



**FRANKLIN PLANNING & COMMUNITY
DEVELOPMENT**

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

MEMORANDUM

DATE: October 27, 2020
TO: Franklin Planning Board
FROM: Department of Planning and Community Development
RE: 164 Grove Street – PharmaCann
Special Permit & Site Plan

General:

1. The site is approximately 1.5 acres and is located at 164 Grove Street in the Industrial Zoning and Marijuana Overlay District; Assessor's Map 306 Lot 004.
2. The Applicant is proposing to construct a 4,150 square foot building with 70 parking spaces. The main use of the building is for retail Marijuana. There will be no product manufacturing, testing or research operations at the Facility.
3. Applicant has filed the following Special Permits:
 - To allow Non-medical retail marijuana facility under 185 Attachment 3, Part II Section 2.23.
 - To allow Medical retail marijuana facility under 185-49 Attachment 4, Section 4.2 (a)
 - Common Driveway for 2 plus lots under 185-21(F).

Comments from the October 19, 2020 Meeting:

Planning Board closed the public hearing on October 19, 2020. The Planning Board is required to take a roll call vote.

Waiver Requests:

1. To allow for HDPE storm drain pipe in lieu of class V RCP

Suggested Special Conditions:

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 Traffic Impact Assessment, response letter September 17, 2020, submitted by the applicant, shall be included with the Certificate of Vote.
3. There are to be no cars queuing on Grove Street and the access driveway to the site.
4. Design Review color recommendations shall be included in the endorsed set of plans.
5. Applicant is to provide an access easement agreement with Planet Fitness, located at 166 Grove St.

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 (3):** To allow Non-medical marijuana facility under 185 Attachment 3, Part II Section 2.23, To allow Medical Marijuana under 185-49, Attachment 4 Section 4.2(a) and Common Driveway for 2+ lots under 185-21(F)

(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 than 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.
 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.

October 26, 2020

Amy Love, Town Planner
Franklin Planning Board
Town Hall
355 East Central Street
Franklin, MA 02038

Re: Subdivision Zoning Compliance Plan – 81-P ANR & Limited Site Plan Supplemental
200 & 300 Financial Park (the Project)
431 Washington Street, Franklin, MA

Dear Town Planner:

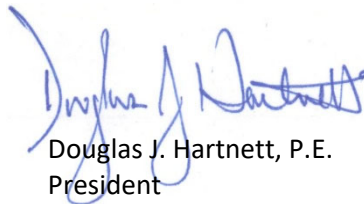
Per the initial review of the 81-P ANR and Limited Site Plan for 100 & 200 Financial Park during the Public Hearing held 10.29.2020, the Planning Board requested additional information regarding the proposed subdivision's compliance with the Town of Franklin Zoning Bylaws. Therefore, Highpoint submits the enclosed supplemental "Subdivision Zoning Compliance Plan" dated 10.26.2020 for review by the Planning Board.

Please contact the undersigned if you have any questions.

Best regards,
HIGHPOINT ENGINEERING, Inc.



Matthew Mui, E.I.T
Project Engineer II



Douglas J. Hartnett, P.E.
President

encl.

cc: Andrew Holmberg, Berkeley Partners

COMPLIANCE SUMMARY - BUILDING AND SITE DIMENSIONAL REQUIREMENTS				
ZONING DISTRICT: INDUSTRIAL (I)				
OVERLAY DISTRICT: WATER RESOURCE DISTRICT				
CRITERIA		LOT 5A	LOT 5B	COMPLIANCE
LOT AREA	40,000 SF	32.24 AC	18.81 AC	YES
FRONTAGE	175 FEET	260± FEET	1,218± FEET	YES
FRONT YARD SETBACK	40 FEET	> 500 FEET	183.6 FEET	YES
SIDE YARD SETBACK	30 FEET	58.4 FEET '1	50.7 FEET '1	YES
REAR YARD SETBACK	30 FEET	50.8 FEET '1	74.5 FEET '1	YES
MAXIMUM BLDG. HEIGHT	3 STORIES	>3 STORY	>3 STORY	YES
WETLAND AREA	---	244,395 SF	150,057 SF	---
UPLAND AREA	---	1,159,939 SF	669,172 SF	---
IMPERVIOUS COVERAGE ²	80%	40.8%	47.0%	YES
BUILDING COVERAGE ³	70%	15.6%	8.6%	YES
LOT DEPTH	200 FEET	>200 FEET	>200 FEET	YES
LOT WIDTH	157.5 FEET	308± FEET	205± FEET	YES

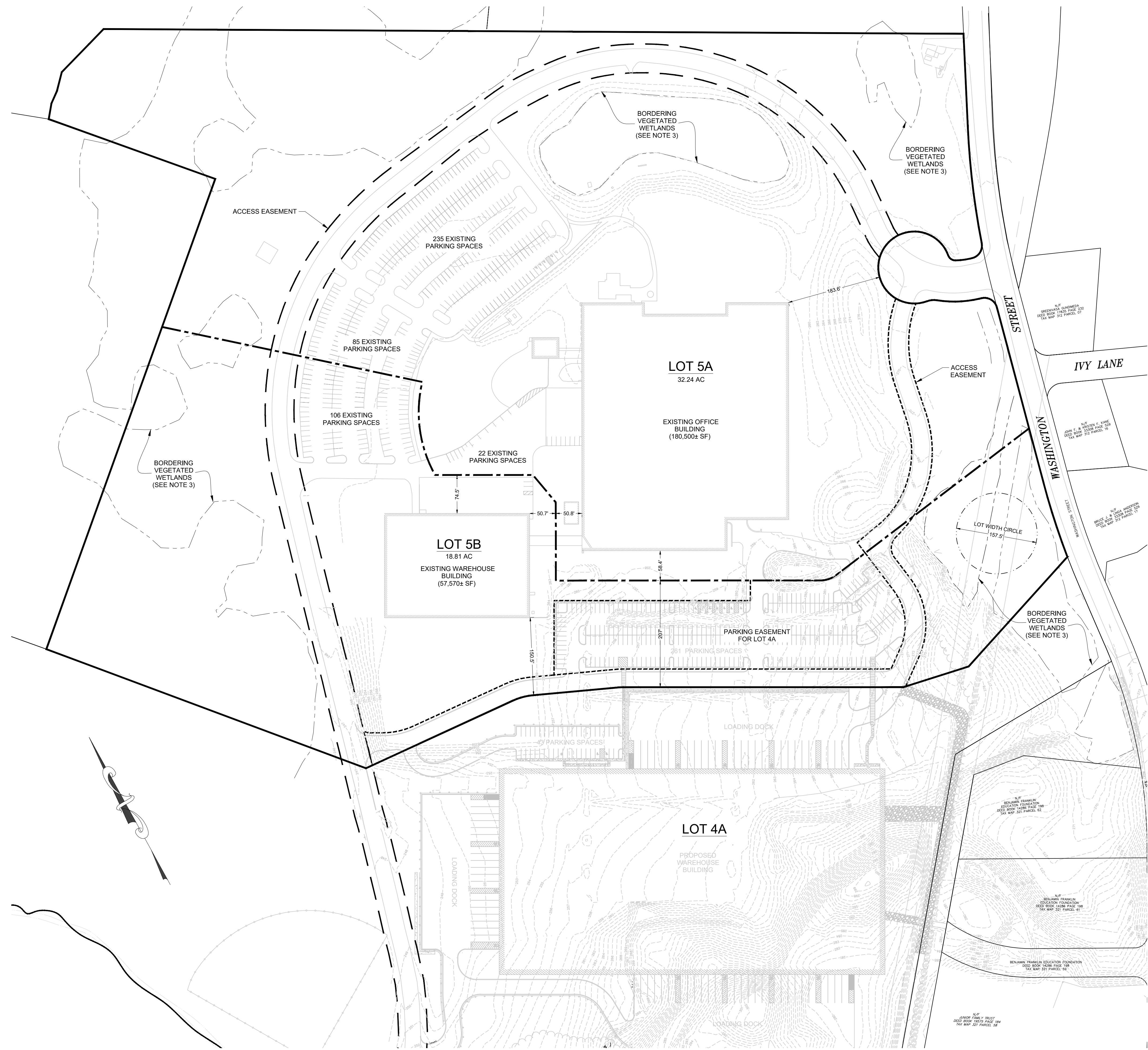
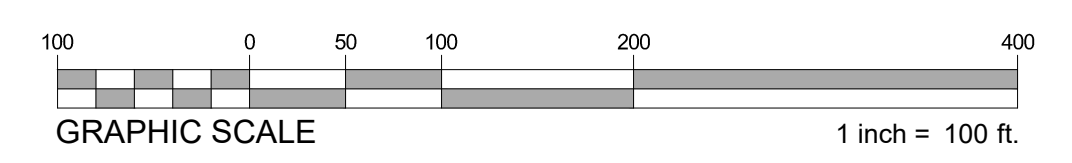
NOTES: 1. SETBACK MEASURED FROM FUTURE LOT LINE.
 2. IMPERVIOUS COVERAGE PERCENTAGE IS CALCULATED AS IMPERVIOUS AREA / UPLAND AREA AS DEFINED IN THE FRANKLIN ZONING BYLAW.
 3. BUILDING COVERAGE PERCENTAGE IS CALCULATED AS BUILDING AREA / UPLAND AREA.

PARKING SUMMARY			
	GROSS FLOOR AREA	REQUIRED	PROVIDED
EXISTING CONDITIONS			
LOT 5A			
EXISTING OFFICE SPACE	180,500± S.F.	722 SPACES	342 SPACES
LOT 5B			
EXISTING WAREHOUSE SPACE	57,570± S.F.	58 SPACES	106 SPACES

VEHICULAR PARKING REQUIREMENTS	
DESCRIPTION	CALCULATION
OFFICE SPACE	1 PARKING SPACE PER 250 GFA
WAREHOUSE	1 PARKING SPACE PER 1,000 GFA

- GENERAL NOTES**
- BASE PLAN IS A COMPILED PLAN BASED UPON THE FOLLOWING:
 - HIGHPOINT ENGINEERING INC. DESIGN PLANS ENTITLED "100 FINANCIAL PARK | WAREHOUSE DEVELOPMENT PLANS - SITE PLANS" DATED MARCH 1ST, 2017.
 - HANCOCK ASSOCIATES SURVEY PLAN ENTITLED "100 FINANCIAL PARK | WAREHOUSE DEVELOPMENT PLANS - EXISTING CONDITIONS" DATED JULY 13TH, 2020.
 - HANCOCK ASSOCIATES SURVEY PLAN ENTITLED "ANR PLAN OF LAND - FRANKLIN, MA" DATED OCTOBER 9TH, 2020.
 - LOT DIMENSIONS, WETLAND & UPLAND AREA CALCULATIONS BASED UPON:
 - HANCOCK ASSOCIATES SURVEY PLAN ENTITLED "ANR PLAN OF LAND - FRANKLIN, MA" DATED OCTOBER 9TH, 2020.
 - WETLAND DELINEATION BASED UPON:
 - HANCOCK ASSOCIATES SURVEY PLAN ENTITLED "WETLAND LOCATION PLAN IN FRANKLIN, MA" DATED JANUARY 9TH, 2020.

SYMBOL LEGEND	
	EXISTING PROPERTY LINE
	PROPOSED FUTURE PROPERTY LINE
	BORDERING VEGETATED WETLANDS
	ACCESS EASEMENT
	PARKING EASEMENT



REV	DATE	DESCRIPTION

ISSUE TYPE:
 SUPPLEMENTAL EXHIBIT
 ISSUE DATE:
 10.26.2020
 PROJECT NUMBER:
 19032

DRAWN BY: MKM
 CHECKED BY: DJH

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SHEET TITLE:
**SUBDIVISION
 ZONING
 COMPLIANCE
 PLAN**

SHEET NUMBER:
EXH01



**FRANKLIN PLANNING & COMMUNITY
DEVELOPMENT**

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

MEMORANDUM

DATE: October 28, 2020
TO: Franklin Planning Board
FROM: Department of Planning and Community Development
RE: 100 Financial Way
Limited Site Plan Modification

The DPCD has reviewed the above referenced Limited Site Plan Modification application for the Monday, November 2, 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 from the October 19, 2020 meeting:

1. The Planning Board requested more information on the building setback requirements. *Applicant has provided a revised plans showing setbacks to the proposed new lot lines.*
2. The Planning Board asked about the Special Conditions in the Certificate of Vote. *The Certificate of Vote is attached to this memo.*

DPCD has not further comments.

Town of Franklin

Tel: (508) 520-4907

Fax: (508) 520-4906



Planning Board
355 East Central Street
Franklin, Massachusetts 02038-1352

August 22, 2016

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

2016 AUG 26 AM 9:53
TOWN OF FRANKLIN
TOWN CLERK
RECEIVED

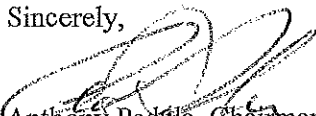
CERTIFICATE OF VOTE – SITE PLAN
100 Financial Park – Warehouse Development Site Plan

Site Plan: “100 Financial Park – Warehouse Development Plans”
Owner: Franklin Property Owner, LLC
c/o CRE Management, LLC
133 Pearl Street, Suite 300
Boston, MA 02110
Applicant: CRE Management, LLC
133 Pearl Street, Suite 300
Boston, MA 02110
Prepared By: Highpoint Engineering, Inc.
Surveyor/ Engineer:
Dated: July 1, 2016
Property Location: 100 Financial Park
Map 321, Lots 19, 20, 51, 59, 60, 61, 62

Dear Mrs. Burr:

Please be advised that at its meeting on Monday, August 22, 2016 the Planning Board voted (5-0-0), upon motion duly made and seconded to **APPROVE, WITH STANDARD and SPECIAL CONDITIONS**, the above referenced Site Plan. The Conditions of Approval are listed on page 2-3, attached hereto. **Both the Certificate of Vote as well as the conditions of approval shall be referenced on the site plan.**

Sincerely,


Anthony Paetola, Chairman
Franklin Planning Board

cc: Owner/Applicant/ Applicant's Engineer
Building Commissioner/DPW- Engineering
BETA
File

CERTIFICATE OF VOTE – SITE PLAN
100 FINANCIAL PARK – WAREHOUSE DEVELOPMENT

1. 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.
2. **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 #1.**
3. No alteration of these plans shall be made or affected other than by an affirmative vote of the members of the Board at a duly posted meeting and upon the issuance of a written amended decision.
4. 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.
5. Prior to the endorsement of the site plan, the following shall be done:
 - The owner/applicant shall make a notation on the plan that references 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.
6. All required improvements specified in this Certificate of Vote shall be constructed within a one-year period unless the Board grants an extension. No final Certificate of Occupancy shall be issued until all requirements of the approved plan 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. 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 #1.
7. 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.
8. The owner/applicant shall install erosion control devices as necessary and as directed by the Town's Construction Inspector.
9. Maintenance and repair of the parking area, water supply system, sewer pipes, electric distribution system, and stormwater system shall be the responsibility of the owner/applicant and shall never be the responsibility of the Town and the Town shall never be required to perform any service, repair or maintenance with respect to said areas, or any of the aforementioned systems within the subject property. The Town will never be required to provide snow plowing or trash pickup, with respect to the subject property.
10. Approval of this Site Plan is subject to Design Review, Fire Department, and Board of Health approvals.
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. Prior to endorsement, all changes necessitated by the foregoing conditions shall be made on the plan.

WAIVERS
SITE PLAN
100 FINANCIAL PARK – WAREHOUSE DEVELOPMENT

Based on its finding that the requested waivers would be in the public interest and consistent with the intent and purpose of the Town Code, the Planning Board, upon motion duly made and seconded voted at its August 22, 2016 Planning Board Meeting (5-0-0) to **APPROVE** the applicant's request for the following waivers:

<u>SECTION</u>	<u>ALLOWED</u>
§185-21 (A) 4	To allow a reduction in required parking from 1,106 parking spaces to 752 spaces.

SPECIAL CONDITIONS OF APPROVAL
CERTIFICATE OF VOTE
100 FINANCIAL PARK – WAREHOUSE DEVELOPMENT

1. Traffic signals and related intersection improvements will be installed at Washington and King Streets prior to the time of occupancy.
2. The applicant will provide a truck route and school signage at Grove Street and Washington Street.
3. The applicant will provide a copy of required certification to the Department of Public Works prior to the placement of fill on the site in accordance to Chapter 185-40.E. (5).
4. An agent of the Town will witness excavation for stormwater BMP's during construction to verify that they are above seasonal high groundwater per Chapter 153-15.A.(6).
5. The following restrictions will apply to the traffic and site circulation at Grove Street:
 - a. Maintain Grove Street access for existing office and warehouse uses on site (180,500 + s.f. office and 56,000 s.f. warehouse)
 - b. Allow access to/from Grove Street for buses for the Charter School
 - c. All other development sites as currently proposed or for future parcels will be directed to use Washington Street
 - d. Secure access will be upgraded to allow only designated tenant access through the gate as well as the Town for emergency access and Zone 1 wellhead protection area maintenance.
6. Generation of noise shall be reviewed by the Board upon completion of MEP design.
7. Any change in tenant or change in future use of the existing office/warehouse or change in use of the proposed warehouses, will require a parking demand study to be submitted to the Planning Board to confirm that demand does not exceed the existing supply at the time of use and/or tenant change.
8. A copy of the Storm Water Pollution Prevention Plan will be submitted to the Town for review and comment prior to construction.
9. An Illicit Discharge Compliance Statement will be included and submitted by the owner.

PLANNING BOARD
FRANKLIN, MASSACHUSETTS

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

AUGUST 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: ICBP IV HOLDINGS 34, LLC SUITE 1500
Address of Applicant: 410 BERKELEY PARTNERS, 1 SANSONE ST., SAN FRANCISCO, CA 94104
Phone No.: 802-598-1594 Email: aholmberg@berkeleypartners.com
2. Name of Owner (if not the Applicant): _____
Address of Owner: _____
Phone No.: _____ Email: _____
3. Name of Engineer: HANLOCK ASSOCIATES
4. 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 WASHINGTON ST., 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, namely _____
 - e) Other: _____

[Signature]
Signature of Applicant

ICBP IV Holdings 34, LLC,
Print Name of Applicant
by Matthew Novak, Duly
Authorized Signatory

[Signature]
Signature Owner

ICBP IV Holdings 34, LLC,
Print Name of Owner
by Matthew Novak, Duly
Authorized Signatory

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: ANR Plan of Land in Franklin, MA

Date of Plan: 7-30-2020 Assessor's Information: 321-020-000-006

Prepared by: HANWICK ASSOCIATES

Applicant Name & Address: _____

SECTION B:

Name of Record Owner(s): ICEP IV HOLDINGS 34, LLC
C/O BERKELEY PARTNERS

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]
Signature of Applicant

ICBP IV Holdings 34, LLC, by Matthew Novak, Duly
Print name of Applicant Authorized Signatory

[Signature]
Signature of Owner

ICBP IV Holdings 34, LLC, by Matthew Novak, Duly
Print name of Owner Authorized Signatory

COMMONWEALTH OF MASSACHUSETTS

_____ 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 identification, which were _____ to be the person whose name is signed on the preceding document in my presence.

(Official signature and seal of notary)
Notary Public.
My Commission Expires: _____

Please see attached California notary acknowledgments

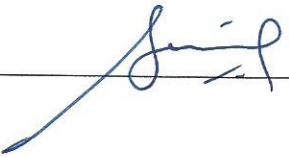
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

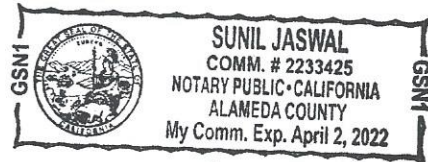
STATE OF CALIFORNIA
COUNTY OF ALAMEDA

On 10.05.2020, 2020, before me, Sunil Jaswal, 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.

WITNESS my hand and official seal.

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.

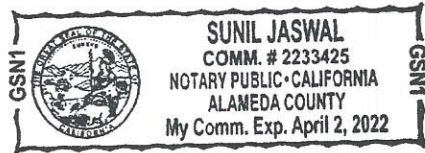
STATE OF CALIFORNIA
COUNTY OF ALAMEDA

On 10-05-2020, 2020, before me, Sunil Jaswal, 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.

WITNESS my hand and official seal.

Signature  (Seal)





10
431 Washington St. / 100 Financial Park
Franklin

Bk 36923 Pg 217 #53360
06-28-2019 @ 11:46a

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA
OFFICIAL
CERTIFY COPY
William P O'Donnell
WILLIAM P O'DONNELL, REGISTER

NOT
MASSACHUSETTS STATE EXCISE TAX
Norfolk Registry of Deeds
Data: 06-28-2019 @ 11:46am
Ctlf: 740 Doc#: 53360
Fee: \$80,256.00 Cons: \$17,600,000.00

QUITCLAIM DEED

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]


N O T
A N

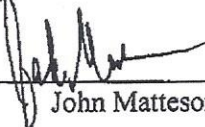
N O T
A N
C O P Y

IN WITNESS WHEREOF, the Grantor has executed this Quitclaim 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

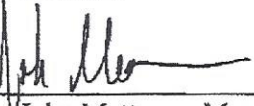
By: 
Steven E. Goodman, Manager

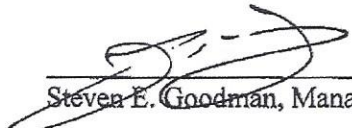
By: 
John Matteson, Manager

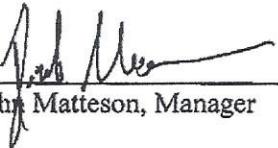
By: FRANKLIN MYLES HOLDING COMPANY,
LLC; Manager

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

By: 
Steven E. Goodman,
Manager

By: 
John Matteson, Manager

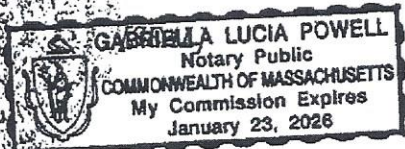
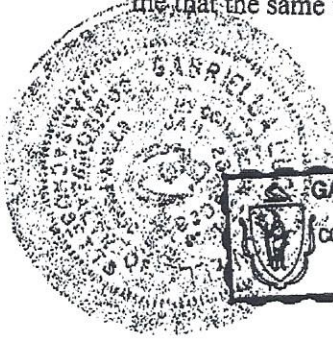

Steven E. Goodman, Manager


John Matteson, Manager

NOT
COMMONWEALTH OF MASSACHUSETTS
OFFICIAL COPY

Suffolk, ss.

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.



Gabriella Lucia Powell
Notary Public

My Commission expires: January 23, 2026

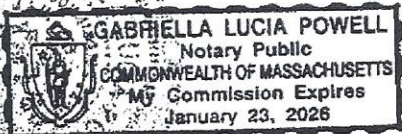
COMMONWEALTH OF MASSACHUSETTS

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, 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]



Gabriella Lucia Powell
Notary Public

My Commission expires: January 23, 2026

N O T N O T
A N A N
O F F I C I A L EXHIBIT A F I C I A L
C O P Y (to Franklin Quitclaim Deed) C O P Y

DESCRIPTION OF LAND

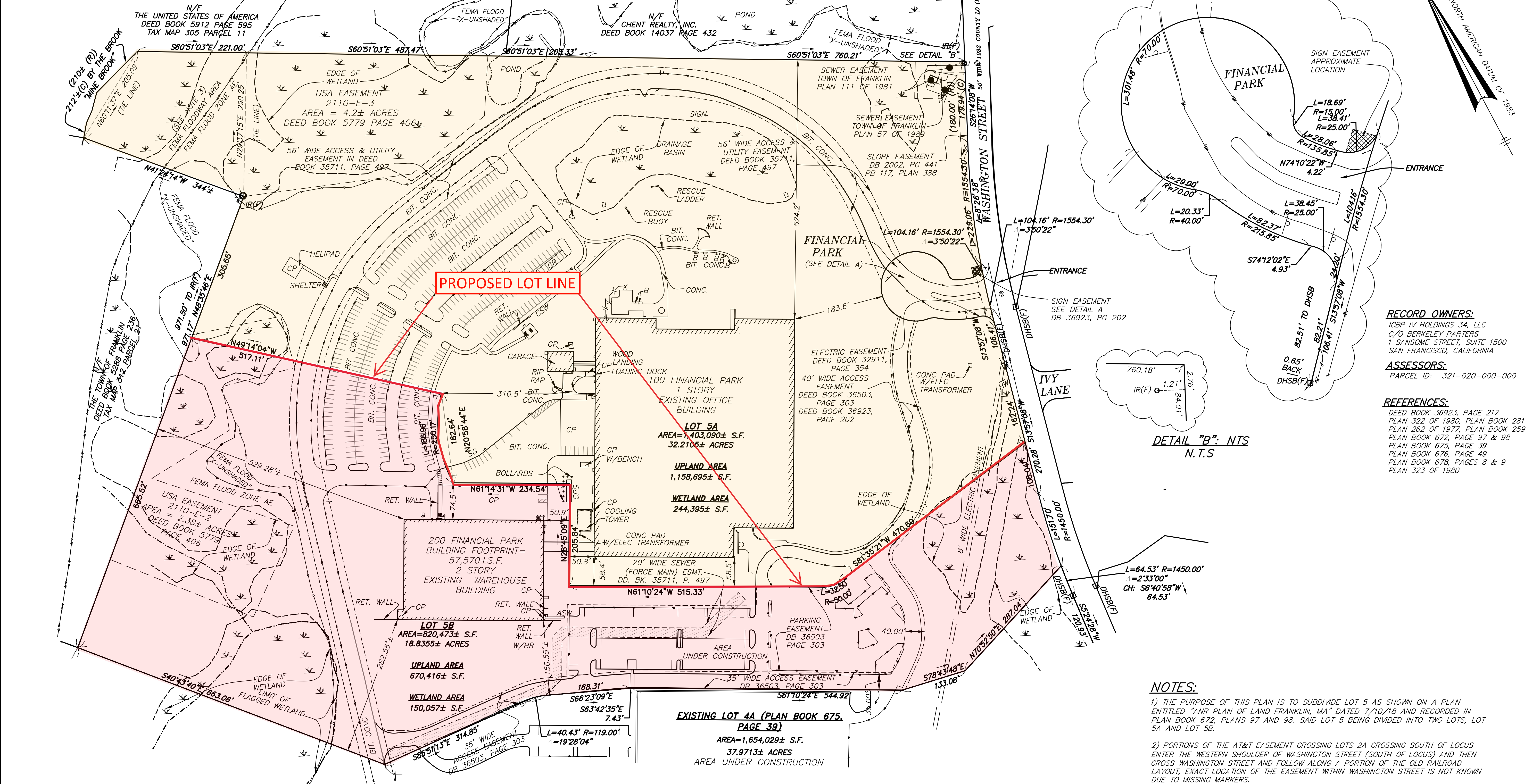
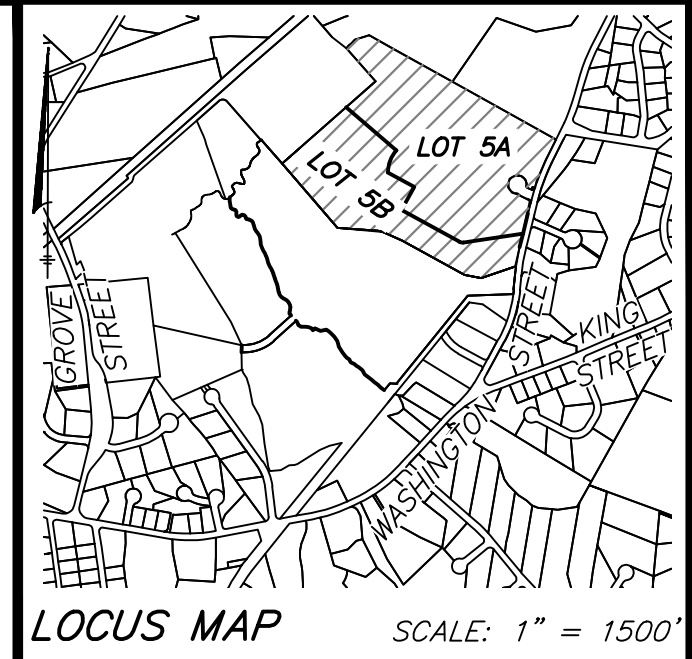
That certain parcel of land, being a portion of the property conveyed to Franklin Property Owner, LLC by deed of California State Teachers' Retirement System, dated March 5, 2015, as recorded in the Norfolk County Registry of Deeds in Book 32948, Page 250, and more particularly shown as "Lot 5" and the 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.

SCALE: 1" = 100'

DETAIL "A": 1"=40'



RECORD OWNERS:
ICBP IV HOLDINGS 34, LLC
C/O BERKELEY PARTERS
1 SANSOME STREET, SUITE 1500
SAN FRANCISCO, CALIFORNIA

ASSESSORS:
PARCEL ID: 321-020-000-000

REFERENCES:
DEED BOOK 36923, PAGE 217
PLAN 322 OF 1980, PLAN BOOK 281
PLAN 262 OF 1977, PLAN BOOK 259
PLAN BOOK 672, PAGE 97 & 98
PLAN BOOK 675, PAGE 39
PLAN BOOK 676, PAGE 49
PLAN BOOK 678, PAGES 8 & 9
PLAN 323 OF 1980

DETAIL "B": N.T.S.
N.T.S.

NOTES:

- THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE LOT 5 AS SHOWN ON A PLAN ENTITLED "ANR PLAN OF LAND FRANKLIN, MA" DATED 7/10/18 AND RECORDED IN PLAN BOOK 672, PLANS 97 AND 98. SAID LOT 5 BEING DIVIDED INTO TWO LOTS, LOT 5A AND LOT 5B.
- PORTIONS OF THE AT&T EASEMENT CROSSING LOTS 2A CROSSING SOUTH OF LOCUS, ENTER THE WESTERN SHOULDER OF WASHINGTON STREET (SOUTH OF LOCUS) AND THEN CROSS WASHINGTON STREET AND FOLLOW ALONG A PORTION OF THE OLD RAILROAD LAYOUT, EXACT LOCATION OF THE EASEMENT WITHIN WASHINGTON STREET IS NOT KNOWN DUE TO MISSING MARKERS.
- FEMA FLOOD ZONE LINES ARE SHOWN APPROXIMATELY FROM MASS GIS.
- ELECTRIC EASEMENT CROSSING LOCUS IS DEPICTED APPROXIMATELY PER 2-19-2015 ALTA PLAN PREPARED FOR CRE MANAGEMENT, LLC, AND PLAN BOOK 56, PLAN #2653. WIDTH IS CORRECTED TO 8' PER DEED BOOK 1094 PAGE 31, DATED 10-1-1908.
- THE SURVEYED PROPERTY IS SUBJECT TO AN EASEMENT AND RESTRICTIONS TO UNITED STATES OF AMERICA, FOR FLOOD MANAGEMENT PURPOSES, DATED APRIL 24, 1980, RECORDED WITH SAID DEEDS IN BOOK 5728, PAGE 281, AS AFFECTED BY CORRECTIVE DEED RECORDED WITH SAID DEEDS IN BOOK 5779, PAGE 406.
- A TWO LOT DEFINITIVE SUBDIVISION PLAN WAS APPROVED FOR A PREVIOUS OWNER CREATING THE "FINANCIAL PARK" RIGHT OF WAY CUL-DE-SAC. THE COVER SHEET (ONLY) WAS RECORDED IN PLAN BOOK 428, PLAN 163 OF 1995 AT THE NORFOLK COUNTY REGISTRY OF DEEDS. THE LOTTING SHEETS, NOT RECORDED, ARE ON FILE AT THE FRANKLIN PLANNING BOARD.
- THE SURVEYED PROPERTY IS SUBJECT TO AND HAS THE BENEFIT OF EASEMENTS AND RIGHTS GRANTED BY THE TOWN OF FRANKLIN TO DIGITAL EQUIPMENT CORPORATION DATED MAY 20, 1981, RECORDED WITH SAID DEEDS IN BOOK 5878, PAGE 135.
- PORTIONS OF EDGE OF WATER ON ADJACENT PROPERTY HAVE BEEN SCALED FROM MASSGIS 2013-2014 ORTHO IMAGERY FOR REFERENCE PURPOSES ONLY AND ARE APPROXIMATE.
- WETLANDS SHOWN HEREON ARE SHOWN IN MORE DETAIL ON A PLAN ENTITLED "WETLAND LOCATION PLAN IN FRANKLIN, MA" DATED JANUARY 7, 2020 BY THIS OFFICE AND ON FILE WITH THE TOWN OF FRANKLIN.

I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

PROFESSIONAL LAND SURVEYOR DATE
FOR REGISTRY USE

APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED.
FRANKLIN PLANNING BOARD

LEGEND

- | | |
|------------|--------------------------|
| ◊ | I.ROD IRON ROD |
| ○ | BIT. BITUMINOUS |
| (C) | CALCULATED |
| CONC. | CONCRETE |
| (F) | FOUND |
| (R) | RECORD |
| CP | CONCRETE PAD |
| CPG | CONCRETE PAD W/GENERATOR |
| BIT. CONC. | BITUMINOUS CONCRETE |

DATE: _____

NOTE: PLANNING BOARD ENDORSEMENT DOES NOT IMPLY CONFORMANCE WITH ZONING BYLAWS.

SITE ADDRESS
#100 & #200
FINANCIAL PARK
(F/K/A 431 WASHINGTON ST.)
Franklin, Massachusetts

PREPARED FOR:
ICBP IV REIT
ACQUISITIONS, LLC

HANCOCK ASSOCIATES
Civil Engineers
Land Surveyors
Environmental Consultants

315 Elm Street, Marlborough, MA 01752
Voice (508) 460-1111, Fax (508) 460-1121
www.hancockassociates.com

NO.	BY	APP	DATE	ISSUE/REVISION DESCRIPTION
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DATE: 7/30/20 DRAWN BY: CMC/vk
SCALE: 1" = 100' CHECK BY: BBD/JDB

ANR PLAN OF LAND IN FRANKLIN, MA

PLOT DATE: Aug 21, 2020 10:28 am

DWG: 22387-ANR Lot 5-A-B_1.dwg

LAYOUT: ANR-1 SHEET: 1 OF 3

ANR-1

PROJECT NO.: 22387

PATH: C:\Users\Nippa\AppData\Local\Temp\AcPublish_6376\



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.
 - Minimum Lot area: 40,000 s.f.
 - Minimum Frontage: 175’
 - 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.

RJO'CONNELL & ASSOCIATES, INC.

CIVIL ENGINEERS, SURVEYORS & LAND PLANNERS

80 Montvale Ave., Suite 201
phone 781-279-0180

Stoneham, MA 02180
fax 781-279-0173

October 23, 2020

Mr. Anthony Padula, Chairman
Franklin Planning Board
355 East Central Street
Franklin, MA 02038

Regarding: Form H - Certificate of Partial Completion
Site Area for Building 5
Fairfield Residential at Dean Avenue
Franklin, MA
Job No. 15056

Dear Mr. Padula:

Enclosed for review and approval of the Planning Board is Form H, Engineer's, and Owner's Certificate of Partial Completion, which includes the Site Plan Work Completion List.

Fairfield is applying for Certificate of Occupancy for Building 5 and garages 7 & 8, at this time.

As noted on the attached document the Site Work is substantially complete in all site areas that includes Buildings 1 through 5 and garages 7 & 8.

Access drives, traffic control, and pedestrian walkways are completed to allow for safe traffic and pedestrian circulation in this area for the public and for emergency vehicles. Sufficient parking is provided for these buildings. Water and sewer systems, as well as all other utilities and site lighting are completed and tested.

We would like to have this Partial Certificate of Completion reviewed at your next scheduled meeting on November 2nd so we can obtain the Certificates of Occupancy for Building 5 and Garages 7 & 8.

Sincerely,

RJO'CONNELL & ASSOCIATES



Brian J. McCarthy
Vice President

cc: Amy Love, Town Planner
Michael Maglio, Town Engineer
Matt Crowley, BETA Group
Rob Hewitt, Fairfield Development
John Shipe, Shipe Consulting

SITE PLAN OF LAND

**FORM H – PART 1 OF 2
ENGINEER’S AND OWNER’S CERTIFICATE
OF PARTIAL COMPLETION**
(to be executed by developer’s engineer)

Site plan known as Fairfield at Dean Avenue

ENGINEERS CERTIFICATION:

I hereby certify that the site work/improvements shown on the above referenced site plan in the area of the site, that includes the Clubhouse and all site work around Buildings 1, 2, 3, 4, 5, the Maintenance Building, garages and dog park performed or constructed to date have been completed in all respects in accordance with the Town of Franklin zoning requirements and the approved plans entitled: Fairfield at Dean Avenue, prepared by RJ O’Connell & Associates, Inc. and last revised with a date of August 9, 2019, as approved by the said Planning Board on September 9, 2019, except as noted on the attached Site Plan Work Completion List, dated October 23, 2020.

Signed this 23 day of October, 2020

By Brian Dundon, Reg. C.E.



COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

On this 23rd day of October 2020, before me, the undersigned notary public, personally appeared Brian Dundon (name of engineer), proved to me through satisfactory evidence of identification, which were personal knowledge to be the person whose name is signed on the preceding document and acknowledged to me that he/she signed it voluntarily for its stated purpose.



Kerry Aquino
(Official signature and seal of notary)
Notary Public: Kerry Aquino
My Commission Expires: December 4, 2020

Site Plan Work Completion List

(To accompany Form H- Engineer's and Owner's Certificate of Partial Completion)

Site Plan Name:	<u>Fairfield at Dean Avenue</u>
Owner Name:	<u>Fairfield Residential Company, LLC</u>
Owner's Engineer:	<u>RJ O'Connell & Associates, Inc.</u>
Date of Partial Certificate of Completion:	<u>October 23, 2020</u>

Outstanding Items:

Required Date of Completion:

This Partial Certificate of Completion is for the site work required for the Temporary Certificate of

Occupancy for Building 5 and garages 7 & 8.

Outstanding items in the site area of this request are:

- | | |
|--|----------------------|
| 1. The railings at the ramps and stairs at the
the building entrances at both ends of Buildings 5 | Complete by 11/02/20 |
| 2. The chainlink fence between Garage #8 and the
the Building 5 dumpster enclosure | Complete by 11/02/20 |
| 3. Dumpster Enclosure at Building 5 | Complete by 11/02/20 |

Approved by: _____, Town Engineer Date: _____

Signed by: *[Signature]*, Engineer Date: 10-23-2020

Signed by: *[Signature]*, Owner Date: 10/23/20

FOR FAIRFIELD

* A Notarized Form H- Engineer's and Owner's Certificate of Partial Completion Part 1 and 2 must accompany this form prior to acceptance by the Planning Board.



TOWN OF FRANKLIN - SITE OBSERVATION REPORT

Fairfield at Dean Avenue

Report No.:	4831 63 – 113	Date:	October 28, 2020	Arrive:	12:15 PM
Observer:	Matt Crowley, PE	Weather:	Light Rain ~55°	Leave:	1:30 PM

Owner: **Fairfield Residential Company**
One Edgewater Drive, Ste 107
Norwood, MA 02062

Contractor: **J. Read Corporation**
PO Box 1155
Westborough, MA 01581

Items Observed: **Conformance Observation – Submitted in conjunction with Applicant’s request for acceptance of Form H – Certificate of Partial Completion**

OBSERVATIONS

Observation Requested By: Brian McCarthy – RJ O’Connell & Associates, Inc.

Met/walked site with: N/A

Current Activity on Site: No current activity

Observed Construction: BETA arrived on site to perform a construction observation in conjunction with the Applicant’s request for acceptance of Form H – Certificate of Partial Completion. The required Form H was provided via email and the as-built plan is anticipated to be provided in the future. BETA notes that the applicant is only seeking occupancy for Building 5 and Garages 7 & 8; therefore, BETA did not perform a detailed review of areas that may require additional work (Building 6). BETA’s site walk and review of the Approved Plans confirmed the reviewed area of the site to be constructed in general conformance with the Approved Plans with the following exceptions/notations:

- The chain link fence and gate to the north of Garage 8 has not been installed.
- The dumpster enclosure has not been completed.
- Handrails have not been installed at the northerly and southerly entrances to the building.
- “No Snow Storage” signs have not been installed. BETA notes that due to the location of the sound wall between the parking area and stormwater basins, the no snow storage prohibition may no longer be appropriate.

SITE PHOTOS



Chain link fence has not been installed



Incomplete dumpster enclosure



Building entrance lacking handrails



Typical accessible parking at building entrance



FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

355 EAST CENTRAL STREET
FRANKLIN, MA 02038-1352
TELEPHONE: 508-520-4907
FAX: 508-520-4906

MEMORANDUM

DATE: October 29, 2020
TO: Franklin Planning Board
FROM: Department of Planning and Community Development
RE: Fairfield at Dean Ave
Partial Form H – Garages, Mail/Bike Building and Dog Park

General

1. The applicant has submitted a Partial Form H and Engineer's Certificate of Completion for the following building uses:
 - Building 5
 - Garages 7-8
2. DPCD recommends the sound wall on Dean Ave be improved. It was the understanding that landscaping would be planted in front of the wall, however, due to the underground utilities this is not possible. DPCD recommends that the wall be covered and improved to blend in with the nearby vegetation.
3. BETA has provided an onsite report with pictures.