



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

124 Grove Street, Suite 220
Franklin, MA 02038
TEL. NO. (508) 541-3000
FAX NO. (508) 541-3008
www.ddcrwlaw.com

Michael P. Doherty
mpd@ddcrwlaw.com

December 20, 2021

HAND-DELIVERED

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

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

Dear Mr. Rondeau:

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

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

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

Very truly yours,

Michael P. Doherty

MPD/bcs

Enclosures

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

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

To the Franklin Planning Board:

The undersigned, herewith, submits the accompanying Site Plan entitled "**Site Layout Plan - 162 Grove Street, Franklin, Massachusetts**" and Special Permit(s) for _____ and requests approval for under the provisions of the Zoning By-Laws of the Town of Franklin covering Site Plans and Special Permits.

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

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

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

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

Assessor's Map: 306 Lot: 003

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

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

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

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

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2021 DEC 20 P 3:01
TOWN OF FRANKLIN
TOWN CLERK

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

Chapter 185, Section 45.E

(3). Findings. Special permits shall be granted by the special permit granting authority only upon its written determination that the proposed use will not have adverse effects which overbalance its beneficial effects on either the neighborhood or the Town, in view of the particular characteristics of the site and of the proposal in relation to that site. This determination shall be in addition to the following specific findings:

- (a) Proposed project addresses or is consistent with neighborhood or Town need.
- (b) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed.
- (c) Public roadways, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development.
- (d) Neighborhood character and social structure will not be negatively impacted.
- (e) Project will not destroy or cause substantial damage to any environmentally significant natural resource, habitat, or feature or, if it will, proposed mitigation, remediation, replication, or compensatory measures are adequate.
- (f) Number, height, bulk, location and siting of building(s) and structure(s) will not result in abutting properties being deprived of light or fresh air circulation or being exposed to flooding or subjected to excessive noise, odor, light, vibrations, or airborne particulates.
- (g) Water consumption and sewer use, taking into consideration current and projected future local water supply and demand and wastewater treatment capacity, will not be excessive.

6. Other issues requiring Planning Board Consideration: None
-
-

7. A certified list (by Office of the Assessors) of abutters within 300 feet of the site is also submitted with the application.

8. Certificate of Ownership.

By: Lauren Burn

Signature of Applicant
Lauren Burn, Sr. Director External Affairs

NEW ENGLAND TREATMENT ACCESS, LLC

Print Name of Applicant

CERTIFICATE OF OWNERSHIP

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

SECTION A:

Type of Plan (circle one) ANR 81-P; Preliminary Subdivision

Definitive Subdivision.; Site Plan; Special Permit

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

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

Prepared by: United Consultants, Inc.

New England Treatment Access, LLC

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

SECTION B:

Name of Record Owner(s): Charley2017 LLC

Address of Record Owner(s): 7 Myrtle Street

Norfolk, MA 02056

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

*If in the name of a Trust, Corporation or Partnership, list the names and addresses of all Trustee(s), Corporate Officer(s) or Partner(s):
Brian R. Holmes, Manager, 7 Myrtle Street, Norfolk, MA 02056

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

N/A

*If in the name of a Trust or Corporation, list the date, county, book and page of recording of the Trust Instrument, or the date and State of incorporation:

Charley2017 LLC - December 12, 2017 - Commonwealth of Massachusetts

Executed as a sealed instrument this 17th day of December 21 2021

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

New England Treatment Access, LLC
Print name of Applicant

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

Charley2017 LLC
Print name of Owner

COMMONWEALTH OF MASSACHUSETTS

Norfolk ss.

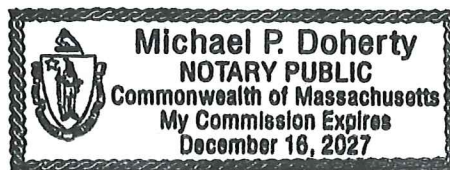
December 17, 2021

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

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

Notary Public:

My Commission Expires: 12/16/27



(Page 1 of 2)
Return to:
Gillmore, Rees & Carlson, P.C.
1000 Franklin Village Drive
Franklin, MA 02038

MASSACHUSETTS QUITCLAIM DEED

I, **BARBARA R. DOERING**, being unmarried, having an address of P.O. Box N, Franklin, Massachusetts 02038,

for consideration paid and in full consideration paid of One Million Four Hundred Thousand and 00/100 (\$1,400,000.00) Dollars,

Grant to **CHARLEY2017, LLC**, a duly organized and validly existing Massachusetts limited liability company having an address of 7 Myrtle Street, Norfolk, Massachusetts 02056,

WITH QUITCLAIM COVENANTS:

The Land in said Franklin with the buildings thereon situated on the southeasterly side of Grove Street and being shown as Parcel A on a plan entitled, "Compiled Plan of Land in Franklin, Mass. Scale 1"=50' March 18, 1987 William J. Rossetti P.L.S Franklin, Mass.," which plan is recorded with said Deeds as Plan No. 348 of 1987 in Plan Book 351, to which reference may be had for a more particular description.

Said Parcel A contains 4.0 acres according to said plan.

The premises are conveyed together with the benefit of a "20' wide drain easement" as shown on the plan hereinbefore referred to.

The undersigned Grantor certifies under the pains and penalties of perjury that the within premises are not residential property, do not constitute my principal residence and no one is entitled to an estate of homestead therein.

For Grantor's title see Deed of Raymond W. Travers, Trustee, et al to Donald R. Doering, et ux dated April 3, 1987 and recorded with said Norfolk County Registry of Deeds in Book 7510 Page 720. Donald R. Doering having died on May 14, 2017 (Death Certificate recorded with said Registry in Book 35266, Page 581 and Affidavit Pursuant to M.G.L. c. 65C, Sec. 14 (a) recorded with said Registry in Book 35266, Page 583).

Property Address: 162 Grove Street, Franklin, MA 02038

MASSACHUSETTS STATE EXCISE TAX
Norfolk Registry of Deeds
Date: 12-18-2017 @ 01:38pm
Ctl#: 1162 Doc#: 120468
Fee: \$6,384.00 Cons: \$1,400,000.00

WILLIAM P. O'DONNELL, REGISTER
NORFOLK COUNTY REGISTRY OF DEEDS
RECEIVED & RECORDED ELECTRONICALLY

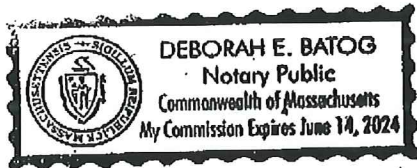
Witness my hand and seal this 18th day of December, 2017.

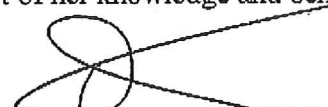

BARBARA R. DOERING

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

On this 18th day of December, 2017, before me the undersigned Notary Public, personally appeared, subscribed and sworn to before me by BARBARA R. DOERING, proved through satisfactory evidence of identification, which was a duly issued driver's license, to be the person whose name is signed on the preceding or attached document, in my presence and that she signed this document voluntarily for its stated purpose, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of her knowledge and belief.




Notary Public, Deborah E. Batog
My Commission Expires: 06/14/2024