



# TOWN OF LITTLETON

## PLANNING BOARD

37 SHATTUCK STREET, P.O. BOX 1305  
LITTLETON, MASSACHUSETTS 01460  
(978) 540-2425

**Amend Littleton Apothecary, LLC  
Planning Board Land Use Decisions  
160 Ayer Road, Unit 4, Littleton Mass.  
Adult Use Marijuana Establishment  
Marijuana Retail Establishment**

September 10, 2021

**DECISIONS: AMEND TWO SPECIAL PERMITS AND SITE PLAN REVIEW** pursuant to MGL Chapter 40A and the Code of the Town of Littleton Zoning. Special Permit Applications for Adult Use Marijuana Establishment (Marijuana Retail Establishment) and Aquifer and Water Resource District Use, along with Site Plan Review

**PROPERTY LOCATION:** Approximately 83,969.90 +/- sq. ft. of land (1.93 acres) with existing six unit commercial/industrial condominium single story structure at 160 Ayer Road, Assessors' Map R-9, Parcel 34.

**DESCRIPTION:** Marijuana Retail Establishment

**APPLICANT:** Littleton Apothecary, LLC  
160 Ayer Road, Unit 4  
Littleton, MA, 01460

**OWNER:** Athena Assets, LLC  
160 Ayer Road, Unit 2  
Littleton, MA, 01460

**DATES OF LEGAL NOTICE:** Posted by Town Clerk on August 25, 2020  
Published August 26, 2021 and September 2, 2021

**DATE OF HEARING:** September 9, 2021

**MEMBERS PRESENT:** Mark Montanari, Jeff Yates, Bartlett Harvey, and Anna Hueston,

**REFERENCE PLAN:** Commercial Development Parking Plan "Site Plan" 160 Ayer Road, Littleton, MA 01460 dated 8/31/2020, last revised 11/30/2020 (1 sheet)

**PUBLIC HEARING:** The Littleton Planning Board held a duly noticed public hearing on September 9, 2021 to consider an application to amend two Special Permits and Site Plan Review pursuant to MGL Chapter 40A and the Code of the Town of Littleton Zoning. Representatives present responded to questions posed by members of the Planning Board and Town Staff. There was no opposition expressed by abutters or other participants of the public.

### **BACKGROUND:**

Littleton Apothecary (the "Applicant") will be leasing Unit 4 of the condominium complex located at 160 Ayer Road to operate a Marijuana Retail Establishment with all operations to be conducted

within the interior of Unit 4. The Planning Board issued a decision dated January 11, 2021 approving the proposed uses with conditions.

**DETERMINATIONS and FINDINGS:**

Following the public hearing on this amendment proposal, the Planning Board made the following additional determinations regarding the Adult Use Marijuana Establishment application, noting the proposed amendment:

1. Egress is adequate to accommodate police and fire protection;
2. Roads, water, and drainage are not impacted or adversely affected.
3. Visual compatibility is unchanged.
4. No current or expected threat to the environment given all activity within interior of building and waste removal to be stored and secured inside and removed as necessary.
5. No significant nuisance, hazard or congestion will be created;
6. There will be no substantial harm to the neighborhood or derogation from the intent of the Zoning Bylaws.

**DECISION:**

At the meeting held September 9, 2021, Jeff Yates made a motion, seconded by Anna Hueston, to amend the January 11, 2021 Special Permit for Adult Use Marijuana Establishment (Article XXVIII) for Marijuana Retail Establishment, Special Permit for use within Aquifer & Water Resource Protection District, and Site Plan Review with the following additional conditions. The conditions shall be binding upon the Applicant and its successors and assigns. Failure to adhere to these conditions shall render this special permit null and void, without force and effect, and shall constitute grounds for the revocation of this special permit, and of any building permit issued hereunder. The Town of Littleton may elect to enforce compliance with this Special Permit using any and all powers available to it under the law. Revocation of this special permit would require notice to the Applicant and a Public Hearing and other applicable requirements of the law.

**Additional Conditions:**

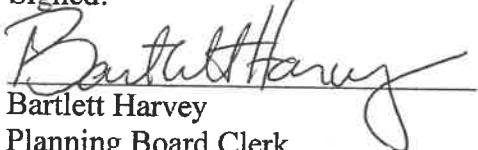
20. The Applicant shall post at the entrance way signs indicating "NO PARKING; VIOLATORS WILL BE TOWED AT THEIR OWN EXPENSE" visible in both directions, and shall maintain an arrangement with the property owner, a reputable private towing company, and the abutter at 168 Ayer Road such that affected abutting property owners may arrange to have violators towed at the violator's expense.
21. The travel way for vehicles entering and exiting the Retail facility will be limited to one way in and one way out, entering in the front of the building, and exiting in the rear, and posted as such.
22. The Applicant shall hire a traffic patrol officer whenever warranted.
23. The Applicant shall apply for and use all reasonable efforts to obtain a second curb cut into the parking lot on the east side of the building in the event that traffic impairs deliveries to tenants of 168 Ayer Road. For purposes of this condition, the requirement to apply for a second curb cut shall be triggered upon receipt by the Littleton Police Department for two (2) or more complaints within a one (1) year period.

The Board members voted as follows:

Mark Montanari	AYE
Anna Hueston	AYE
Bartlett Harvey	AYE
Jeffrey Yates	AYE
Delisa Laterzo	RECUSED

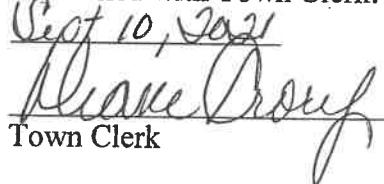
**Appeals, if any, shall be made pursuant to Section 17 of Chapter 40A, Massachusetts G.L., and shall be filed within 20 days after the date this decision is filed with Town Clerk.**

Signed:

  
Bartlett Harvey

Planning Board Clerk

Date Filed with Town Clerk:

  
Diane Crory

Town Clerk

**TOWN CLERK CERTIFICATION:**

To Whom It May Concern:

I, Diane Crory, Clerk of the Town of Littleton hereby certify that twenty days have elapsed since the filing of this decision by the Planning Board for this Special Permit and that no appeal concerning said decision has been filed, or that any appeal that has been filed has been dismissed or denied.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Town Clerk Diane Crory  
Littleton Mass.

