

King 39 Jackson LLC
c/o King Street Properties
800 Boylston Street, Suite 2400
Boston, MA 02199

June 27, 2023

VIA EMAIL

Devens Enterprise Commission (the "DEC")
33 Andrews Parkway
Devens, MA 01434
Attn: Peter C. Lowitt, Director
Email: peterlowitt@devensec.com

RE: 39 Jackson Road, Devens, Massachusetts (the "Property")

Dear Director Lowitt,

This letter is being delivered on behalf of King Street Properties and its affiliate, King 39 Jackson LLC ("King Street") in furtherance of the development and tenancing of the Property by Ascend Elements, Inc. ("Ascend").

Pursuant to that certain Record of Decision for 39 Jackson Road dated as of July 15, 2021, on King Street's Level 2 Unified Permit application (the "Decision"), all uses and tenants proposed for the Property "shall be in accordance with permitted uses as listed in the (Innovation Technology Business Zoning District)."

Ascend is an independent manufacturer of advanced battery materials using valuable elements reclaimed from spent lithium-ion batteries, and contemplates utilizing the Property for advanced manufacturing uses, as well as ancillary uses including laboratory, office and storage space to support its primary manufacturing uses.

Ascend's contemplated use is consistent with the Devens Zoning Bylaws (the "Bylaws") and the Devens Rules and Regulations (the "Regulations"), as well as the underlying goals of the Devens Reuse Plan (the "Reuse Plan"). We anticipate that Ascend's contemplated use would fall under the Industrial use category, which is a permitted use in the Innovation Technology Business ("ITB") Zoning District and which, under Section VI(A)(3)(d) of the Bylaws, is defined as "manufacturing of equipment and materials" and includes emerging industries and uses such as "manufacturing associated with distributed computing and telecommunications" and "materials synthesis and processing for advanced structural materials, electronic and photonic materials, and other industrial applications", among others. Research and Development is also a permitted use in ITB Zoning District, and is defined under Section VI(A)(3)(e) of the Bylaws as including "the research, development, and prototypical pilot manufacturing or limited production of products designed primarily for initial marketing of electronic, industrial, scientific, biotechnological, and biomedical products and applied process engineering."

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Among the types of uses contemplated by the Reuse Plan for the ITB Zoning District are the “development or sale of an improved or new product or service” and uses that have a “research and development orientation”. The principal uses contemplated by Ascend at the Property (advanced manufacturing) are precisely aligned with the goals of the ITB Zoning District.

Accordingly, pursuant to Condition No. 20 of the Decision, King Street respectfully requests the DEC’s written approval of Ascend’s contemplated use as described above.

Please don’t hesitate to contact us with any questions.

Sincerely,

KING 39 JACKSON LLC, a Delaware
limited liability company

By: 
Name: Tyson Reynoso
Title: Authorized Signatory

Cc (via email):

Neil Angus, Environmental Planner
Julie Farrer
Caroline Cranna
Phillip Levy, Esq.
Jennifer Jones, Esq.