



Commonwealth of Massachusetts  
**DEPARTMENT OF HOUSING &  
COMMUNITY DEVELOPMENT**

Charles D. Baker, Governor ♦ Karyn E. Polito, Lt. Governor ♦ Jennifer D. Maddox, Undersecretary

November 1, 2022

Bruce Hunchard, Chairman  
Zoning Board of Appeals  
Town of Franklin  
355 East Central Street  
Franklin, MA 02038

Cathy S. Netburn, Esq.  
D'Agostine, Levine, Parra & Netburn, P.C.  
268 Main Street  
Acton, MA 01720-6233

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TOWN OF FRANKLIN  
TOWN CLERK

Dear Chairman Hunchard and Attorney Netburn:

This is to confirm that DHCD has approved the request from Attorney Louis N. Levine to transfer the Comprehensive Permit for Franklin Heights to D. Bruce Wheeler, Trustee of Oliver Crossing Realty Trust. The approval would be for the project as outlined in Attorney Netburn's October 5, 2022 email as follows:

1. The Comprehensive Permit for Franklin Heights contemplated construction of 126 condominium units on two separate parcels of land. The original developer only constructed fifty (50) units and nine (9) Affordable units, (which was four (4) short of what he was required) on the first parcel of land and never took title to the second parcel of land;
2. Oliver Crossing intends to purchase the second parcel of land and build a new and separate condominium thereon and has applied to the Town of Franklin Zoning Board of Appeals for a modification to the Comprehensive Permit, which modification would provide for a total of nineteen (19) Affordable units thereby providing the four (4) Affordable units that were not constructed by the original developer and bringing the entire project of the two parcels combined, in compliance with the 25% affordability requirement;
3. Due to the fact that the original developer went bankrupt, DHCD has agreed that Oliver Crossing has no obligation to assume the cost certification requirements for the existing condominium on the first parcel, and that completion of the cost certification for the condominium on the first parcel is expressly NOT a condition of DHCD's approval of the transfer of the Comprehensive Permit to Oliver Crossing;

If you have any questions regarding this approval letter, please feel free to contact me at 617-573-1426.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rieko Hayashi', written over the printed name.

Rieko Hayashi  
LIP Director  
DHCD