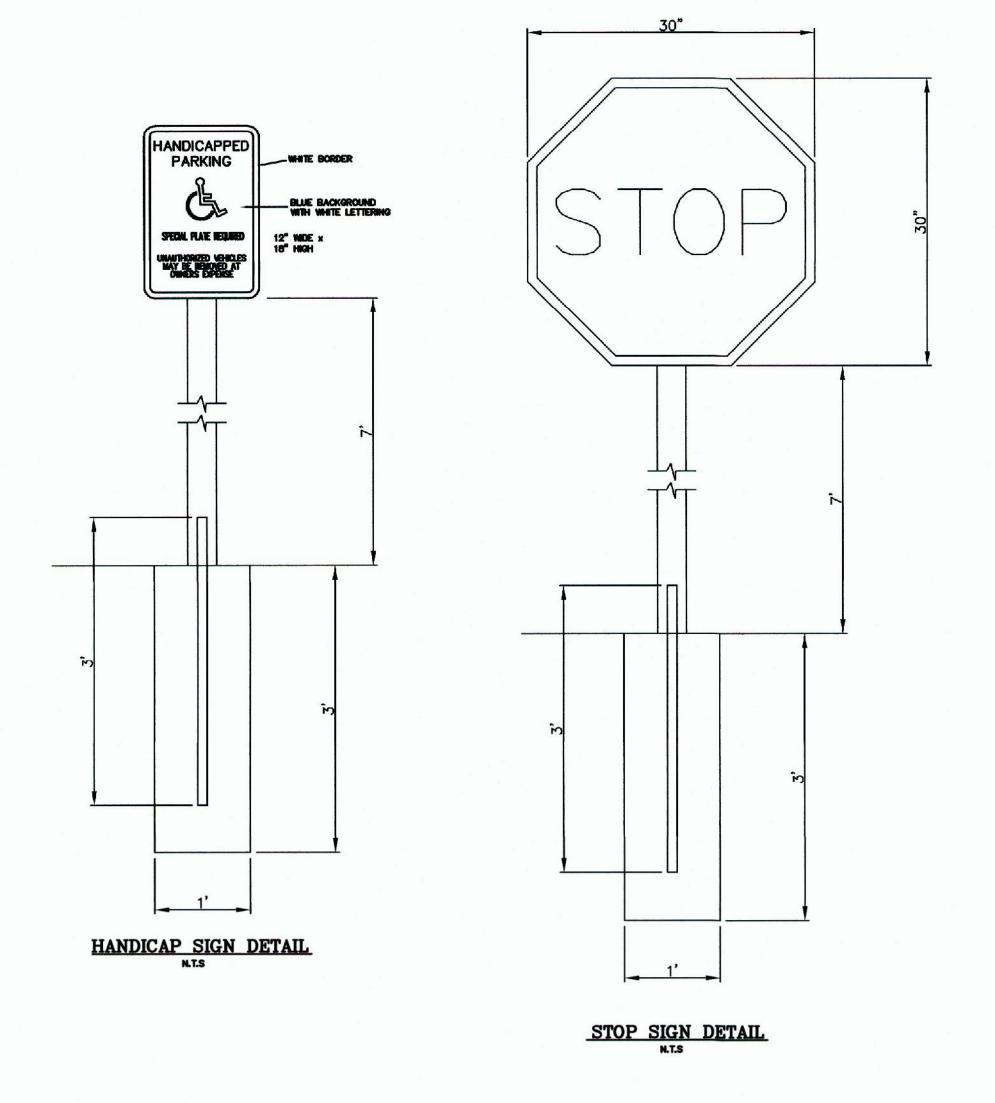


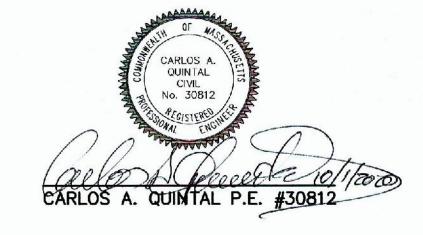












CONSTRUCTION DETAILS - 4
PANTHER WAY
FRANKLIN, MASSACHUSETTS
PREPARED FOR
CAMFORD PROPERTY GROUP, IN

PREPARED FOR

CAMFORD PROPERTY GROUP, INC.

37 EAST CENTRAL STREET

FRANKLIN, MASSACHUSETTS

FEBRUARY 19, 2020

SCALE: 1" = 40'

SITE PLAN APPROVAL REQUIRED FRANKLIN PLANNING BOARD

DATE

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

2	9/28/20	ADDED CERTIFICATE OF VOTE	RRG
1	9/28/20 6/9/20	REVIEW COMMENTS	RRG
VO.	DATE	DESCRIPTION	BY

DATE		INT.
12/18	FIELD BY:	BL
3K#	FIELD BOOK	PG#
2/20	CALCS BY:	RRG
2/20	DESIGNED BY:	RRG
2/20	DRAWN BY:	COMP
2/20	CHECKED BY:	CAQ

NITED
ONSULTANTS
INC.

B50 FRANKLIN STREET SUITE 11D
WRENTHAM, MASSACHUSETTS 02093

508-384-6560 FAX 508-384-6566

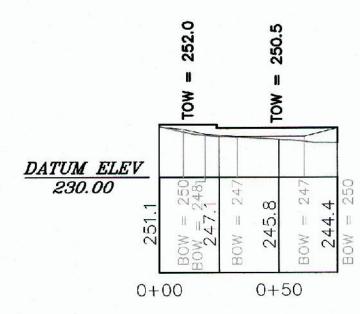
	DATE	
	FEB. 19, 2020	
4	SCALE	
	1" = 40'	
	PROJECT	
	UC1378	
	SHEET	
	CD4	



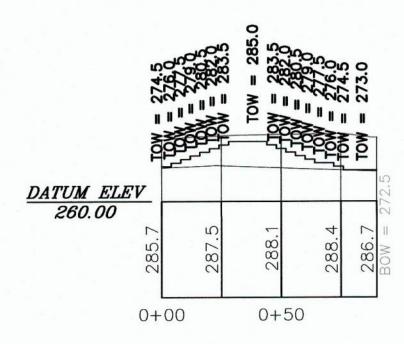
FIRST FLOOR = 274UPPER LEVEL **ENTRANCE**

ACCESSIBLE ROUTE GRADING LOWER LEVEL SCALE: 1" = 40'

ACCESSIBLE ROUTE GRADING UPPER LEVEL SCALE: 1" = 40'



PROPOSED RETAINING WALL #1 SCALE: H - 1" = 40'



PROPOSED RETAINING WALL #3

SCALE: H - 1" = 40'

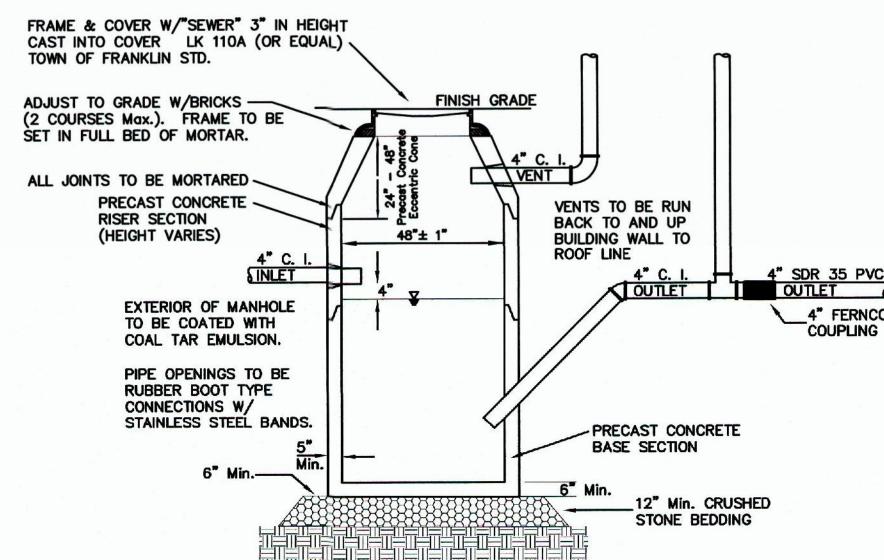
PROPOSED RETAINING WALL NOTES:

1. PROPOSED RETAINING WALL SHOWN TO PROVIDE TOP OF WALL (TOW) AND BOTTOM OF WALL (BOW) ELEVATIONS.
2. FINAL WALL DESIGNS TO BE COMPLETED BY A STRUCTURAL ENGINEER AND FILED

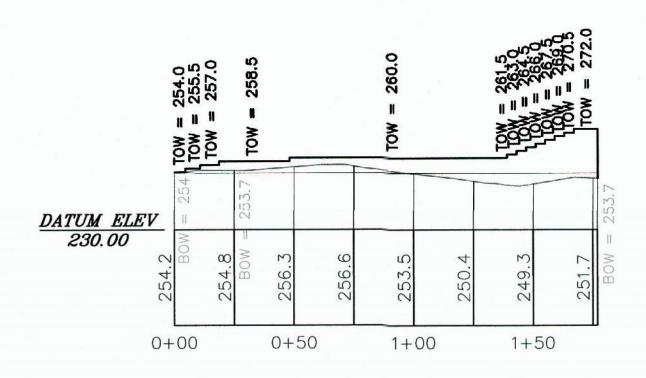
WITH THE BUILDING DEPARTMENT.

3. PROPOSED RETAINING WALLS TO BE REDI ROCK BLOCKS. BLOCK TO BE 1.5 FEET IN HEIGHT.



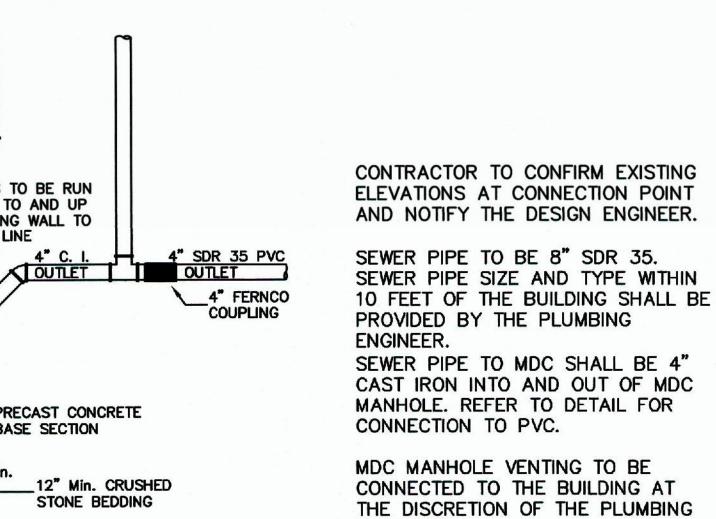


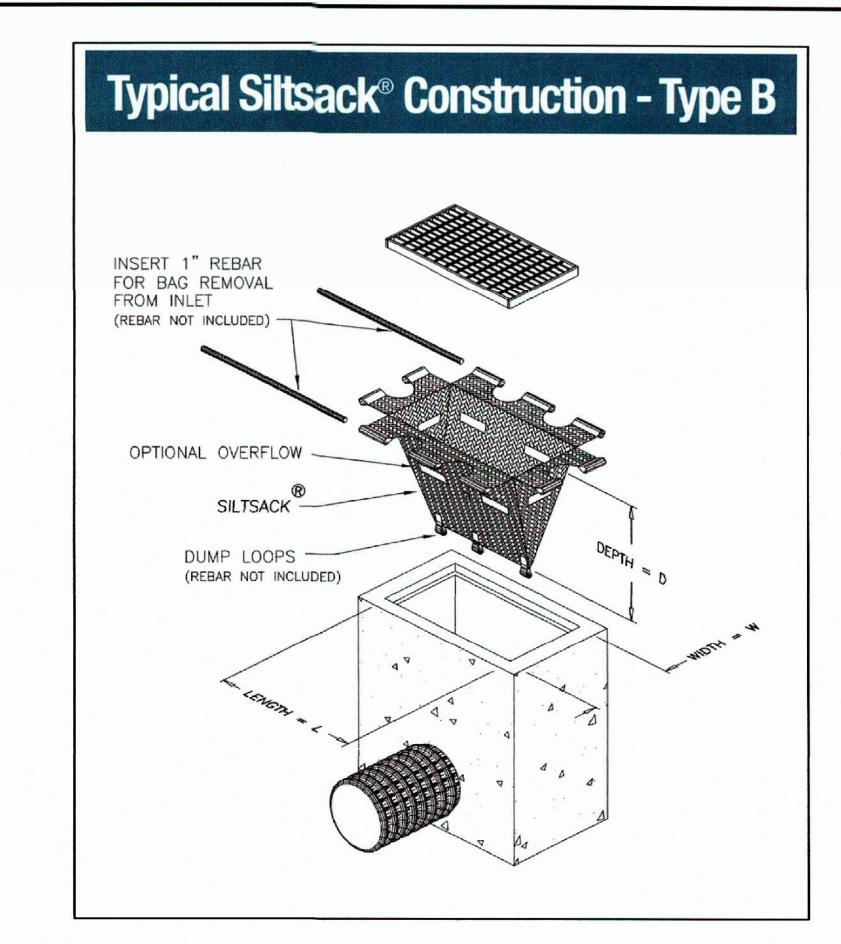
M.D.C. STYLE TRAP



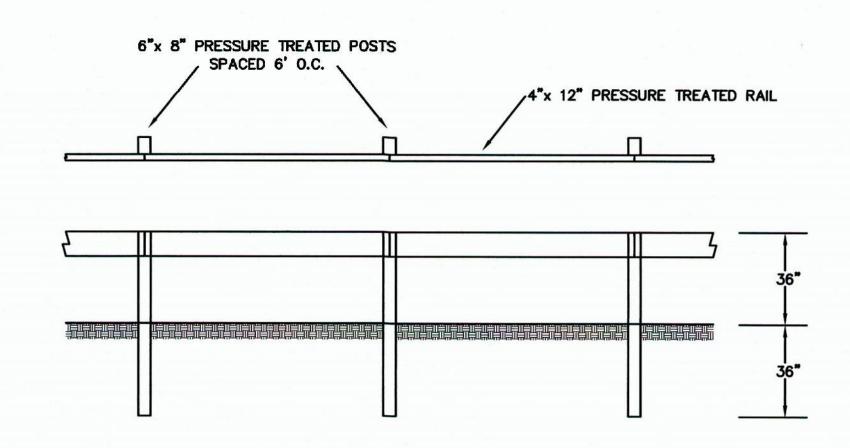
PROPOSED RETAINING WALL #2

SCALE: H - 1" = 40'

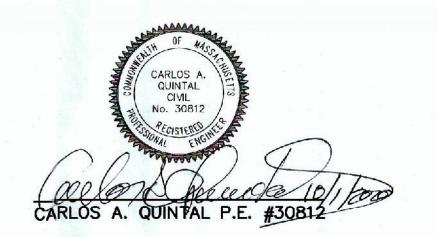




SILT SAK DETAIL NOT TO SCALE



WOODEN GUARDRAIL DETAIL N.T.S.



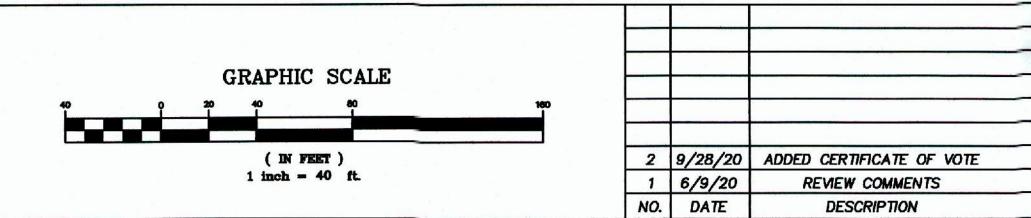
RRG

RRG

SEWER PIPE TO BE 8" SDR 35.

ENGINEER.

CONSTRUCTION DETAILS - 5 PANTHER WAY FRANKLIN, MASSACHUSETTS PREPARED FOR
CAMFORD PROPERTY GROUP, INC.
37 EAST CENTRAL STREET
FRANKLIN, MASSACHUSETTS FEBRUARY 19, 2020 SCALE: 1" = 40'

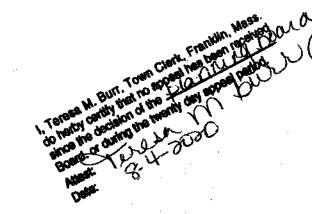


DATE		INT.
12/18	FIELD BY:	BL
3K#	FIELD BOOK	PG#
2/20	CALCS BY:	RRG
2/20	DESIGNED BY:	RRG
2/20	DRAWN BY:	COMP
2/20	CHECKED BY:	CAQ

T T NITED
ONSULTANTS
U INC.
850 FRANKLIN STREET SUITE 11D WRENTHAM, MASSACHUSETTS 02093

508-384-6560 FAX 508-384-6566

FEB. 19, 2020 1" = 40' **PROJECT** UC1378 CD5



Planning Board

Town of Franklin

TOWN OF FRANKLIN TOWN CLERK 2020 JUL 10 A 11: 08 RECEIVED

July 6, 2020

Teresa M. Burr, Town Clerk Town of Franklin 355 East Central Street Franklin, MA 02038

> **CERTIFICATE OF VOTE** SPECIAL PERMIT/SITE PLAN Panther Way/West Central Street

Camford Property Group, Inc. 37 East Central St

Franklin, MA 02038 Riov Realty Trust and Holmes Land Trust

12 Myrtle St Norfolk, MA 02056

Surveyor/Engineer: Plan Date:

United Consultants, 850 Franklin Street #11D, Wrentham, MA 02093 February 19, 2020

Panther Way/West Central Street Property Location: Map 270 Lot 038 & 039

Dear Mrs. Burr:

Please be advised that at its meeting on Monday, June 29, 2020 the Planning Board upon motion duly made and seconded, voted (5-0) to APPROVE, with Standard and Special Conditions of Approval (2) two Special Permits and Site Plan for Panther Way/West Central Street for Motor Vehicle leasing with repair under §185 Attachment 2, Use Regulations Schedule Part II, Section 2.6 and to allow Motor vehicle service leasing with and §185 Attachment 2, Use Regulations Schedule Part II, Section 2.7.c Motor Vehicle service, repair-other, are presented on pages 2-7 attached hereto.

Anthony Padula, Chairman Franklin Planning Board

cc: Owners/Applicant/Applicant's Engineer/Applicant's Attorney Building Commissioner/DPW/Engineering/BETA Group, Inc.

Anthony Padula	YES	Gregory Rondeau	YES
Joseph Halligan Jr.		Rick Power	YES
William David	YES		

(g) Water consumption and sewer use, taking into consideration current and projected future local water

supply and demand	and wastemater presime	2.0 Cupuca-5,	
Anthony Padula	YES	Gregory Rondeau	YES
Joseph Halligan Jr.	YES	Rick Power	YES

Based upon the information submitted during the public hearings, Planning Board's specific findings, the Planning Board specifically determines that allowing Site Plan and Special Permits (1) Motor Vehicle leasing with repair under §185 Attachment 2, Use Regulations Schedule Part II, Section 2.6 and to allow Motor vehicle service leasing with (2) §185 Attachment 2, Use Regulations Schedule Part II, Section 2.7.c Motor Vehicle service, repair-other. within the Commercial II zoning district, 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.

Accordingly, at the Planning Board meeting on June 29, 2020 the Planning Board, upon motion duly made and seconded, voted (5-0) to approve the applicant's request to allow the Site Plan and Special Permit at Panther Way/West Central Street.

The following members of the Planning Board were present at the hearing and voted as follows:

Anthony Padula	YES	Gregory Rondeau	YES
Joseph Halligan Jr.	YES	Rick Power	YES
William David	YES		

Any person aggrieved by the above decision of the Franklin Planning Board may file an appeal pursuant to Massachusetts General Laws Chapter 40A, Section 17. Such appeal must be filed within twenty (20) days after the filing of the notice of the Board's decision with the Town Clerk.

This Certificate of Vote shall become effective only upon the recording of a copy certified by the Town Clerk with the Norfolk County Registry of Deeds. A copy of the recorded Certificate of Vote shall be submitted to the Board within thirty (30) days of recording.

PROJECT DESCRIPTION SPECIAL PERMIT/SITE PLAN Panther Way/West Central Street

The existing sites consists of two parcels of undeveloped land totaling approximately 14+ acres, bordering Panther Way on its northern boundary, West Central Street on its southern boundary, CVS on its western boundary and Residential Condominiums on its eastern boundary, located in the Commercial II Zoning District. The applicant proposed to construct a 20,000 sq/ft building, with two levels, a site driveway and parking areas for building and buses. The Site also include landscaping, municipal utilities and stormwater management.

PUBLIC HEARING SPECIAL PERMIT/SITE PLAN Panther Way/West Central Street

A proper and complete notice of the April 6, 2020 public hearing was posted in the Franklin Municipal Building and in the appropriate local newspaper in accordance with the Franklin Zoning Code and Massachusetts General Laws. A proper and complete notice was also sent to all persons and parties required by law to receive such notice. The Planning Board continued to hold public hearings on May 4, 2020, May 18, 2020 and June 22, 2020.

Incorporated as part of the record are the following:

The Planning Board reviewed (1) the applicant's detailed written application including answers to Special Permit Findings (a) through (g), and (2) comments and review letters from various Town Departments, including but not limited to, Department of Planning & Community Development, Department of Public Works/Engineering and Franklin Fire Department. The Planning Board also reviewed engineering reports and traffic study from their peer review Consultant.

The Planning Board upon motion duly made and seconded, voted (5-0-0) to close the public hearing on June 22, 2020 for the Site Plan and Special Permits for (2) Motor Vehicle leasing with repair under §185 Attachment 2, Use Regulations Schedule Part II, Section 2.6 and to allow Motor vehicle service leasing with and §185 Attachment 2, Use Regulations Schedule Part II, Section 2.7.c Motor Vehicle service,

PRESENTATION SPECIAL PERMIT/SITE PLAN Panther Way/West Central Street

Mr. Brad Chaffee, Camford Property Group/applicant and Mr. Rick Goodreau, United Consultants, Inc., provided an overview of the project. On June 14, 2019, the applicant submitted a Special Permit and Site Plan to construct two buildings with a fueling station. On January 27, 2020, the Planning Board accepted a request from the applicant to withdraw their application. Mr. Goodreau stated meetings were held with the Highwood condominium neighbors. On March 9, 2020, the applicant submitted a new application for one 20,000 sq. ft. building with two levels and has removed the fueling station. He stated there are 25 spots for buses with an additional five spots for buses in the lower level of building for a total of 30 bus parking spots. There are 30 parking spaces for the vehicles of the bus operators. They have added seven additional spaces for access into the lower level of the building which will be for office spaces and restrooms for bus operations. He reviewed the access driveway location. Currently, the upper level of the building does not have a tenant. He noted that the limit of work for this proposal for the driveway is 224 ft. from the Highwood condominium project. He explained the type of bus repairs that would be done

STANDARD CONDITIONS OF APPROVAL Panther Way/West Central Street

- This Special Permit shall not be construed to run with the land and shall run with the Site Plan as endorsed by the Planning Board. A new Special Permit shall be required from the Planning Board if any major change of use or major change to the site plan is proposed.
- This Special Permit shall lapse if a substantial use or construction has not begun, except for good cause, within twenty four (24) months of approval, unless the Board grants an extension. No final Certificate of Occupancy shall be issued until all requirements of the Special Permit have been completed to the satisfaction of the Board unless the applicant has submitted a Partial Certificate of Completion for the remainder of the required improvements and received approval by the Planning Board. The applicant's engineer or surveyor, upon completion of all required improvements, shall submit a Certificate of Completion. The Board or its agent(s) shall complete a final inspection of the site upon filing of the Certificate of Completion by the applicant. Said inspection is further outlined in condition #4.
- Construction or operations under this Special Permit shall conform to any subsequent amendment of the Town of Franklin Zoning Bylaw (§185) unless the use or construction is commenced within a period of six (6) months after the issuance of this Special Permit and, in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.
- The Planning Board will use outside consultant services to complete construction inspections upon the commencement of construction. The Franklin Department of Public Works Director, directly and through employees of the Department of Public Works and outside consultant services shall act as the Planning Board's inspector to assist the Board with inspections necessary to ensure compliance with all relevant laws, regulations and Planning Board approved plan specifications. Such consultants shall be selected and retained upon a majority vote of the Board.
- Actual and reasonable costs of inspection consulting services shall be paid by the owner/applicant before or at the time of the pre-construction meeting. Should additional inspections be required beyond the original scope of work, the owner/applicant shall be required to submit fees prior to the issuance of a Final Certificate of Completion by the Planning Board (Form H). Said inspection is further outlined in condition #4.
- No alteration of the Special Permit and the plans associated with it shall be made or affected other that by an affirmative vote of the members of the Board at a duly posted meeting and upon the issuance of a written amended decision.
- All applicable laws, by-laws, rules, regulations, and codes shall be complied with, and all necessary licenses, permits and approvals shall be obtained by the owner/applicant.
- 8. Prior to the endorsement of the site plan, the following shall be done:
 - The owner/applicant shall make a notation on the site plan that references the Special Permit and the conditions and dates of this Certificate of Vote.
 - A notation shall be made on the plans that all erosion mitigation measures shall be in place prior to major construction or soil disturbance commencing on the site.
 - All outstanding invoices for services rendered by the Town's Engineers and other reviewing Departments of the Town relative to their review of the owner/applicant's
 - application and plans shall have been paid in full. • The owner/applicant shall submit a minimum of six copies of the approved version of the
- 9. Prior to any work commencing on the subject property, the owner/applicant shall provide plans to limit construction debris and materials on the site. In the event that debris is carried onto any

Mr. Maglio, Town Engineer stated three retaining walls are proposed on the site. All heights and limits should be shown on the plans. He reviewed his comments on the erosion control plan. He noted the project includes bus storage in the building; the applicant should consult with the plumbing inspector on the gas trap. He stated that with the presence of the bus fleet storage on the site, as per the requirements of Standard 5 of the Massachusetts Stormwater Handbook, "If there is a potential for runoff with high concentrations of oil and grease, an oil grit separator, sand filter, filtering bioretention area or equivalent must be used to provide pretreatment."

Mr. Halligan confirmed this is a two-level complex. He asked how the back part of the lower warehouse is entered. He does not see a side door or loading dock. Mr. Goodreau said the only access to the building is from Panther Way. Mr. Halligan asked about the number of parking spaces for the buses and office use. Mr. Goodreau said besides the bus spaces, there are seven parking spaces for the office use. He said at this time there are no plans to use that space. They are building the space so that if something happened to the bus use, the space could be used in the future. If there was a change in the tenant, the 25 spaces to be used for bus storage, could be converted into 30 vehicle spaces. They are preparing for the future, but there is no intention at this time to use that space.

Chair Padula asked how the handicapped space in the small parking area near the office and restroom area back out. Mr. Goodreau stated they will provide a turnaround area. Chair Padula stated the parking spaces in the top area look very close, and the turning radius is not enough. He asked where the snow storage is. Mr. Goodreau said they will look into the parking and add the snow storage. Chair Padula asked if there was enough room to add a continuation of the sidewalk from CVS. Mr. Goodreau said he believed there was enough room; however, there is limited space in the Panther Way right-of-way. Chair Padula asked where the heating and air conditioning would be; he requested sound screening.

Mr. Crowley reviewed his comments including, but not limited to, that the proposed stormwater basin crosses parcels line. He noted the applicant requested a waiver for the sidewalk. He recommended the lighting be reviewed. Chair Padula said CVS has a sidewalk; he thinks it would be nice if it continued on. It is a consideration. Mr. Roudeau asked about gravel removal. Mr. Goodreau said there would be a gravel permit filed with the ZBA. Mr. Halligan said on the top floor there is a driveway; Mr. Chaffee said it was a loading dock.

Ms. Love recommended that if this were approved, the applicant file a Limited Site Plan for any new

Several residents asks questions during the public hearings. The Applicant and Engineer responded to the concerns of the residents.

Chair Padula stated this is a bus service to the public schools that is grandfathered. He reviewed that this is a new plan with a paved parking area with drainage and it is safer. It meets the Town regulations. It is a Special Permit. If this was a new use, not a pre-existing use, he would agree it would go to the ZBA; he does not agree now. However, the Town's attorney will have to review this.

Mr. Michael Doherty, attorney representing the applicant, stated that with the new plan, they are leaving the buses where they are, and the fueling station was removed. Then, additional demands from the neighbors such as a deed restriction and agreeing to never park a bus not from Franklin were added. The applicant has always agreed that if there is a change, they will comply with the law. New tenants will come before the Planning Board. Chair Padula said this is the first he has heard of a deed restriction. The Planning Board can put some conditions on a Special Permit. He understands people who live there are trying to protect their property values. He stated this is a better proposal than the last time.

After a complete presentation and discussion of the project, Planning Board members closed the Public Hearing on June 22, 2020.

> public way, the owner/applicant and his assigns shall be responsible for all cleanup of the roadway. All cleanups shall occur within twenty-four (24) hours after first written notification to the owner/applicant by the Board or its designee. Failure to complete such cleanup may result in suspension of construction of the site until such public way is clear of debris.

- 10. The owner/applicant shall install erosion control devices as necessary and as directed by the Town's Construction Inspector.
- 11. Prior to construction activities, there shall be a pre-construction meeting with the owner/applicant, and his contractor(s), the Department of Public Works and the Planning Board's Inspector.
- 12. Any signage requires the Applicant to file with the Design Review Commission.
- 13. Prior to the endorsement, the Certificate of Vote and Order of Conditions shall be added to the Site Plans.

SPECIAL CONDITIONS OF APPROVAL SPECIAL PERMIT/SITE PLAN Panther Way/West Central Street

- 1. A Limited Site Plan is to be filed when a tenant, other than the Bus owners, occupies the
- 2. Provide screening for any AC units that are added to the building.
- 3. Bus parking is to remain as shown on the Site Plans. The Bus parking is not to be relocated anywhere else on the site.
- 4. Both Special Permits are strictly for the Bus use only. The Special Permits granted does not apply to any future tenant.

DATE

2/29

2/20

12/18 | FIELD BY:

FIELD BOOK

CALCS BY:

DRAWN BY:

2/20 DESIGNED BY:

2/20 CHECKED BY:

INT.

BL

RRG

RRG

COMP

CAQ

WAIVERS GRANTED SPECIAL PERMIT/SITE PLAN Panther Way/West Central Street

- 1. To allow less than 42' of cover over the RCP drain pipe. Proposed Class V RCP. 2. To allow the use of HPDE Pipe for drainage pond 1 and the roof drain collection
- 3. To allow index sheet to be at a scale 1'=60'

RRG

RRG

BY

- 4. To allow the Site Lighting to extend past the property line. 5. To not require a sidewalk be constructed along Panther Way.
- 6. Traffic Study Waiver

úthony Padula, Chairman Franklin Planning Board

2 9/28/20 ADDED CERTIFICATE OF VOTE

REVIEW COMMENTS

DESCRIPTION

1 6/9/20

FINDINGS OF FACTS SPECIAL PERMIT/SITE PLAN Panther Way/West Central Street

The applicant submitted their proposed findings with the original application on March 9, 2020 and are on

DECISION SPECIAL PERMIT/SITE PLAN Panther Way/West Central Street

Special Permits: (1) Motor Vehicle leasing with repair under §185 Attachment 2, Use Regulations Schedule Part II, Section 2.6 and to allow Motor vehicle service leasing with (2) §185 Attachment 2, Use Regulations Schedule Part II, Section 2.7.c Motor Vehicle service, repair-other.

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

Gregory Rondeau Anthony Padula YES YES Rick Power Joseph Halligan Jr. YES William David YES

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

Gregory Rondeau Anthony Padula YES Rick Power YES Joseph Halligan Jr. YES William David YES

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

Gregory Rondeau YES Anthony Padula YES YES Rick Power Joseph Halligan Jr. YES William David YES

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

Gregory Rondeau Anthony Padula YES YES Joseph Halligan Jr. YES Rick Power William David YES

(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.

YES Anthony Padula YES Gregory Rondeau YES Joseph Halligan Jr. YES Rick Power William David YES

(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.

> CERTIFICATE OF VOTE SPECIAL PERMITS / SITE PLAN PANTHER WAY FRANKLIN, MASSACHUSETTS PREPARED FOR

CAMFORD PROPERTY GROUP, INC. 37 EAST CENTRAL STREET FRANKLIN, MASSACHUSETTS FEBRUARY 19, 2020

SCALE: 1" = 40'

ONSULTANTS 850 FRANKLIN STREET SUITE 11D

FEB. 19, 2020 1" = 40'PROJECT SHEET

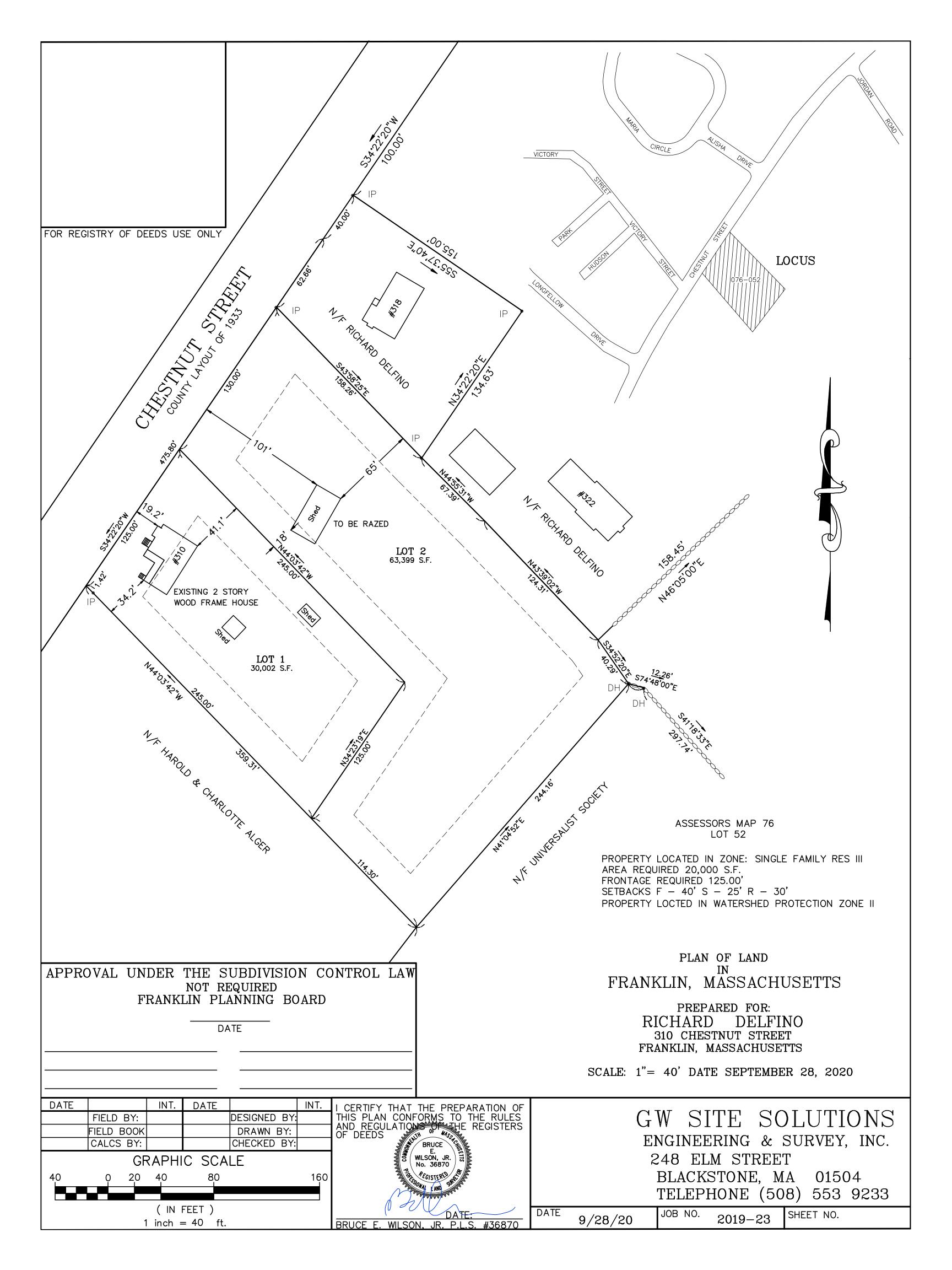
WRENTHAM, MASSACHUSETTS 02093 508-384-6560 FAX 508-384-6566

REQUIRED FRANKLIN PLANNING BOARD

SITE PLAN APPROVAL

CV-1

UC1378



PLANTALL. FRANKLIN. MASSACHULT

FORM A

AFFLICATION FOR ENDORSEIVENT OF FLAN BELIEVED NOT TO REQUIRE APPROVAL (81-p)

CONTENSER 28

_, ₂₀_20

To the	Planning Board of the Town of Franklin. Massachuzza
	dersigned, believing that the accompanying plan of land in the Town of Franklin does not constitute a subdivision he meaning of the Subdivision Control Law, for the reason outlined below, herewith submits said plan for a nation and endorsement that Planning Board approval under the Subdivision Control Law is not required.
1.	Name of Applicant: RICHARD DELFINO Address of Applicant: 322 CHESTNUT STREET Phone No.: 508-962-4141 Email:
2.	Name of Owner (if not the Applicant): DELFINO REALTY TRUST LYLE-DELF Address of Owner: 322 CHESTNUT ST Phone No.: 508-962-4141 Email:
3.	Name of Engineer: GW SITE SOLUTIONS
4.	Deed of Property recorded in NORFOL COUNTIL Norfolk Registry, Book 35022, Page 43
5.	Location and Description of Property: 310 CHESTNUT STREET
6.	Assessor's Map & Lot: 267-93
7.	Reasons approval is not required (check as applicable): a) Every lot shown has the area and frontage required by the Zoning By-Law on a way as defined by the Subdivision Regulations b) a public way or way which the Town Clerk certifies is a sixting to the control of the control of the Town Clerk certifies is a sixting to the control of the Town Clerk certifies is a sixting to the control of the control of the Town Clerk certifies is a sixting to the control of the control of the control of the control of the certifies is a sixting to the control of the certifies it is a sixting to the certifies it is a sixting
	b) a public way or way which the Town Clerk certifies is maintained and used as a public way, namely CHESTNUT STREET, or
	c) a way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law namelyon, and subject to the following conditions; or
	d) a private way in existence on March 12, 1954, the date when the subdivision control law became effective in the Town of Franklin having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon,
	e) Other:
	e of Applicant Signature Owner
	ARD DELFINO TR me of Applicant Print Name of Owner

PLANNING BOARD FRANKLIN, MASSACHUSETTS

FORM A

APPLICATION FOR ENDORSEMENT OF PLAN BELIEVED NOT TO REQUIRE APPROVAL (81-p)

SEPTEMBER 28 __, 20 20

To the Planning Board of the Town of Franklin, Massachusetts:
The undersigned, believing that the accompanying plan of land in the Town of Franklin does not constitute a subdivision within the meaning of the Subdivision Control Law, for the reason outlined below, herewith submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.
1. Name of Applicant: RICHARD DELFINO Address of Applicant: 322 CHESTNUT STREET Phone No.: 508-962-4141 Email:
2. Name of Owner (if not the Applicant): DELFINO REALTY TRUST LYLE-DELF Address of Owner: 322 CHESTNUT ST Phone No.: 508-962-4141 Email:
3. Name of Engineer: GW SITE SOLUTIONS
4. Deed of Property recorded in NORFOL COUNTY Norfolk Registry, Book 35022, Page 43
5. Location and Description of Property: 310 CHESTNUT STREET
6. Assessor's Map & Lot: <u>267-93</u>
 Reasons approval is not required (check as applicable): a) Every lot shown has the area and frontage required by the Zoning By-Law on a way as defined by the Subdivision Regulations
 a public way or way which the Town Clerk certifies is maintained and used as a public way, namely_CHESTNUT STREET_, or
c) a way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law namelyon, and subject to the following conditions; or
d) a private way in existence on March 12, 1954, the date when the subdivision control law became effective in the Town of Franklin having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon,
e) Other:
Signature of Applicant Signature Owner
DIOLIADO DEL EULO
Print Name of Applicant RICHARD DELFINO TR 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 (circle one) ANR 81-P: Preliminary Subdivision
Definitive Subdivision.; Site Plan; Special Permit
Title of Plan:
Date of Plan: SEPT 28, 2020 Assessor's Information: 267-93
Prepared by: GW SITE SOLUTIONS
Applicant Name & Address: RICHARD DELFINO TR 322 CHESTNUT STREET
SECTION B:
Name of Record Owner(s): DELFINO REALTY TRUST LYLE-DELF
Address of Record Owner(s):_ 322 CHESTNUT STREET FRANKLIN, MA
**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): RICHARD DELFINO AND CHRISTINE J. LYLE-DELFINO 322 CHESTNUT STREET FRANKLING
*If in the name of a Trust or Corporation, list the Beneficiary(ies) of the Trust or the Shareholder(s) of the Corporation:
*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:
NORFOLK COUNTY BOOK 35022 PG 41

Executed as a sealed instrument this	day of	20
	RICHARD DELFIN	NO
Signature of Applicant	Print name of Applic	eant
Signature of Owner	RICHAARD DELF	
g Ty T S WHO!	Print name of Owner	
2		
COMMONWEALT ss.	ΓΗ OF MASSACHUS	SETTS 20 <u>26</u>
On this 28 day of Septimber public, personally appeared Richard To me through satisfactory evidence of identithe person whose name is signed on the precedent of the person whose name is signed on the precedent of the person whose name is signed on the precedent of the person whose name is signed on the precedent of the person whose name is signed on the precedent of the person whose name is signed on the precedent of the person whose name is signed on the precedent of the person whose name is signed on the precedent of the person whose name is signed on the precedent of the person whose name is signed on the precedent of the person whose name is signed on the precedent of the person whose name is signed on the precedent of the person whose name is signed on the precedent of the person whose name is signed on the precedent of the person whose name is signed on the precedent of the person whose name is signed on the precedent of the person whose name is signed on the person of the pe	fication, which were reduced in my	and seal of notary)

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NOREOLK COUNTY POOK 25022 DO 44	*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: NORFOLK COUNTY BOOK 35022 PG 41

Executed as a sealed instrument this	day of	20
Similar	RICHARD D	
Signature of Applicant	Print name of	Applicant
Signature of Owner		DELFINO TR
James S. William	Print name of	Owner
COMMONWEA Ss.	LTH OF MASSA	CHUSETTS 2020
On this 28 day of Sept public, personally appeared Rechard to me through satisfactory evidence of ider the person whose name is signed on the pro-	ntification, which ecceding document (Official sign)	in my presence. gnature and seal of notary)
	-, con	Thurs.

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT



355 EAST CENTRAL STREET FRANKLIN, MA 02038-1352 TELEPHONE: 508-520-4907

Fax: 508-520-4906

MEMORANDUM

DATE: October 13, 2020

TO: Franklin Planning Board

FROM: **Department of Planning and Community Development**

RE: 81-P ANR – 310 Grove Street

The DPCD has reviewed the above referenced 81-P (ANR) application for the Monday, October 19, 2020 Planning Board meeting and offers the following commentary:

General

- 1. The applicant has submitted a Form A application for 81-p Plan Review to accompany the plan titled "Richard Delfino, 310 Chestnut Street, Franklin, Massachusetts" dated 9/28/2020.
- 2. The purpose of the plan is to divide an existing parcel with a house lot and create a buildable lot.
- 3. The above application depicts a location within the Single Family III Zoning District. The proposed lot shown conforms to lot requirements associated with this zoning district.

o Minimum Lot area: 20,000 s.f.

o Minimum Frontage: 125'

o Lot Width: 112.5'

4. The above application depicts the land known on Assessors Map 267 Lot 93. However, the plans are labeled as Map 76 Lot 52, this is incorrect. This should be corrected prior to endorsement.

ANR Summary

DPCD has no further comments.

Date: 04-06-2017 @ 12:06pm Ctl#: 702 Doc#: 29392

Fee: \$.00 Cons: \$1.00

QUITCLAIM DEED

We, RICHARD P. DELFINO and MARY L. DELFINO, both of Franklin, Norfolk County, Massachusetts, for consideration paid and in full consideration of Less than One Hundred (\$100.00) Dollars, grant to RICHARD P. DELFINO and CHRISTINE J. LYLE-DELFINO, TRUSTEES of the DELFINO REALTY TRUST, under a Declaration of Trust dated March 30, 2017, as evidenced by a Certificate of Trust dated March 30, 2017 and recorded in the Norfolk Registry of Deeds herewith, of 322 Chestnut Street, Franklin, Massachusetts 02038

WITH QUITCLAIM COVENANTS:

All land situated on and off of Jordan Road and Chestnut Street in Franklin, Norfolk County, Massachusetts.

Meaning and intending to convey and hereby conveying the same premises conveyed by deed dated April 24, 2007 and recorded with Norfolk Deeds in Book 24737, Page 429.

Witness our hands and seals this 30 day of March, 2017.

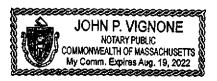
RICHARD P DELFINO

MARY LOULLEINU

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

On this 30 day of March, 2017, before me, the undersigned notary public, personally appeared RICHARD P. DELFINO and MARY L. DELFINO, proved to me through satisfactory evidence of identification, which were (check whichever applies): ______ Driver's License or other state or federal governmental document bearing a photographic image, ______ Oath or Affirmation of a credible witness known to me who knows the above signatory, or _____ My Own personal knowledge of the identity of the signatory to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.



John P. Vignone, Notary Public My commission expires: 8/19/2022

TRUSTEE'S CERTIFICATE PURSUANT TO M.G.L. ch. 184 §35 DELFINO REALTY TRUST

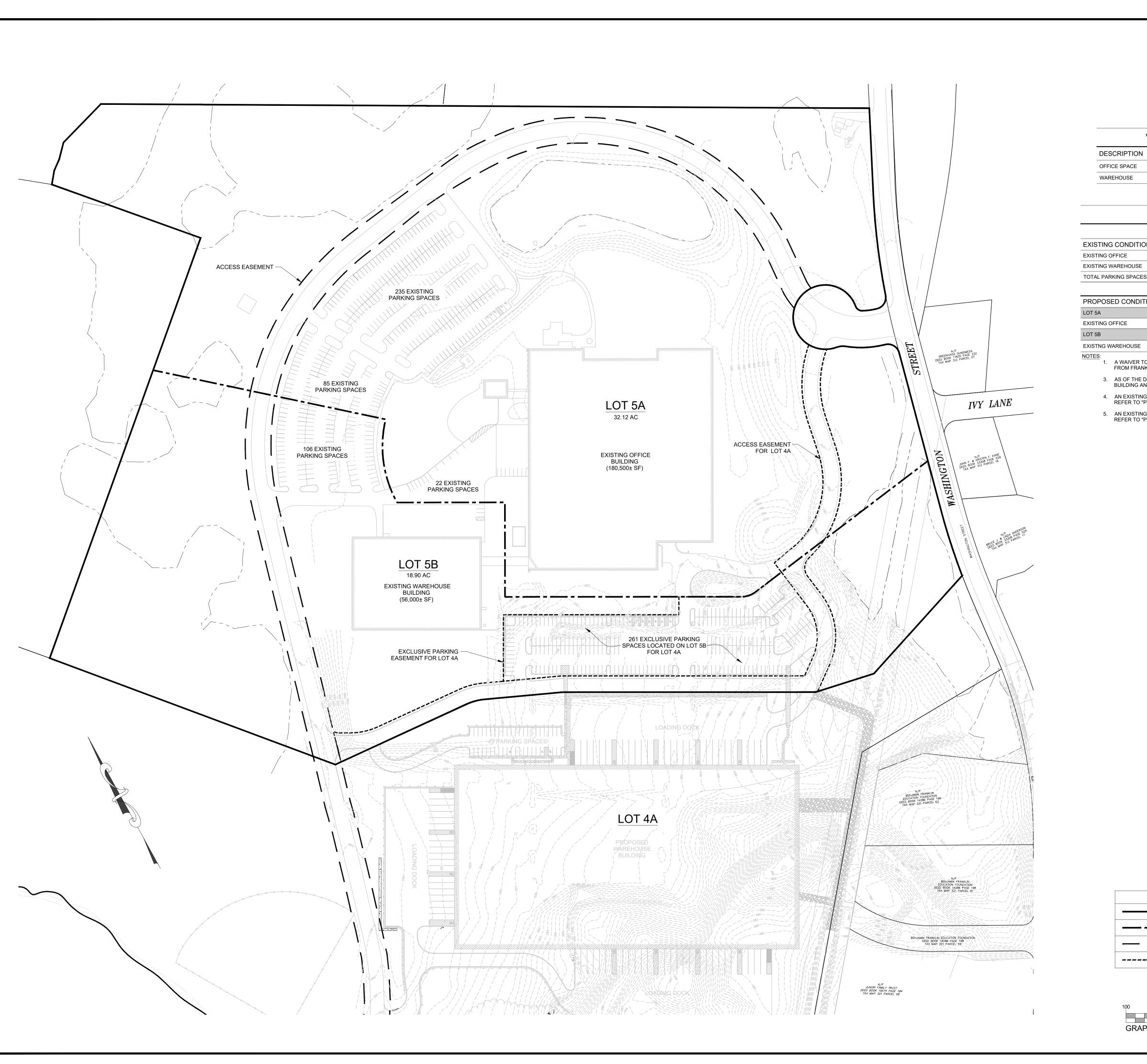
We, Richard P. Delfino, of Franklin, Massachusetts and Christine J. Lyle-Delfino, of Franklin, Norfolk County, Commonwealth of Massachusetts, do hereby state that we are the trustees of the DELFINO REALTY TRUST u/d/t dated Marc 30, 2017 (hereinafter referred to as the "Trust") and certify further as follows:

- 1. The Trust is a non-testamentary trust.
- 2. We have not been removed from office as of the date hereof.
- 3. No fact exists which constitutes a condition precedent to acts by the Trustee or which are in any manner germane to affairs of the trust.
- 4. Pursuant to the provisions of the Trust, the Trustee shall have the absolute power to sell at public auction, or private sale, and to assign, transfer, pledge, barter or exchange for real or personal property, all or any part of the real or personal property, including mortgages now or hereafter held under the trust, at such time and prices and upon such terms and conditions as the Trustee deems proper without order or license of the court and to execute any and all deeds and other instruments necessary or appropriate to accomplish such sale, and no person need make any inquiry concerning the propriety of any of the Trustee's actions, and all such actions shall conclusively be presumed to be proper.
- 5. Unless sooner terminated, the Trust shall terminate twenty (20) years after the death of the last of the Trustees.

SIGNED under the pairs and penalties of perjury this 30 H day of March 2017.
Roge Forell
Witness RICHARD P. DELFINO, Trustee CHRISTINE J. LYLE-DELFINO, Trustee
COMMONWEALTH OF MASSACHUSETTS
County of North, ss: On this 30 ft day of Man 2017, before me, the undersigned notary public, personally
On this 30 f day of 2017, before me, the undersigned notary public, personally appeared RICHARD P. DELFINO AND CHRISTINE J. LYLE-DELFINO,
personally known to me, or
proved to me through satisfactory evidence of identification, which was
a driver's license
to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose. Notary Public: My Commission Expires: 7/18/19

JOHN J. HICKEY JR.

Notary Public
Commonwealth of Massachusetts
My Commission Expires
July 18, 2019





1 PARKING SPACE PER 1,000 GFA

PARKING SUMMARY			
	GROSS FLOOR AREA	REQUIRED	PROVIDED
EXISTING CONDITIONS			
EXISTING OFFICE	180,500± GSF	722 SPACES	
EXISTING WAREHOUSE	56,000± GSF	56 SPACES	
TOTAL PARKING SPACES		778 SPACES	448 SPACES
PROPOSED CONDITIONS	GROSS FLOOR AREA	REQUIRED	PROVIDED
LOT 5A			
EXISTING OFFICE	180,000± GSF	722 SPACES	342 SPACES
LOT 5B			
EXISTNG WAREHOUSE	56,000± S.F.	56 SPACES	106 SPACES

- A WAIVER TO REDUCE REQUIRED PARKING ON LOT 5A FROM 722 SPACES TO 342 SPACES IS REQUIRED FROM FRANKLIN PLANNING BOARD.
- 3. AS OF THE DATE OF THIS PLAN, THE ESTIMATED NUMBER OF EMPLOYEES WORKING AT THE OFFICE BUILDING AND WAREHOUSE ON LOT 5A IS 25, BASED UPON AN INQUIRY OF THE CURRENT TENANTS.
- AN EXISTING WAIVER ALLOWS THE EXCLUSIVE USE OF 261 PARKING SPACES ON LOT 5B FOR LOT 4A REFER TO "PARKING PLAN - 100 FINANCIAL WAY" DATED 11.20.2018.
- 5. AN EXISTING WAIVER ALLOWS PARKING GREATER THAN 300' FROM BUILDING ENTRANCE FOR LOT 5A REFER TO "PARKING PLAN 100 FINANCIAL WAY" DATED 11.20.2018.

TOWN OF FRANKLIN PLANNING BOARD
DECISION DATE: MONTH XX, 2020
APPROVAL SIGNATURES:

SYMBOL LEGEND	
	EXISTING PROPERTY LINE
	PROPOSED FUTURE PROPERTY LINE
	ACCESS EASEMENT
	PARKING EASEMENT



HIGHPOINT ENGINEERING, INC

LAND PLANNING
PERMIT EXPEDITING
CIVIL ENGINEERING
CONSULTING

CANTON CORPORATE PLACE
45 DAN ROAD, SUITE 140
CANTON, MA 02021

www.HighpointEng.com

BERKELEY PARTNERS 2121 N PEARL ST | SUITE 4J DALLAS, TX 75201

NSIII TANT:

100 & 200 FINANCIAL PARK
PARKING ALLOTMENT PLAN
FRANKLIN, MA

REV	DATE	DESCRIPTION
ISSI	JE TYPE:	

REV DATE DESCRIPTION

ISSUE TYPE:

DISCUSSION

ISSUE DATE:

10.09.2020

PROJECT NUMBER:

19032

DRAWN BY: MKM

CHECKED BY: DJH

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All Rights Reserved.

PARKING

SHEET TITLE:

PLAN

SHEET NUMBER: PK01

FORM P

APPLICATION FOR APPROVAL OF A SITE PLAN MODIFICATION

To the Franklin Planning Board:

The undersigned, herewith, submits the accompanying Site Plan Modification entitled "100 & 200 FINANCIAL PARK - PARKING ALLOCATION PLAN" for approval under the provisions of the Zoning By-Laws of the Town of Franklin covering Site Plans.

1.	Name of Applicant: ICBP IV HOLDINGS 34, LLC
	Address of Applicant: 1 SANSOME ST. SUITE 1500 SAN FRANCISCO, CA 94104
	Phone No.: (415) 295-8080 Email: AHOLMBERG@BERKELEYPARTNERS.COM
2.	Name of Owner (if not the Applicant):
	Address of Owner:
	Phone No.: Email:
3.	Name of Engineer: HIGHPOINT ENGINEERING, INC.
	Address of Engineer: 45 DAN ROAD, SUITE 140 CANTON, MA 02021
	Phone No.: (781) 770-0971 Email: DHARTNETT@HIGHPOINTENG.COM
4.	Deed of Property recorded with Norfolk Registry of Deeds in Book 36923, Page 217, (or Certificate of Title No)
5.	Location and Description of Property: 100 & 200 FINANCIAL PARK
	Square Footage of Building(s) 236,500± Assessor's Map 10 Lot 321 - 020-000 - 000
6.	Purpose of Site Plan: MODIFY PREVIOUSLY APPROVED PARKING PLAN UNDER CERTIFICATE OF VOTE DATED DECEMBER 3, 2018
7. SE SE	List of Waivers Requested (if any): Attach Form R for each waiver ECTION: SITE PLAN REVIEW 185-21: PARKING, LOADING, DRIVEWAY REQUIREMENTS: (A)(4) - REDUCE REQUIRED PARKING PARKING DISTANCE. TCBP IV Holdings 34, LLC.
Signa	ture of Applicant Print Name of Applicant
N	1582 TV William Novak, Duly Authorized Signatory
Signa	ture of Owner Print Name of Owner
n=10	by: Matthew Novak, Duly Authorized Signatory

Form R:

Franklin Planning Board **Subdivision Waiver Request**

Prepared by: Highpoint Engineering, Inc.

Subdivision:

100 & 200 Financial Park

Date:

July 3, 2020

Nature of Waiver: Modify previous waiver for parking reduction granted under Certificate of Vote - Site Plan dated December 3, 2018 by:

1. Reduced required parking on Lot 5A from 722 spaces to 342 spaces.

2. Allow existing parking spaces to be located greater than 300' of building entrances on Lots 5A & 5B as previously

approved.

Subdivision Rules and Regulation Reference:

Franklin Zoning By-Law Section 185-21 PARKING, LOADING, DRIVEWAY REQUIREMENTS:

(A)(4) - REDUCE REQUIRED PARKING.

Franklin Zoning By-Law Section 185-21 PARKING, LOADING, DRIVEWAY REQUIREMENTS:

(C)(6) - WAIVE PARKNIG DISTANCE.

Reason the waiver is requested:

Waiver is requested as existing office building use parking demand is significantly lower than what the off-street parking regulations require. The existing waiver granted on December 3, 2018 allows the exclusive use of 261 parking spaces via a parking & access easement for Lot 4A, which is now assigned to Lot 5B.

Alternatives to granting the waiver:

Construct additional parking that has no actual demand based upon existing and proposed tenant uses.

Impact of waiver denial on the project:

Construction of additional impervious area with associated stormwater improvements displaces existing landscape and natural wooded areas when it is not necessary to support existing use of the site.

Reasons this waiver is in the best interests of the Town and consistent with the intent and purpose of the Subdivision Control Law:

Granting of waiver reduces impervious area and related stormwater improvements within the Water Resource District, retaining landscape and naturally wooded open space.

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:

Title of Plan: 100 & 200 FINANCIAL PARK - PARKING ALLOCATION PLAN
Date of Plan: 09/03/2020 Assessor's Information: PARCEL 10: 321-020-000-000
Prepared by: HIGHPOINT ENGINEERING, INC. 45 DAN ROAD, SUITE 140 CANTON, MA 02021
Type of Plan: 81-P; Prelim.; Def.; Site Plan
SECTION B:
Name of Record Owner(s): ICBP IV HOLDINGS 34, LLC
Address of Record Owner(s): 1 SANSOME ST. SUITE 1500 SAN FRANCISCO, CA 94104
*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):
*If in the name of a Trust or Corporation, list the Beneficiary(ies) of the Trust or the Shareholder(s) of the Corporation:
*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:
Executed as a sealed instrument this 5 day of 2020
Signature of Applicant Print name of Applicant Authorized Signature
Signature of Owner Print name of Owner Authorized Signature

ss.	20
On this day of	20 , before me, the undersigned notary
public, personally appeared	(name of Applicant),
proved to me through satisfactory evide	nce of identification, which were
	on the preceding document in my presence.
	(Official signature and seal of notary)
	Notary Public:
	My Commission Expires:

Please see attached California notary acknowledgments

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA **COUNTY OF ALAMEDA** 0 ° 0 T - Lo Lo, 2020, before me, Sunsa JASWA On Public, personally appeared Matthew Novak, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. SUNIL JASWAL WITNESS my hand and official seal. COMM. # 2233425 NOTARY PUBLIC • CALIFORNIA **ALAMEDA COUNTY** My Comm. Exp. April 2, 2022 Signature (Seal)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA				
COUNTY OF ALAMEDA				
On 2020, before me, 2020, before me, Notary Public, personally appeared Matthew Novak, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.				
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.				
SUNIL JASWAL COMM # 2233425				
WITNESS my hand and official seal. NOTARY PUBLIC CALIFORNIA ALAMEDA COUNTY ALAME				
Signature (Seal)				

Bk 36923 Ps217 \$53360 06-28-2019 & 11:46α

RECEIVED AND RECORDED

NORFOLK COUNTIN O T

REGISTRY OF DEEDS

DEDHAM, MA

DEDHAM, MA

OFFICE

N O THASSACHUSETTS STATE EXCISE TAX
A N Norfolk Resistry of Deeds
F I C Data: 96-28-2019 & 11:46am
Ctl: 740 Doc: 53360

CERTIFY OF Frankle Y

QUITCLAIM DEED O P See: \$80,256.00 Cons: \$17,600,000.00

WILLIAM P O'DONNELL REGISTER

KNOW ALL PERSONS BY THESE PRESENTS THAT Franklin Property Owner, LLC, a Delaware limited liability company, with an address of 133 Pearl Street, Boston, Massachusetts 02110 ("Grantor"),

for consideration paid and full consideration of SEVENTEEN MILLION SIX HUNDRED THOUSAND AND 00/100 DOLLARS (\$17,600,000.00) grants to ICBP IV HOLDINGS 34, LLC, a Delaware limited liability company with an address of c/o Berkeley Partners, 1 Sansome Street, Suite 1500, San Francisco, California, ("Grantee")

with QUITCLAIM COVENANTS

The land, together with any improvements thereon, located in the City/Town of Franklin, Norfolk County, Massachusetts, as more particularly described in Exhibit A attached hereto and made a part hereof.

The conveyance is made together with and subject to all recorded easements, conditions, restrictions and agreements and all other matters of record that lawfully apply to the property hereby conveyed.

Grantor has not elected to be treated as a corporation for federal income tax purposes.

Being a portion of the premises conveyed to the Grantor herein by Deed, dated March 5, 2015 and recorded with Norfolk County Registry of Deeds in Book 32948, Page 250.

PREMISES most commonly known as 431 Washington Street, Franklin, Norfolk County, Massachusetts

[Balance of page intentionally left blank]

NOT
AN
AN
IN WITNESS WHEREOF, the Grantor has executed this Onital aim Deed, under seal as of the 20 day of June, 2019.

FRANKLIN PROPERTY OWNER, LLC, Delaware limited liability company

By: 385 MYLES & 431 WASHINGTON STREET, LLC, , Manager

By: Steven E Goodman, Manager

By: FRANKLIN MYLES HOLDING COMPANY, LLC; Manager

John Matteson, Manager

By: 385 MYLES & 431 WASHINGTON STREET, LLC, Its Manager

By:

By:

Steven E. Goodman,

Manager

By:_//

John Matteson, Manager

Steven E. Goodman, Manager

John Matteson, Manager

NOT NOT GOMMONWEALTH OF MASSACHNUSETTS
OFFICIAL OFFICIAL

Suffolk, ss.

COPY

COPY

On this 21 day of June, 2019, personally appeared before me STEVEN E. GOODMAN, as Manager on behalf of 385 MYLES & 431 WASHINGTON STREET, LLC, manager on behalf of FRANKLIN MYLES HOLDING COMPANY, LLC and manager on behalf of FRANKLIN PROPERTY OWNER, LLC, who proved to me through satisfactory evidence of identification, to wit, Steven Elocamen, to be the signer of the foregoing document, and acknowledged to me that the same was signed voluntarily for its stated purpose.

GASSIFILIA LUCIA POWELL

Notary Public

COMMONWEALTH OF MASSACHUSETTS

My Commission Expires

January 23, 2026

Jubriella Lucia Power

Notary Public

My Commission expires: Janvery 23, 2026

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

On this 21 day of June, 2019, personally appeared before me JOHN MATTESON, as Manager on behalf of 385 MYLES & 431 WASHINGTON STREET, LLC, manager on behalf of FRANKLIN MYLES HOLDING COMPANY, LLC and manager on behalf of FRANKLIN PROPERTY OWNER, LLC, who proved to me through satisfactory evidence of identification, to wit, Solar Matteson, to be the signer of the foregoing document, and acknowledged to me that the same was signed voluntarily for its stated purpose.

[SEAL]

GABRIELLA LUCIA POWELL

Notary Public

COMMONWEALTH OF MASSACHUSETTS

My Commission Expires
January 23, 2026

Notary Public

My Commission expires: January 23, 2026

NOT NOT

AN AN

OFFICIAL EXHIBITAFFICIAL

COPY(to Franklin Quitclaim Deed)PY

DESCRIPTION OF LAND

That certain parcel of land, being a portion of the property conveyed to Franklin Property Owner, LLC by deed of California State Teachers' Retirement System, dated March 5, 2015, as recorded in the Norfolk County Registry of Deeds in Book 32948, Page 250, and more particularly shown as "Lot 5" and the fee in and to area shown in Detail "E" on plan entitled "ANR Plan of Land in Franklin, MA, #100 Financial Park, Franklin, Massachusetts" prepared for Franklin Property Owners, LLC, by Hancock Associates as recorded in the Norfolk County Registry of Deeds in Plan Book 672, Page 97 of 2018.

Subject to and together with the benefit of the following easements:

- A. Easements set forth in Deed recorded in Book 5878, Page 135; and
- B. Utility easements set forth in that certain Reciprocal Easement Agreement, dated December 27, 2017 and recorded in Book 35711, Page 497, as affected by a Consent and Subordination, dated December 12, 2018 and recorded in Book 326701, Page 509, as further affected by a Joinder, dated December 12, 2018, and recorded in Book 36503, Page 315.



FRANKLIN PLANNING & COMMUNITY **DEVELOPMENT**

355 EAST CENTRAL STREET, ROOM 120 Franklin, Ma 02038-1352

TELEPHONE: 508-520-4907

MEMORANDUM

DATE: October 14, 2020

TO: Franklin Planning Board

Department of Planning and Community Development FROM:

RE: 100 Financial Way

Limited Site Plan Modification

The DPCD has reviewed the above referenced Limited Site Plan Modification application for the Monday, October 19, 2020, Planning Board meeting and offers the following commentary:

General:

- 1. The site is located at 100 Financial Way and currently has 2 existing buildings.
- 2. The Limited Site Plan Modification is to allocate parking for the existing buildings on site.
- 3. The Applicant is proposing to allow reduced required parking spaces for lot 5A from 722 spaces to 342 spaces and allow parking spaces greater than 300' from the building for Lots 5A & 5B.

Comments:

The applicant has submitted a Form R with the requested waivers, as indicated above.

DPCD has no further comments.

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT



355 EAST CENTRAL STREET FRANKLIN, MA 02038-1352 TELEPHONE: 508-520-4907

Fax: 508-520-4906

MEMORANDUM

DATE: October 13, 2020

TO: Franklin Planning Board

FROM: **Department of Planning and Community Development**

RE: 81-P ANR – 100 Financial Way

The DPCD has reviewed the above referenced 81-P (ANR) application for the Monday, October 19, 2020 Planning Board meeting and offers the following commentary:

General

- 1. The applicant has submitted a Form A application for 81-p Plan Review to accompany the plan titled "#100 & #200 Financial Park" dated August 21, 2020.
- 2. The purpose of the plan is to divide Lot 5 into 2 separate lots.
- 3. The above application depicts a location within the Industrial Zoning District. The proposed lot shown conforms to lot requirements associated with this zoning district.

o Minimum Lot area: 40,000 s.f.

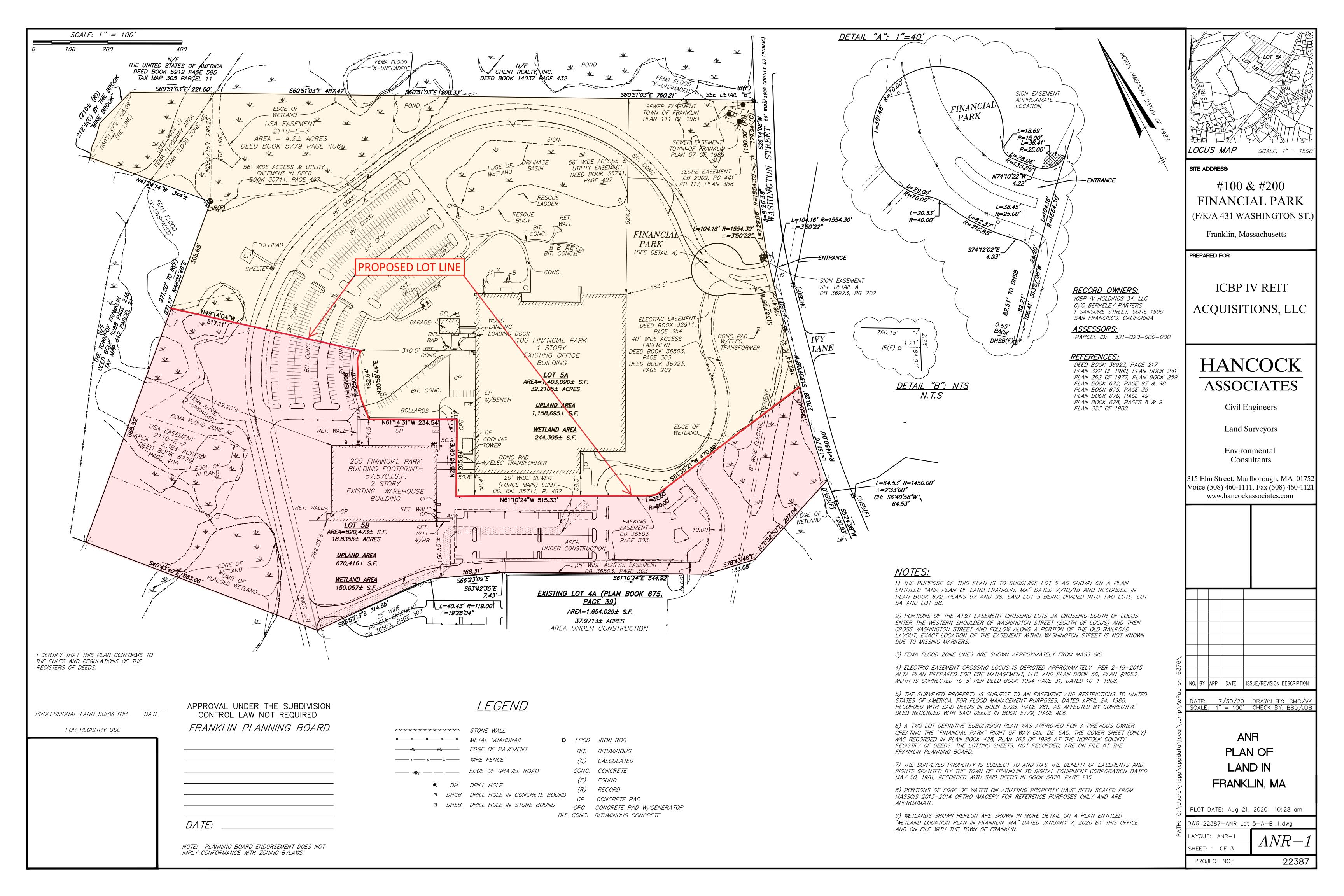
o Minimum Frontage: 175'

o Lot Width: 157.5'

4. The above application depicts the land known on Assessors Map 312 Lot 20. However, the plans are labeled as Map 321 Lot 20, this is incorrect. This should be corrected prior to endorsement.

ANR Summary

DPCD has no further comments.



PLANNING BOARD FRANKLIN, MASSACHUSETTS

FORM A

APPLICATION FOR ENDORSEMENT OF PLAN BELIEVED NOT TO REQUIRE APPROVAL (81-p)

AUGUST 28 ,2020

To the Planning Board of the Town of Franklin, Massachusetts:

The undersigned, believing that the accompanying plan of land in the Town of Franklin does not constitute a subdivision
within the meaning of the Subdivision Control Law, for the reason outlined below, herewith submits said plan for a
determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

1.	Name of Address Phone N	of Applicant: TCBP IV HOLDINGS 3H, LLC SUME ISON OF Applicant: Clo BEEKELEY PARTNERS, I SANSOME ST. SAN FRANCISCO, CA 90 10.: 802-598-1594 Email: aholmbergé berkeleypertners.com				
2.	Name of Owner (if not the Applicant): Address of Owner: Phone No.: Email:					
3.	Name of	e of Engineer: HANGER ASSOCIATES				
4.	Deed o	Deed of Property recorded in Dedham, MA with Norfolk Registry, Book 36923, Page 217				
5.	Location and Description of Property: #100 + #200 FINANCIAL PARK					
6.	Assessor's Map & Lot: PARCEL 10: 321-020-000-000					
7.	Reasons approval is not required (check as applicable): a) Every lot shown has the area and frontage required by the Zoning By-Law on a way as defined by the Subdivision Regulations					
	b)	a public way or way which the Town Clerk certifies is maintained and used as a public way, namely <u>UASHINGTON ST.</u> , or				
	c)	a way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law, namely on, and subject to the following conditions; or				
	d) a private way in existence on March 12, 1954, the date when the subdivision control law became effective in the Town of Franklin having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon,					
	e)	Other:				
Signa	ture of Ap	pplicant Signature Owner				
by 1	Matthew	Applied Print Name of Owner Novak, Duly by Matthew Novak, Duly				

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: ANK Plan of Land in Frankhin, MA					
Date of Plan: 7-30-202() Assessor's Information: 321-020-000-000					
Prepared by: HANIOIK ASSOCIATES					
Applicant Name & Address:					
SECTION B: ICEP IV HOLDINGS 34, LLC					
Name of Record Owner(s): CO BERKELEY PART NERS					
Address of Record Owner(s): 1 SANSOME ST., SUITE 1500					
SAN FRANCISCO, CA 94104					
**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):					
*If in the name of a Trust or Corporation, list the Beneficiary(ies) of the Trust or the Shareholder(s) of the Corporation:					
*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:					

Executed as a sealed instrument this 5	day of October 2020				
Signature of Applicant	TCBP IV Holdings 34, LLC, by Matthew Novak, Duly Print name of Applicant Authorized Signatory				
Signature of Owner	Print name of Owner Authorized Signatory				
COMMONWEALTH OF MASSACHUSETTS					
22	20				
SS.	20				
On this day of	20, before me, the undersigned notary				
public, personally appeared	(name of owner), proved				
to me through satisfactory evidence of ident	ification, which wereto be				
the person whose name is signed on the pred	seding document in my presence.				
	(Official signature and seal of notary)				
	Notary Public.				
	My Commission Expires:				
Please see attached	California notary acknowlegments				

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA COUNTY OF ALAMEDA 0.05-2020, before me, Public, personally appeared Matthew Novak, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal. SUNIL JASWAL COMM. # 2233425 NOTARY PUBLIC • CALIFORNIA ALAMEDA COUNTY Signature My Comm. Exp. April 2, 2022 (Seal)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

WITNESS my hand and official seal.

Signature (Seal)

SUNIL JASWAL
COMM. # 2233425
NOTARY PUBLIC CALIFORNIA
ALAMEDA COUNTY
My Comm. Exp. April 2, 2022

ST

Bk 36923 Ps217 \$53360 06-28-2019 & 11:46α

RECEIVED AND RECORDED

NORFOLK COUNTIN O T

REGISTRY OF DEEDS

DEDHAM, MA

DEDHAM, MA

DEDHAM, F F I C I

N O T MASSACHUSETTS STATE EXCISE TAX A N Norfolk Resistry of Deeds O F F I C Data: 96-28-2019 & 11:46am Ctl: 740 Doce: 53360

QUITCLAIM DEED O P Fee: \$80,256.00

Doc4: 53360 Cons: \$17,600,000.00

Trulian PO Formall WILLIAM PO'DONNELL, REGISTER

KNOW ALL PERSONS BY THESE PRESENTS THAT Franklin Property Owner, LLC, a Delaware limited liability company, with an address of 133 Pearl Street, Boston, Massachusetts 02110 ("Grantor"),

for consideration paid and full consideration of SEVENTEEN MILLION SIX HUNDRED THOUSAND AND 00/100 DOLLARS (\$17,600,000.00) grants to ICBP IV HOLDINGS 34, LLC, a Delaware limited liability company with an address of c/o Berkeley Partners, 1 Sansome Street, Suite 1500, San Francisco, California, ("Grantee")

with QUITCLAIM COVENANTS

The land, together with any improvements thereon, located in the City/Town of Franklin, Norfolk County, Massachusetts, as more particularly described in <u>Exhibit A</u> attached hereto and made a part hereof.

The conveyance is made together with and subject to all recorded easements, conditions, restrictions and agreements and all other matters of record that lawfully apply to the property hereby conveyed.

Grantor has not elected to be treated as a corporation for federal income tax purposes.

Being a portion of the premises conveyed to the Grantor herein by Deed, dated March 5, 2015 and recorded with Norfolk County Registry of Deeds in Book 32948, Page 250.

PREMISES most commonly known as 431 Washington Street, Franklin, Norfolk County, Massachusetts

[Balance of page intentionally left blank]

NOT NOT A N A N IN WITNESS WHEREOF, the Grantor has executed this Quitalaim Deed, under seal as of the 200 day of June 2019.

COPY FRANKLIN PROPERTY OWNER, LLC, Delaware limited liability company By: 385 MYLES & 431 WASHINGTON STREET, LLC, , Manager By: Goodman, Manager By: John Matteson, Manager By: FRANKLIN MYLES HOLDING COMPANY, LLC; Manager By: 385 MYLES & 431 WASHINGTON STREET, LLC, Its Manager Steven E. Goodman. Manager John Matteson, Manager

Goodman, Manager

John Matteson, Manager

NOT NOT COMMONWEALTH OF MASSACHUSETTS OFFICIAL OFFICIAL

Suffolk, ss.

COPY

COPY

On this 21 day of June, 2019, personally appeared before me STEVEN E. GOODMAN, as Manager on behalf of 385 MYLES & 431 WASHINGTON STREET, LLC, manager on behalf of FRANKLIN MYLES HOLDING COMPANY, LLC and manager on behalf of FRANKLIN PROPERTY OWNER, LLC, who proved to me through satisfactory evidence of identification, to wit, Steven Goodman, to be the signer of the foregoing document, and acknowledged to me that the same was signed voluntarily for its stated purpose.

BETELLA LUCIA POWEL Notary Public COMMONWEALTH OF MASSACHUSETTS My Commission Expires January 23, 2026

Jubriella Lucia Powell Notary Public My Commission expires: Janvary 23, 2024

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

On this 21 day of June, 2019, personally appeared before me JOHN MATTESON, as Manager on behalf of 385 MYLES & 431 WASHINGTON STREET, LLC, manager on behalf of FRANKLIN MYLES HOLDING COMPANY, LLC and manager on behalf of FRANKLIN PROPERTY OWNER, LLC, who proved to me through satisfactory evidence of identification, to wit, John Matteson, to be the signer of the foregoing document, and acknowledged to me that the same was signed voluntarily for its stated purpose.

> [SEAL] BRIELLA LUCIA POWEL Notary Public MMONWEALTH OF MASSACHUSETT Commission Expires January 23, 2026

Notary Public

My Commission expires: January 23, 2026

NOT NOT

AN AN

OFFICIAL EXHIBITAFFICIAL

COPY(to Franklin Quitclaim Deed)PY

DESCRIPTION OF LAND

That certain parcel of land, being a portion of the property conveyed to Franklin Property Owner, LLC by deed of California State Teachers' Retirement System, dated March 5, 2015, as recorded in the Norfolk County Registry of Deeds in Book 32948, Page 250, and more particularly shown as "Lot 5" and the fee in and to area shown in Detail "E" on plan entitled "ANR Plan of Land in Franklin, MA, #100 Financial Park, Franklin, Massachusetts" prepared for Franklin Property Owners, LLC, by Hancock Associates as recorded in the Norfolk County Registry of Deeds in Plan Book 672, Page 97 of 2018.

Subject to and together with the benefit of the following easements:

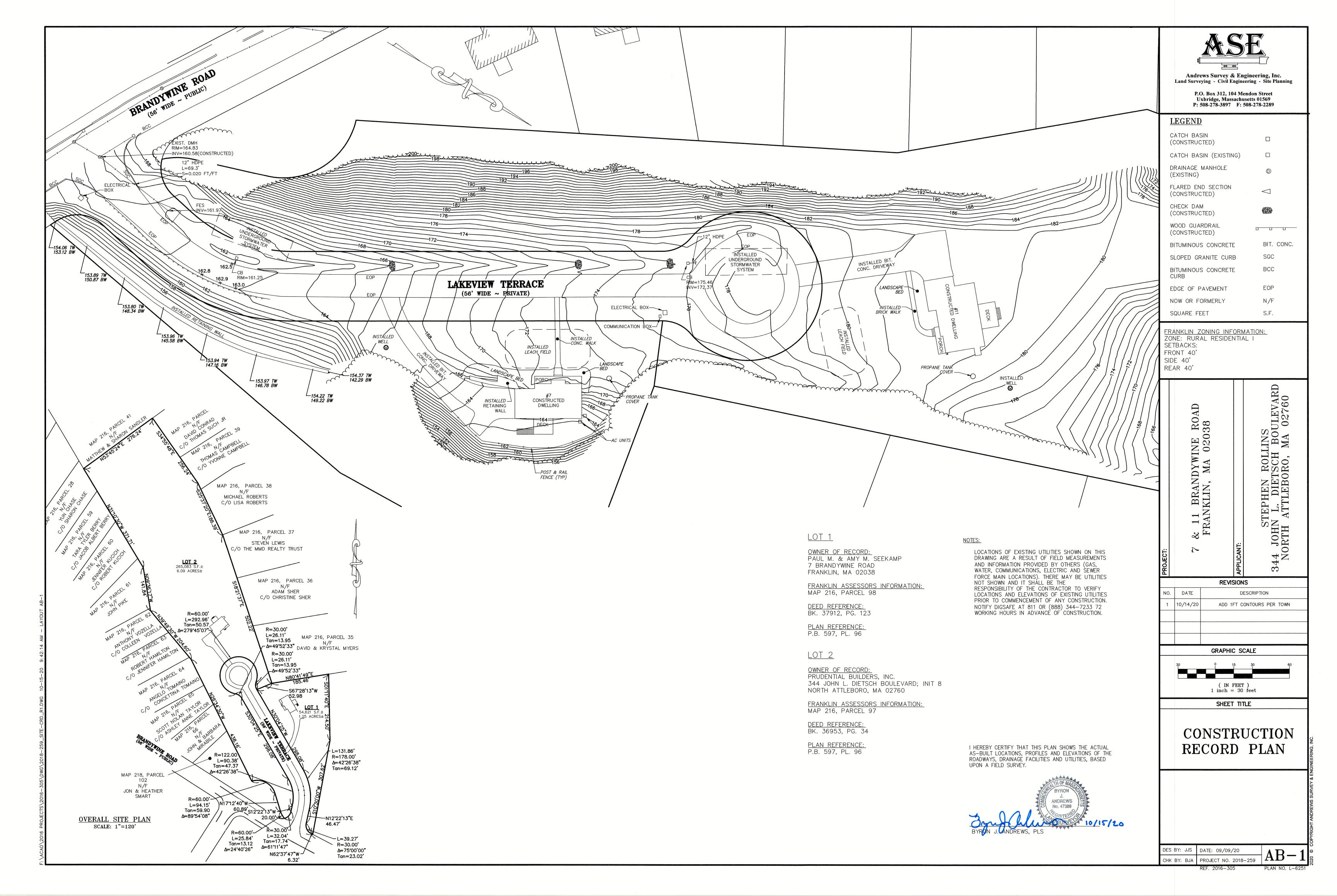
- A. Easements set forth in Deed recorded in Book 5878, Page 135; and
- B. Utility easements set forth in that certain Reciprocal Easement Agreement, dated December 27, 2017 and recorded in Book 35711, Page 497, as affected by a Consent and Subordination, dated December 12, 2018 and recorded in Book 326701, Page 509, as further affected by a Joinder, dated December 12, 2018, and recorded in Book 36503, Page 315.

CERTIFICATE OF RELEASE AND COMPLETION

WHEREAS, on Oct. 13, 7020, the town of Franklin, a Massachusetts municipal corporation, acting through its Planning Board, with an address of municipal building, 355 E. Central Street, Franklin, Massachusetts 02038 [hereinafter "board"] received a request for a Certificate of Release and Completion concerning the construction of ways and installation of					
WHEREAS, on Oct 13, 2020, based on the owner's application dated Oct. 13 2020, and after duly noticed public hearing(s), the board approved a definitive subdivision plan showing 2 lots, which is entitled: Level Terre					
by: Marinella Construction					
and recorded or registered at the Norfolk county Registry of Deeds as					
Plan #;					
WHEREAS, the approved definitive subdivision plan shows the division of a parcel of land					
located at Brundywine Rd. [hereinafter "subdivision"]					
and further described in a deed or deeds dated and recorded at the					
Norfolk county Registry of Deeds in Book(s), Page(s)					
; or is registered in Norfolk County Land Registry as Document No					
, and noted on Certificate of Title No, in Registration Book					
NOW THEREFOR, the board has determined that the construction of ways and installation of municipal services:					
have been fully and satisfactorily completed, subject to application for acceptance of the ways and municipal services to the Franklin Town council, and all existing methods for securing construction of ways and installation of municipal services in the subdivision are hereby released.					
have not been fully and satisfactorily completed, thus requiring retention of any and all performance guarantees that secure the construction of ways and installation of municipal services, based on the following insufficiencies:					

Duly executed as a sealed instrument this	day of he planning board of the tov	vn of Franklin.
PLANNING BOARD OF THE TOWN OF F	RANKLIN	
	H OF MASSACHUSETTS	
, SS.	***************************************	, 20
On this day of public, personally appeared	(name of doc	<i>rument signer)</i> , proved to
me through satisfactory evidence of identification the person whose name is signed on the preceding	g document in my presence.	to be
	(Official signature and seal Notary Public: My Commission Expir	

cc: Town Clerk, Town of Franklin Treasurer, Town of Franklin





TOWN OF FRANKLIN - SITE OBSERVATION REPORT Lakeview Terrace

Report No.: 4831 60 - 12 Date: October 8, 2020 Arrive: 10:00 AM

Observer: Matt Crowley, PE Weather: Sunny ~60° Leave 10:40 AM

Owner: Tony Marinella Contractor: N/A

28 Tia Place

Franklin, MA 02038

Items Observed: Conformance Observation – Submitted in conjunction with

Applicant's request for acceptance of Form H - Certificate of Partial Release

OBSERVATIONS

Observation Requested By: Tony Marinella

Met/walked site with: Tony Marinella and Jude Gauvin

Current Activity on Site: No current activity

Observed Construction: BETA arrived on-site to meet with the project owner and engineer or record to discuss outstanding issues noted on the Form H – Certificate of Partial Release, dated September 21, 2020 and BETA's report, dated September 22, 2020. An as-built plan, dated September 9, 2020, and prepared by Andrews Survey and Engineering, Inc. was previously provided via email and has not been updated. A Certificate of Release and Completion, dated October 13, 2020, was provided and indicates that all work has been satisfactorily been completed. BETA walked the site and reviewed the Approved Plans to document conformance with the Approved Plans and approved field changes. The following work items were noted to be outstanding in previous documentation and the current status is described in red:

- Hydroseed has been applied to the swale along the left side of the roadway.
- Eroded slope between the guardrail has been repaired, loamed and seeded. Some debris remains as the base of the retaining wall and the owner has indicated that it is not readily accessible with equipment.
- Grading along the top of the retaining wall has been revised to so that the toe of slope is below the top of wall.
- The Engineer of Record has indicated that the erosion problem along the slope above the retaining wall is a result of the catch basin in the swale being covered and flow overtopping the roadway; however, the as-built plan also indicates that the cross-slope of the roadway near the intersection of Brandywine Road is pitched toward the slope above the retaining wall. It is anticipated that stormwater will continue to flow toward the eroded slope unless measures are implemented to direct roadway flow to the swale as depicted on the Approved Plans. The project owner indicated that the although the initial apron of the roadway is sloped away from the swale in order to match the grading of Brandywine Road, the slope transitions back towards the swale before any stormwater would leave the roadway. BETA requested

Lakeview Terrace Site Observation Report No. 12 October 8, 2020

that the as-built be updated to show greater detail (e.g. 1-foot contours and spot grades as necessary) to clearly show drainage patterns.

- There is a small gap between the existing bituminous curb on Brandywine Road and the newly installed granite radius curb. The gap should be patched to prevent water from washing out the loam and gravel behind the curb. The gap has been patched with concrete.
- The Department of Planning and Community Development has requested that the Fire Chief confirm
 that they are satisfied that the existing fire hydrant on Brandywine Road is adequate for fire protection,
 as there is no water infrastructure on the project roadway. A letter has been provided by the Fire Chief
 indicating an additional hydrant is not required.
- The installed wooden guardrail does not appear to conform to the detail/notes on the Approved Plans. BETA has requested that the design engineer confirm the installed guardrail meets the intent of the approved design. BETA awaits correspondence from the engineer of record.



SITE PHOTOS



Repair of eroded slope



Revised grading at top of retaining wall



3 of 4



Swale with hydroseed



Concrete placed at interface between slant granite curb and drainage inlet stone



FRANKLIN PLANNING & COMMUNITY DEVELOPMENT



355 EAST CENTRAL STREET FRANKLIN, MA 02038-1352 TELEPHONE: 508-520-4907

Fax: 508-520-4906

MEMORANDUM

DATE: October 15, 2020

TO: Franklin Planning Board

FROM: **Department of Planning and Community Development**

Lakeview Terrace – Private Subdivision RE:

Final Form H

General

1. The Planning Board approved a Definitive Subdivision on August 9, 2009, known as Lakeview Terrace, located off of Brandywine Road. The Definitive Subdivision is for a private roadway to construct 2 single family homes.

- 2. The Applicant was issued an occupancy permit for the first single family house in May 2020. They were to complete the site for the final occupancy permit.
- 3. The applicant has submitted a Final Form H and an as-built plan.
- 4. BETA has provided an observation report.

Comments

- 1. The Planning Board discussed the following concerns at the meeting on September 28, 2020:
 - Guardrail does not match plans
 - Sediment on neighbor's property
 - Erosion above retaining wall has not been adequately repaired
 - Finish grade of slope is not below top of wall per detail
 - Vehicles driving over cul-de-sac island
 - Portion of roadway not pitched to swale
 - Concern that infiltration systems may be clogged with sediment.
 - Swales are bare soil.
 - Transition stone not used between slant granite curbing and CB inlet stone
- 2. Applicant has not provided and Engineer's Certificate of Completion.
- 3. DPCD notes that the roadway will remain private and never be accepted by the Town.