



**Town of Littleton, Massachusetts**  
**TOWN MEETING REPORT**

**VOTER INFORMATION**

**Please bring this with you to the**

**OCTOBER 29, 2024**  
**SPECIAL TOWN MEETING**

**Tuesday, October 29, 2024, at 7:00 PM**  
**Charles Forbes Kaye Gymnasium, Littleton Middle School**  
**55 Russell Street, Littleton, MA 01460**

This Town Meeting Report is prepared by the

Office of the Select Board/Town Administrator  
Town of Littleton  
Littleton Town Offices  
37 Shattuck Street  
Littleton, MA 01460

James Duggan, Town Administrator  
Ryan Ferrara, Assistant Town Administrator/Director of Finance and Budget

More information is available online at [www.littletonma.org](http://www.littletonma.org)



# October 29, 2024, Town Meeting Articles

## SPECIAL TOWN MEETING at 7 PM

<i>Art.</i>	<i>Title</i>	<i>Page</i>
1.	Report of the Shaker Lane School Building Committee .....	4
2.	Bills of Prior Years.....	4
3.	Amend Article 11 from the October 17, 2020, Special Town Meeting.....	5
4.	Amend Article 10 of the November 1, 2023, STM – Supplemental Funding for Tennis Courts and Renovation of Whitcomb Field... ..	5
5.	Zoning bylaw amendment to Article XXVII: Registered Marijuana Dispensaries and Article XXVIII: Adult Use Marijuana Establishments.....	7
6.	Amend Article 23 of the May 7, 2024, Annual Town Meeting (Schedule D Fire Department On-Call) .....	18
7.	Amend Article 4 of the November 1, 2023, Special Town Meeting.....	19
8.	Rescind and Reprogram prior Capital Town Meeting Warrant Articles .....	19
9.	Amend Article 12 of the May 2, 2022, Annual Town Meeting .....	21
10.	Transfer Care, Custody, and Control of Lot 107-A at the Nagog Hill Orchard to the Conservation Commission.....	21
11.	Fund Collective Bargaining Agreements .....	22
12.	Authorize the Town Clerk to fix scrivener errors to Town Bylaws adopted by Town Meeting .....	23

## Select Board: Town Meeting Report

*To the Voters of Littleton:*

The Select Board is pleased to present this *Town Meeting Report*.

Town Code §41-3 provides that:

For every annual and special town meeting, the Select Board shall mail to each occupied dwelling at least fourteen (14) days prior to said meeting a Town Meeting Report containing the full text of the articles as posted in the warrant; proposed motions and town board recommendations, if any; and concise explanations of each article, including the fiscal impact of any financial articles. The Town Meeting Report for the annual town meeting shall include the Finance Committee's report to the voters.

Here is the format in which information is presented for each article in this Report:

<p><b>ARTICLE #</b> Article Sponsor/Insertter <b>Title of the Article</b> <i>[If needed, any special voting requirements]</i></p>
---

Full text of the warrant article as printed in the Town Meeting warrant, as posted.

**[Brief explanation of the article.]**

***Motion*** proposed by the sponsor, as reviewed by Town Counsel.

**Recommendations of Town Boards.**

The Select Board welcomes your feedback. Thank you for your participation and interest in this important civic event.

### **Littleton Select Board**

Mark Rambacher, Chair

Karen Lee Morrison, Vice Chair

Matthew Nordhaus, Clerk

Charles DeCoste

Gary Wilson

# Town Moderator: Town Meeting Procedures

## *“A Call of the Articles”*

In our continuing effort to streamline and improve the efficiency of Town Meeting, and after having discussed ways to improve the process with the Select Board, the Town Clerk and Town Counsel I am proposing to continue the following procedures:

We will continue with “A Call of the Articles” which was successfully introduced several years ago, to speed up the passage of warrant articles which should generate no controversy and can be properly voted without debate allowing additional time to debate more significant articles.

Specifically, as one of the first orders of business at Town Meeting, the Moderator will call out the numbers/titles of the articles, one by one. Any voter who has doubts about passing any motion, or wishes an explanation of any article, should say the word “hold” in a loud voice when the article number is called by the Moderator. The Moderator will inquire as to whether the request is for a question or for debate. If the purpose of the request is merely a question, then an attempt will be made to obtain a satisfactory answer. If the purpose is to hold the article for debate, the article will be removed from the list of articles included in the “Call” and restored to its original place in the warrant to be brought up, debated and voted in the usual manner. It is hoped that voters will remove articles from the “Call” only in cases of legitimate concern.

After calling each article on the Warrant, the Moderator will ask that all remaining articles in the “Call” be passed as a unit by unanimous vote. There will be a motion to take all the articles identified in the “Call” and act upon them by means of a single, brief affirmative main motion which will be inclusive of the separate and specific motions as printed in this Report.

The use of “A Call of the Articles” is intended to speed up passage of warrant articles which each Town Meeting voter believes should generate no controversy and can be properly voted without debate and give Town Meeting additional time to thoughtfully consider the rest of the warrant articles.

## **General Town Meeting Guidelines**

- **Presentations** - The individual, board or committee responsible for placing an article on the warrant will be permitted ten (10) minutes to make a presentation once the main motion is properly placed before Town Meeting. A single presenter is preferred and in the event of multiple presenters no additional time shall be granted. Presentations in opposition will likewise be limited to 10 minutes and must be approved in advance of Town Meeting by the Moderator. The Moderator reserves the right to grant additional time, within reason, to presentations that he believes Town Meeting would benefit from hearing in their entirety. In the interest of fairness, the Moderator will extend the offer of additional time to both sides.

- **Limits on length/number of speeches** - Speakers shall be limited to no more than three (3) minutes and no one shall speak more than once per article except for the following situations: responses to questions posed by and through the Moderator, brief clarification of a previous statement with the permission of the Moderator, or by majority vote of Town Meeting.

- **Time limit for consideration of Warrant articles (evening meetings)** –Town Meeting shall not begin consideration of any new warrant article after 10:30p.m., unless the Moderator determines that there is a reasonable likelihood of concluding action on that article prior to 11:00p.m. and a majority of Town Meeting votes to continue its business past 10:30pm.

**Accessibility/Requesting Reasonable Accommodations**

Additionally, towns have an obligation under the Americans with Disabilities Act (ADA) to:

1. Make their Town Meetings accessible to people with disabilities; and, to
2. Respond to requests for reasonable accommodations at Town Meetings.

The Town of Littleton does not discriminate based on disability and is committed to hosting accessible meetings. To request a reasonable accommodation to attend Town Meeting, please contact the municipal ADA Coordinator Assistant Town Administrator/Director of Finance and Budget, Ryan Ferrara at 978-540-2460.

More information about Town Meeting is available online at  
<https://www.littletonma.org/town-meetings>

Thank you for your cooperation in implementing these procedures and allowing me the privilege of serving as your Moderator.

***Timothy D. Goddard, Town Moderator***



# October 29, 2024, Special Town Meeting

7:00 PM, Charles Forbes Kaye Gymnasium  
 Littleton Middle School at 55 Russell Street

## ARTICLE 1

Shaker Lane School Building Committee/School Committee/Select Board/Finance Committee  
**Report of the Shaker Lane School Building Committee**

To see if the Town will vote to hear the report of the Shaker Lane School Building Committee, or to take any other action related thereto.

[Article 1 allows the Shaker Lane School Building Committee (SLSBC) to provide an informational report during the Town Meeting. The SLSBC was tasked by the Littleton Select Board to work in partnership with the Massachusetts School Building Authority (MSBA) to determine the most cost-effective and educationally appropriate preferred solution for the Shaker Lane Elementary School. Members of the SLSBC include a member of the Select Board, a member of the School Committee, a member of the Finance Committee, three members of the Permanent Municipal Building Committee, the Town Administrator, or their designee, the Superintendent of Schools, or their designee, and the Principal of Shaker Lane Elementary School or their designee.]

**Motion:** Moved and seconded by the Select Board that the Town vote to hear the report of the Shaker Lane School Building Committee.

## ARTICLE 2

Select Board/Finance Committee  
**Bills of Prior Years**  
*[9/10ths vote required]*

To see if the Town will vote to transfer from available funds a sum of money to pay unpaid bills from prior fiscal years as listed below, or to take any other action related thereto.

FY	Vendor	Description	Amount	Charge to:
2023 and 2024	Win Waste Innovations	Dumpster services	\$ 2,776.04	01192520-524020 (Facilities/Repair - Nagog Orchard)
	Total:		<b>\$ 2,776.04</b>	

[Article 2 pays bills from prior fiscal years which were not received before the Town's books were closed, and for which prior year budget funds had not been encumbered. Pursuant to state law, Town Meeting is required to vote to pay these outstanding invoices. This transfer will pay for bills for dumpster services at the Nagog Hill Orchard provided in Fiscal Years 2023 and 2024.]

**Motion:** Moved and seconded by the Select Board that the Town vote to approve Article 2 as printed in the warrant.

**The Finance Committee and the Select Board recommend this article.**

**ARTICLE 3**

Select Board/Finance Committee

**Amend Article 11 from the October 17, 2020, Special Town Meeting**

*[2/3rds vote required]*

To see if the Town will vote to amend the borrowing authorization under Article 11 of the October 17, 2020 Special Town Meeting by striking any reference to the MassWorks Grant, with such authorization to permit the Town to borrow an amount of money not to exceed \$2,500,000 (Two Million Five Hundred Thousand Dollars and Zero Cents) to be paid by sewer rates for engineering, design, and construction of the Littleton Common Smart Sewer and for costs incidental and related thereto, including, but not limited to, the creation of bid documents, said sum to be expended under the authority of the Sewer Department, and to meet this appropriation, the Treasurer, with approval of the Select Board, is hereby authorized to borrow said sum under and pursuant to Sections 7(1) and 7(7) of Chapter 44 of the General Laws, or pursuant to any other enabling authority, including Chapter 29C of the General Laws (the Clean Water Trust) and to issue bonds or notes of the Town therefor, and further, that although the borrowing authorized by this vote must constitute a general obligation of the Town pursuant to Chapter 44 of the General Laws, it is the intention of the Town that the repayment of any borrowing authorized hereunder shall, in the first instance, be made from the sewer revenues; or to take any action related thereto.

**[The October 17, 2020, Special Town Meeting authorized \$2,500,000 in borrowing to fund the Littleton Common Smart Sewer project under Article 11. This article made reference to a potential MassWorks Grant. However, these funds were utilized for non-eligible MassWorks Grant expenses such as the design, engineering, and construction of the effluent recharge site at Littleton High School. At the request of Bond Counsel, Article 3 eliminates any reference to the MassWorks Grant to reflect how this funding was used.]**

**Motion:** Moved and seconded by the Select Board that the Town vote to approve Article 3 as printed in the warrant.

**The Finance Committee and the Select Board recommend this article.**

**ARTICLE 4**

Community Preservation Committee

**Amend Article 10 of the November 1, 2023, STM and Article 9 of the May 7, 2024 ATM: Funding for Middle School Tennis Courts and Renovation of Whitcomb Field**

*[2/3rds vote required]*

To see if the Town will vote to take the following actions:

(1) Amend the following Town Meeting articles:



TOWN OF LITTLETON, MASSACHUSETTS

- a. Article 10 of the November 1, 2023 Special Town Meeting by striking the following language:

~~Appropriate \$734,000 (Seven Hundred Thirty Four Thousand Dollars) to design and construct tennis courts at Littleton High School for recreation purposes under the Community Preservation Act and to fund such design and construction, that \$400,000 (Four Hundred Thousand Dollars) be appropriated from Community Preservation Act Fund balance and that \$334,000 (Three Hundred Thirty Four Thousand Dollars) be borrowed by the Treasurer, who is authorized with the approval of the Select Board, to issue any bonds or notes that may be necessary for that purpose, as authorized by General Laws Chapter 44B, § 11, or any other general or special law, for a period not to exceed the maximum number of years authorized by law.~~

And substitute the following language:

- Appropriate **\$915,650** (Nine Hundred Fifteen Thousand Six Hundred Fifty Dollars) to design and construct tennis courts at the Littleton Middle School and renovate the Whitcomb Baseball Field, adjacent to the Russell Street Elementary School, any costs incidental and related thereto, for recreation purposes under the Community Preservation Act and to fund such design and construction, that **\$700,000** (Seven Hundred Thousand Dollars) be appropriated from Community Preservation Act Fund balance, that \$200,000 (Two Hundred Thousand Dollars) be appropriated from the Recreation Reserve Fund, and that **\$15,650** (Fifteen Thousand Six Hundred Fifty Dollars) be borrowed by the Treasurer, who is authorized with the approval of the Select Board, to issue any bonds or notes that may be necessary for that purpose, as authorized by General Laws Chapter 44B, § 11, or any other general or special law, for a period not to exceed the maximum number of years authorized by law.

- b. Article 9 of the May 7, 2024 Annual Town Meeting by striking the last line of the chart and inserting, in place thereof the following:

Transfer	Name of Capital Asset/Project	Project Description	Total Cost
Transfer to Recreation Reserve Fund	Tennis Courts and Baseball Field	Provide funding for the design and construction of the Tennis courts at the Littleton Middle School and renovate the Whitcomb Baseball Field	\$118,350.00

And

- (2) Appropriate \$118,350 (One Hundred Eighteen Thousand Three Hundred Fifty Dollars) from the Recreation Reserve Fund to design and construct tennis courts at the Littleton Middle School and renovate the Whitcomb Baseball Field, adjacent to the Russell Street Elementary School, and including any costs incident and related thereto;

Or take any other action related thereto.

**[Article 4 amends the scope of Article 10 from the November 1, 2023 Special Town Meeting for the design and construction of tennis courts at Littleton High School. The School Athletic Department and Parks, Recreation, and Community Education Department are requesting to build four new tennis courts adjacent to the Littleton Middle School and renovate the Whitcomb Baseball Field adjacent to the Russell Street Elementary School. Shifting the baseball field permanently to Whitcomb Field will allow the playing fields at the Littleton High School to be utilized primarily for soccer.]**

**The total project cost is increasing by \$300,000. However, the Littleton Electric Light and Water Departments Board voted at their September 25, 2024 meeting to support the inclusion of an additional of \$200,000 in Community Preservation Committee (CPC) funding, from \$700,000 to \$900,000 (the additional \$200,000 received by the Town and added to the CPC recreation fund as part of the Water Department purchase of 242 King Street), all contingent on CPC approval of the rescoped project. The additional \$200,000 will reduce the proposed borrowing amount.**

**In addition, the Town will reallocate funds initially planned to pay debt service on the High School Tennis Courts under Article 9 of the 2024 ATM, to this project. Thus, including the additional \$200,000, the total amount to be borrowed is reduced to \$15,650.]**

***Motion:*** Moved and seconded by the Community Preservation Committee that the Town vote to approve Article 4 as printed in the Warrant.

**The Finance Committee and Select Board recommendations are forthcoming.**

#### **ARTICLE 5**

#### **Zoning bylaw amendment to Article XXVII: Registered Marijuana Dispensaries and Article XXVIII: Adult Use Marijuana Establishments**

*[2/3rds vote required]*

To see if the Town will take the following actions to regulate the use of marijuana in Town:

1. Amend the Town of Littleton's Zoning Map by repealing the Registered Marijuana Overlay District as shown on the map entitled "Registered Marijuana Dispensary Overlay District Zoning Map" dated March 17, 2014;
2. Adopt a new MTC and Non-Retail Adult Use Overlay District, as shown on the map entitled "Medical Marijuana Treatment Center and Non-Retail Adult Use Marijuana Establishment Overlay District," dated August 15, 2024, on file with the Town Clerk;
3. Amend Section 173-22A(2) of the Zoning Bylaw to read as follows:

In addition, there are Wetlands, Floodplains, Aquifer Water Resource, Littleton Village Overlay District West — Beaver Brook Area, MTC and Non-Retail Adult Use Overlay District and Adult Use Marijuana Retail Overlay District.

4. Strike the terms "Registered Marijuana Dispensary (RMD)" and "Medical Marijuana Treatment Center and/or Registered Marijuana Dispensary (RMD)" and their associated definition from Section 173-2 of

the Zoning Bylaw; and

5. Revise the following definitions in Section 173-2 of the Zoning Bylaw:

**MARIJUANA**

Marijuana as defined in MGL c. 94G, § 1, 935 CMR 500 et seq. and 935 CMR 501 et seq.

**MARIJUANA COURIER**

An entity licensed to deliver marijuana and Marijuana Products directly to Consumers from a Marijuana Retailer, or directly to qualified patients from an MTC, but is not authorized to sell marijuana or marijuana products directly to consumers, qualified patients or caregivers and is not authorized to wholesale, warehouse, process, repack, or white label.

**MARIJUANA FOR ADULT USE**

Marijuana and Marijuana products that are not designated and restricted for use by, and for the benefit of, Qualifying Patients in the treatment of Debilitating Medical Conditions as defined in 935 CMR 501 et seq.

**MARIJUANA FOR MEDICAL USE**

Means Marijuana that is designated and restricted for use by, and for the benefit of, Qualifying Patients in the treatment of Debilitating Medical Conditions as defined in 935 CMR 501 et seq.

6. Insert a new definition into Section 173-2 of the Zoning Bylaw in alphabetical order:

**MEDICAL MARIJUANA TREATMENT CENTER (MTC)**

An entity that holds a medical use marijuana license from the Cannabis Control Commission pursuant to Chapter 94I of the Massachusetts General Laws. Unless otherwise specified, MTC refers to the site(s) of dispensing, cultivation, and preparation of marijuana.

7. Strike Article XXVII Registered Marijuana Dispensaries of the Zoning Bylaw in its entirety;

And

8. Strike Article XXVIII Adult Use Marijuana Establishments of the Zoning Bylaw in its entirety and insert, in place thereof, a new Article XXVIII, Marijuana Establishments and Medical Marijuana Treatment Centers, as follows:

**ARTICLE XXVIII: Marijuana Establishments and Medical Marijuana Treatment Centers**

**§ 173-195. Purpose.**

- A. To provide for Marijuana Establishments and Medical Marijuana Treatment Centers (“MTC”) in suitable locations and under reasonable conditions.
- B. To clarify that while an MTC may cultivate, process, and distribute marijuana, only those uses expressly authorized pursuant to a Special Permit issued in accordance with this Article XXVIII may occur at the premises.
- C. To regulate the siting, design, placement, operation, safety, monitoring, modification and removal of any Marijuana Establishment and MTC that may be located within the Town.
- D. To minimize the adverse impacts of any Marijuana Establishment and MTC on the Town, nearby

TOWN OF LITTLETON, MASSACHUSETTS

properties, residential neighborhoods, schools and other places where minors congregate, local historic districts, and other land uses incompatible with said establishments.

- E. To limit the overall number of places where Marijuana may be sold and cultivated in Town.
- F. To establish that on-premises consumption shall not be permitted unless the Town votes to authorize on-premises consumption pursuant to M.G.L. c. 94G, § 3.

**§ 173-196. Applicability.**

- A. The commercial cultivation, production, processing, manufacturing, packaging, testing, retail or wholesale trade, distribution, transporting, dispensing, researching and studying of Marijuana for Adult Use or Medical Use is prohibited unless permitted as a Marijuana Establishment or MTC under this Article XXVIII.
- B. No Marijuana Establishment or MTC shall be established except in compliance with the provisions of this Article XXVIII.
- C. Nothing in this Article XXVIII shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs; nor shall any special permit issued pursuant to this Article XXVIII supersede federal, state or local laws.
- D. Where not expressly defined in § 173-2, all terms used herein shall be as defined in MGL c.94G, MGL c.94I, 935 CMR 500 et seq, and 935 CMR 501 et seq.

**§ 173-197. Siting.**

- A. The Adult Use Marijuana Retail Overlay District is hereby established as an overlay district as shown on the map entitled “Adult Use Marijuana Establishment Overlay District-Retail” dated March 27, 2018, on file with the Town Clerk and hereby made a part of this chapter. A Marijuana Retail Establishment may be sited within this Overlay District only, subject to all of the provisions of this Article.
- B. The MTC and Non-Retail Adult Use Overlay District is hereby established as an overlay district as shown on the map entitled “Medical Marijuana Treatment Center and Non-Retail Adult Use Marijuana Establishment Overlay District” dated August 15, 2024, on file with the Town Clerk and hereby made a part of this chapter. The following uses may be permitted within this Overlay District, subject to all of the provisions of this Article:
  - (1) Marijuana Cultivator;
  - (2) Craft Marijuana Cooperative;
  - (3) Marijuana Product Manufacturer;
  - (4) Marijuana Research Facility;
  - (5) Marijuana Laboratory, including a Standards Laboratory or an Independent Testing Laboratory;
  - (6) Marijuana Transporter;
  - (7) Marijuana Microbusiness;
  - (8) Marijuana Delivery Licensee, including Marijuana Courier and Marijuana Delivery Operator; and
  - (9) Medical Marijuana Treatment Center.

**§ 173-198. Limitations.**

- A. The number of Marijuana Retailers within the Town shall not exceed the minimum number that are required by M.G.L. c.94G, §3(a)(2)(ii), to be allowed within the Town absent a ballot vote.

- B. The number of Delivery Licensees that may be located within the Town shall not exceed two.
- C. The number of MTCs within the Town shall not exceed one.
- D. The number of Marijuana Cultivators in Town shall not exceed one.
- E. The number of Craft Marijuana Cooperatives shall not exceed one.
- F. The number of Microbusinesses that cultivate marijuana within Town shall not exceed one.
- G. No Marijuana Establishment may deliver or cause the delivery of cannabis or marijuana products to consumers, including delivery of cannabis or marijuana products pursuant to a Delivery Endorsement or a Marijuana Delivery Agreement, unless specifically authorized by a special permit granted by the SPGA in accordance with this Bylaw or, for any Marijuana Establishment holding an existing special permit that is silent as to delivery, by a modification of such existing special permit granted by the SPGA. Such special permit or modification to an existing special permit, as applicable, shall be obtained prior to the commencement of any delivery activity.
- H. Marijuana Establishments shall not offer cannabis or marijuana products for consumption on the premises.

**§ 173-199. Administration and procedure.**

- A. Marijuana Establishment and MTC may be allowed in locations set forth in § 173-196 by special permit from the Planning Board (the “SPGA”) in accordance with M.G.L. c. 40A, § 9, only subject to the procedures, regulations, requirements, conditions and limitations set forth herein.
- B. Applicants for a special permit pursuant to this Article XXVIII are strongly encouraged to meet with the SPGA at a public meeting to discuss the proposed application for a new Marijuana Establishment or MTC and to discuss in general terms of the proposed establishment prior to the formal submission of an application.
- C. In addition to the standard Special Permit Application form, an applicant for a special permit under this Article shall also submit the following:
  - 1. A copy of the final, executed Host Community Agreement (“HCA”) or HCA waiver, as applicable, between the applicant and the Town of Littleton.
  - 2. A written description of the status of its application to the Cannabis Control Commission relative to the establishment at issue, or a copy of such license, as applicable.
  - 3. A list of any waivers of regulations that the applicant seeks to obtain from the Cannabis Control Commission, or a copy of any such waivers that the Commission has issued to the applicant, as applicable.
  - 4. Copies of all policies and procedures approved by the Cannabis Control Commission including without limitation the Marijuana Establishment or MTC's operating and safety procedures, or copies of such policies and procedures that the applicant intends to submit to the Commission, as applicable.
  - 5. For applications that propose cultivation, information demonstrating that the applicant has

considered the following factors in its design and its operating plan:

- (a) Identification of potential energy use reduction opportunities (such as natural lighting and energy efficiency measures), and a plan for implementation of such opportunities;
  - (b) Consideration of opportunities for renewable energy generation, including, where applicable, submission of building plans showing where energy generators could be placed on the site, and an explanation of why the identified opportunities were not pursued, if applicable;
  - (c) Strategies to reduce electric demand (such as lighting schedules, active load management, and energy storage); and
  - (d) Engagement with energy efficiency programs offered pursuant to M.G.L. c. 25, § 21, or through the Littleton Light Department.
6. For establishments that propose the cultivation, processing, or manufacturing of marijuana, an odor control plan that incorporates the best available control technology to ensure that emissions do not violate M.G.L. c.111 and Section 173-200.J.
  7. The quantity and source or sources of all marijuana and marijuana products that will be sold, as applicable.
  8. The quantity of marijuana and marijuana products that will be cultivated, processed, manufactured, packaged, transported, tested, or studied, as applicable.
  9. Written statement confirming that no marijuana or marijuana products will be smoked, burned, or consumed on the premises as part of the cultivation, manufacturing, testing or researching operations, as applicable, or a statement explaining how any such uses have been authorized by the Cannabis Control Commission.
  10. Names and addresses of each owner, and where the owner is a business entity, the names and address of each owner of that establishment.
  11. If applicable, a copy of the Applicant's Articles of Organization, a current Certificate of Legal Existence from the Commonwealth, and the most recent annual report.
  12. Copies of all licenses and permits issued to the Applicant by the Commonwealth of Massachusetts and any of its agencies.
  13. Evidence that the applicant has site control and the right to use the proposed site as a Marijuana Establishment or MTC. Such evidence shall be in the form of a deed, purchase and sale agreement, lease, or other legally binding document.
  14. In addition to what is otherwise required to be shown on a site plan pursuant to Article IV, the applicant shall provide details showing all exterior proposed security measures for the premises, including but not limited to lighting, fencing, gates and alarms to ensure the safety of employees and patrons and to protect the premises from theft or other criminal activity. The site plan shall further delineate various areas of the Marijuana Establishment or MTC (indoors and outdoors) such as public access areas, employee only access areas, storage, cultivation, preparation, waste disposal, administrative, transportation, loading and parking areas. Site plans and/or application narrative shall contain sufficient information so that the SPGA can evaluate the design and operational standards contained in this Article XXVIII.

15. In addition to what is otherwise required to be shown on a site plan pursuant to Article IV, an applicant that proposes to provide delivery of cannabis or marijuana to consumers located off site (home delivery) shall include on the plans submitted to the SPGA any loading area to be used in connection with the home delivery operation, whether conducted by the establishment itself or a Marijuana Delivery Licensee, and/or the area where the establishment will park vehicles used for home delivery, including overnight parking. The applicant shall also provide a narrative description of how cannabis or marijuana will be loaded onto such vehicles for delivery. Additional traffic flow data shall be available upon request of the SPGA.

16. Certification to the SPGA that the applicant has filed copies of the special permit application as required by §173-199D.

D. Upon the filing of the special permit application with the SPGA, the Applicant shall simultaneously deliver copies of the full application to the Select Board, the Building Commissioner, the Board of Health, the Police Department, and the Fire Department.

**§ 173-200. Special permit requirements.**

**A. Buffer Zones:**

1. No Marijuana Establishment or MTC shall be located within 500 feet of any lot containing a licensed child care facility; public park, playground, athletic field or other public recreational land or facility; any use or facility where persons under the age of 18 commonly congregate to participate in scheduled or structured activities; religious facility; drug or alcohol rehabilitation facility; correctional facility, halfway house or similar facility; or any other non-located Marijuana Establishment or MTC. For purposes of § 173-200A.1, distances shall be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the Marijuana Establishment or MTC is or will be located.

2. No Marijuana Establishment or MTC shall be closer than 500 feet from the nearest School Entrance, defined as the entrance(s) that provide ingress and egress to students of the preexisting public or private school providing education in kindergarten or any grades 1 through 12 at the time of the newspaper publication of the proposed Marijuana Establishment or MTC's community outreach meeting. For purposes of § 173-200A.2, the buffer zone distance of 500 feet shall be measured in a straight line from the geometric center of the Marijuana Establishment or MTC's Entrance, meaning the entrance or entrances that provides ingress and egress to Consumers, Registered Qualifying Patients and Caregivers to the Marijuana Establishment or MTC, to the geometric center of the nearest School Entrance, unless there is an Impassable Barrier within those 500 feet; in these cases, the buffer zone distance shall be measured along the center of the shortest publicly-accessible pedestrian travel path from the geometric center of the Marijuana Establishment or MTC's Entrance to the geometric center of the nearest School Entrance. As used in this subpart, Impossible Barrier shall mean a highway, public or private way or path, inaccessible structure, body of water, or other obstruction that renders any part of the 500-foot straight-line distance between a Marijuana Establishment or MTC's Entrance and a School Entrance inaccessible by a pedestrian or automobile.

B. The SPGA may reduce the minimum distance requirement in § 173-200A as part of the issuance of a special permit in the following instances only:

1. Issuance of a special permit for a Marijuana Establishment to an entity with an existing MTC in Littleton.

2. Renewal of a special permit for an existing Marijuana Establishment or MTC where the use has been established after issuance of the original special permit.
  3. Change of permit holder for an existing Marijuana Establishment or MTC where the use has been established after issuance of the original special permit.
  4. Where the SPGA determines that reduction in the minimum distance is necessary for purposes of maintaining consistency with state law and siting of Marijuana Establishments or MTCs.
  5. The applicant demonstrates to the satisfaction of the SPGA that application of Section 173-200A will effectively prohibit the placement of a MTC within the Town.
- C. A Marijuana Establishment or MTC that seeks to expand or alter its operations outside those outlined in its original special permit shall obtain a new or amended special permit. This includes an increase in a cultivation tier for Marijuana Establishments.
- D. All delivery of cannabis or marijuana shall comply with the requirements of § 173-198.
- E. The SPGA shall not issue any special permit that would cause the Town to exceed the limits set forth in § 173-198.
- F. An MTC shall obtain a new special permit prior to converting to or collocating with a Marijuana Establishment. A Marijuana Establishment shall obtain a new special permit prior to converting to or collocating with a MTC.
- G. No smoking, burning, or consumption of any marijuana product shall be permitted at any Marijuana Establishment, except as may be authorized by law for purposes of cultivation, testing, research, or manufacturing.
- H. All shipping and receiving areas shall serve the Marijuana Establishment or MTC exclusively. In the case of a multi-use or multi-tenant site, the Marijuana Establishment or MTC shall be laid out and designed to ensure separation from other uses or tenants at the site.
- I. The Marijuana Establishment or MTC shall have adequate water supply, stormwater systems, sewage disposal, and surface and subsurface drainage.
- J. Air Quality:
1. The Marijuana Establishment or MTC shall operate within an enclosed structure. For purposes of this Section, greenhouse shall qualify as an enclosed structure; provided § 173-200.J.2 and § 173-200.J.3 are satisfied.
  2. The Marijuana Establishment shall incorporate the best available control technology to ensure that emissions do not violate M.G.L. c.111.
  3. The Marijuana Establishment shall utilize the best available control technology to ensure that no odor from marijuana can be detected by a person with a normal sense of smell at the property line.
- K. Adequate lighting, including night lighting that provides for monitoring or building and site security,



including those measures to prevent diversion of marijuana and marijuana products cultivated outdoors.

- L. A Marijuana Retailer shall post at a conspicuous location at the public entrance a sign that states "Only individuals 21 years of age or older, unless in possession of a registration card issued by the Cannabis Control Commission." The required text shall be a minimum of two inches in height. Signage shall otherwise be limited to that which is permitted under the Cannabis Control Commission's regulations and the Town's sign bylaw, as applicable.
- M. The Marijuana Establishment or MTC shall provide and keep up to date contact information as required by the Chief of Police and Building Commissioner such as name, telephone number and electronic mail address of a contact person who must be available 24 hours a day, seven days a week.
- N. No special permit shall be issued unless the Applicant has executed a Host Community Agreement with the Town in accordance with M.G.L. c. 94G, § 3 or obtain an HCA waiver.
- O. Unless otherwise exempt by law, no special permit shall be issued until the Applicant has held a community outreach meeting, as defined in the Cannabis Control Commission's regulations.

**§ 173-201. Special permit approval criteria.**

The SPGA may issue a special permit for a Marijuana Establishment or MTC only if it finds that the project satisfies the requirements of § 173-7C, this Article XXVIII, and the following additional special permit criteria:

- A. The Marijuana Establishment or MTC is fully permitted by all applicable agencies within the Commonwealth of Massachusetts and is in compliance with all State laws and regulations; provided, however, that issuance of a valid final license pursuant to M.G.L. c. 94G or c. 94I may be a condition of the special permit.
- B. The proposed use is designed to minimize any adverse impacts on the on the residents of the Town.
- C. For a Marijuana Retail Establishment and MTC with a retail space, there shall be a secure indoor area for all customers.
- D. The Marijuana Establishment or MTC adequately addresses issues of vehicular and pedestrian traffic, circulation and parking, especially during peak periods at the facility, and adequately mitigates the impacts of vehicular and pedestrian traffic on neighboring uses.

**§ 173-202. Special permit conditions.**

- A. The SPGA may impose reasonable conditions to improve site design, traffic flow, public safety, water quality, air quality, including odor, protection of significant environmental resources and the preservation of community character of the surrounding area including, without limitation, the following:
  - 1. Minimization of the impacts of increased noise and traffic.
  - 2. Imposition of security precautions related to the high value of products and case transactions.
  - 3. Deterring the presence of unauthorized or ineligible persons at, or near, the Marijuana Establishment or MTC.

TOWN OF LITTLETON, MASSACHUSETTS

4. Imposition of measures to prevent diversion of marijuana and marijuana products.
  5. Conditions related to the design and construction of the facility to improve safety, security and conformance with community character.
  6. Conditions, consistent with the State Building Code, relating to energy efficiency and conservation.
  7. Conditions required to address impacts to air quality, including the imposition of odor control technologies and devices.
- B. The SPGA shall include conditions concerning the following in any special permit granted pursuant to this Article:
1. Hours of operation, including dispatch for any home delivery.
  2. Compliance with the Host Community Agreement.
  3. The submission of a copy of the license from the Cannabis Control Commission with the SPGA and the Building Commissioner prior to the issuance of a building permit, certificate of occupancy, or commencement of use, whichever occurs first.
  4. The reporting of any incidents to the Littleton Police Department as required pursuant to 935 CMR 500.110(9) and 501.110(9) and within 24 hours of their occurrence. Such reports may be redacted as necessary to comply with any applicable state or federal laws or regulations.
  5. The reporting of any cease and desist order, quarantine order, suspension order, limiting sales order, notice of hearing or final action by the Cannabis Control Commission or the Division of Administrative Law Appeals, as applicable, regarding the Marijuana Establishment to the Building Commissioner within 48 hours of the applicant's receipt.
  6. Copies of all reports submitted to any state agency, including, but not limited to, the reports required by 935 CMR 500.105(10)(d) and 501.105(10)(d) describing the establishment's liability insurance coverage and the annual security system audits required by 935 CMR 500.110(10) and 501.110(10) shall be submitted to the SPGA within five business days of submission to the State. Such reports may be redacted as necessary to comply with any applicable state or federal laws or regulations.
  7. Documentation to the SPGA that each Marijuana Establishment Agent or MTC Agent has completed training regarding the proper handling of marijuana prior to performing job functions. Such documentation must be provided to the Select Board within five business days of the completion of such training. Annually, the establishment shall provide documentation to the SPGA and the Select Board that all Marijuana Establishment Agents and MTC Agents have received at least eight hours of on-going training.
- C. The issuance of a special permit pursuant to this Article shall also be subject to the following:
1. The special permit shall expire within five years of the date of issue. If the applicant wishes to renew the special permit, an application to renew must be submitted at least 120 days prior to the expiration of the special permit.
  2. Special permits shall be limited to the original applicant(s) and shall expire on the date the special

permit holder ceases operation of the Marijuana Establishment or MTC.

3. The holder of a special permit shall annually file an affidavit with the Building Commissioner demonstrating that it is in good standing with respect to its license from the Cannabis Control Commission and any other applicable State licenses.
4. The holder of a special permit shall notify the Building Commissioner and the SPGA in writing within 48 hours of the cessation of operation of the Marijuana Establishment or MTC, or the expiration or termination of the permit holder's license from the Cannabis Control Commission.
5. The special permit shall expire upon the expiration or termination of an applicant's license from the Cannabis Control Commission.

**§ 173-203. No accessory use Marijuana Establishments.**

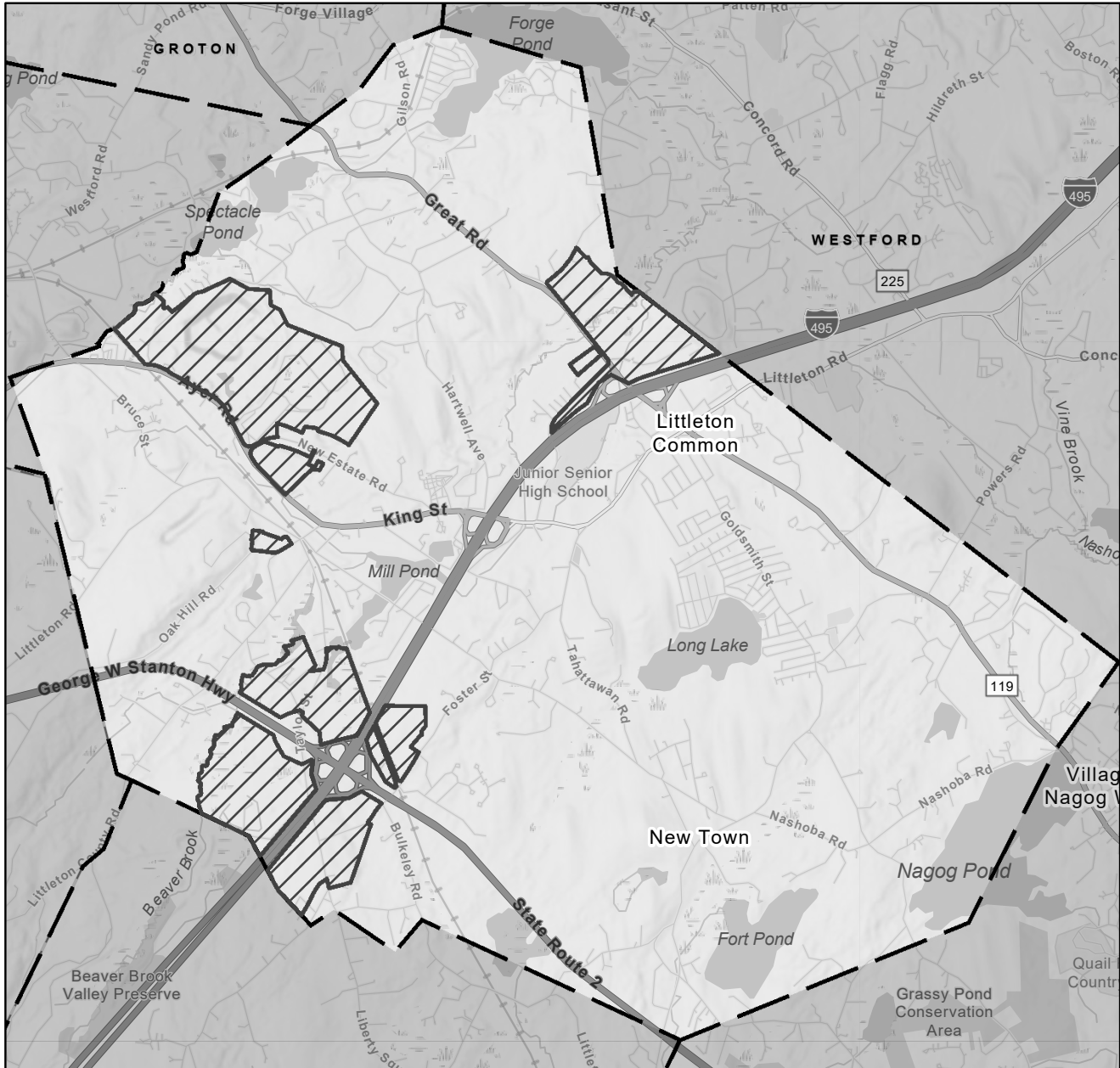
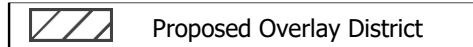
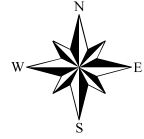
Use of property as a Marijuana Establishment or MTC shall necessarily be deemed a principal use for purposes of the Zoning Bylaw, and shall be permitted exclusively in accordance with this Article XXVIII. No Marijuana Establishment or MTC may be allowed within Town on the basis that such use qualifies as a permissible accessory use.

Or take any other action in relation thereto.

TOWN OF LITTLETON, MASSACHUSETTS



Medical Marijuana Treatment Center and  
Non-Retail Adult Use Marijuana  
Overlay District



[Article 5 updates the Littleton zoning bylaw regarding marijuana facilities. The Planning Board is proposing this zoning bylaw amendment in response to concerns raised by Littleton residents regarding the commercial cultivation of marijuana. Littleton zoning currently allows an unlimited number of cultivation facilities. This article accomplishes three goals: (1) limits the number of cultivation facilities to the one of each type of cultivation facility; (2) updates the existing “Adult Use Marijuana Establishments” zoning bylaw to include “Medical Marijuana Treatment Centers” to

TOWN OF LITTLETON, MASSACHUSETTS

meet current Cannabis Control Commission regulations; and (3) deletes the outdated “Registered Marijuana Dispensaries” zoning bylaw. There is an associated new marijuana overlay district map that limits the location of future medical marijuana treatment centers and non-retail adult-use marijuana facilities. The Planning Board held a Public Hearing on this proposed zoning bylaw amendment and voted to recommend it to Town Meeting. The Planning Board supports this zoning bylaw amendment.]

**Motion:** Moved and seconded by the Planning Board that the Town vote to approve Article 5 as printed in the warrant.

The Planning Board recommends this article.

**ARTICLE 6**  
Select Board  
**Amend Article 23 of the May 7, 2024, Annual Town Meeting (Schedule D Fire Department On-Call)**  
*[Majority vote]*

To see if the Town will vote to amend the Personnel Bylaw and Classification and Compensation Plan, Chapter 33 of the Town Code, as recommended by the Personnel Advisory Committee by amending Schedules D (Fire Department On-Call), effective July 1, 2024, and by adopting the Schedules as shown below:

**Schedule D, Fire Department On-Call**  
On-Call Stipend \$4.00/hour

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
1 hourly	\$15.68					
2 hourly	\$16.74	\$17.08	\$17.41	\$17.76	\$18.12	\$18.47
3 hourly	\$17.40	\$17.75	\$18.11	\$18.46	\$18.83	\$19.20
4 hourly	\$18.10	\$18.45	\$18.83	\$19.20	\$19.58	\$19.97
5 hourly	\$18.62	\$18.99	\$19.37	\$19.70	\$20.08	\$20.49
6 hourly	\$19.19	\$19.57	\$19.96	\$20.37	\$20.77	\$21.19
7 hourly	\$19.77	\$20.17	\$20.56	\$20.98	\$21.40	\$21.83
8 hourly	\$20.37	\$20.77	\$21.19	\$21.61	\$22.04	\$22.49
9 hourly	\$20.98	\$21.40	\$21.83	\$22.26	\$22.70	\$23.17
10 hourly	\$21.19	\$21.61	\$22.04	\$22.49	\$22.93	\$23.39
11 hourly	\$26.50					

Step increases on Schedule D will be awarded on the basis of performance as determined by the Fire Chief.

Or take any other action related thereto.

**[The purpose of Article 6 is to amend the Classification and Compensation Plan for Schedule D (Permanent Full and Part-Time Employees). The Town regularly updates its pay schedules to ensure the Town wages are competitive with our peer communities.]**

**Motion:** Moved and seconded by the Select Board that the Town vote to approve Article 6, as printed in the Warrant.

**The Finance Committee and the Select Board recommend this article.**

**ARTICLE 7**

Select Board

**Amend Article 4 of the November 1, 2023, Special Town Meeting**

*[2/3rds vote required]*

To see if the Town will amend Article 4 of the November 1, 2023, Special Town Meeting, to expand allowable use of the appropriated \$400,000.00 (Four Hundred Thousand Dollars and Zero Cents) from the Capital Stabilization Fund from professional services for the renovation of the former Indian Hill Music School (36 King Street) to professional services and construction expenses for the renovation of the former Indian Hill Music School, or take any other action related thereto.

**[Article 7 expands the initial use of funds for the renovation of the Indian Hill Music School (36 King Street) to allow for both professional services and construction expenses. The rehabilitation of 36 King Street is underway with a targeted completion date of spring 2025. This proposed change reflects that actual design bids came in lower than anticipated allowing for project funding to be reallocated for construction-related needs without altering the bottom-line building renovation budget presented to May 7, 2024 Annual Town Meeting.]**

**Motion:** Moved and seconded by the Select Board that the Town vote to approve Article 7 as printed in the warrant.

**The Finance Committee and the Select Board recommend this article.**

**ARTICLE 8**

Select Board

**Capital Transfers**

**Rescind and Reprogram Prior Capital Town Meeting Warrant Articles**

*[Majority vote]*

To see if the Town will vote to:

- (1) Transfer from the following unspent capital appropriations, which will thereby exhaust all of the available funds from the original appropriation, as follows: (a) \$135,139.70 (One Hundred, Thirty-Five Thousand, One Hundred Thirty-Nine Dollars and Seventy Cents) for the purposes of funding various capital projects for buildings under the care, custody and control of the Select Board; the work may include, but is not limited to feasibility studies, design, construction and repairs, such funds to be expended by the Select Board; and (b) \$25,000 (Twenty-Five Thousand Dollars and Zero Cents) for Assessor's

TOWN OF LITTLETON, MASSACHUSETTS

Department professional services support associated with the five-year recertification of residential/commercial/industrial property per Massachusetts Department of Revenue standards, such funds to be expended by the Board of Assessors;

<b>Town Meeting Date</b>	<b>Transfer From: Capital Project (Town Meeting Article)</b>	<b>Remaining Balance</b>	<b>Transfer Out</b>
May 1, 2023	ART 9 HS Roof Study	22,800.00	22,800.00
May 1, 2023	ART 9 PRCE Truck	11,992.00	11,992.00
May 1, 2023	ATR 9 Police Cruisers	10,000.00	10,000.00
May 1, 2023	ATR 9 DPW Ford Explorer	81.95	81.95
May 7, 2018 (ATM)	ART 8 Master Plan	3,420.09	3,420.09
May 2, 2022	ART 9 HS Security Alarm Control Panels Update	22,466.75	22,466.75
June 12, 2021	ART 9 Middle School Paging System	8,832.73	8,832.73
June 12, 2021	ART 9 Highway Dump Truck	3,037.75	3,037.75
June 12, 2021	ART 9 Accounting - Chart of Accounts	1,000.00	1,000.00
May 6, 2019	ART 8 Stormwater MS4 Permit	76,508.43	76,508.43

- (2) Transfer the unspent balance of \$10,000.00 (Ten Thousand Dollars and Zero Cents), from Article 11 (Elder and Human Service Bicycle and Pedestrian Master Plan), of the June 12, 2021 Annual Town Meeting, to fund the design and construction of the extension of a sidewalk on Foster Street; and
- (3) Transfer the unspent balance of \$12,000 (Twelve Thousand Dollars and Zero Cents), from Article 8 (G. Master Plan Implementation Land Use Coordination), of the May 6, 2019 Annual Town Meeting, as follows: \$6,000 (Six Thousand Dollars and zero Cents) to fund Geographic Information System (GIS) Support for the zoning diagnostic and recodification; and \$6,000 (Six Thousand Dollars and Zero Cents) to fund professional services in support of adopting the new FEMA Flood Insurance Rate Maps and updating the Zoning Bylaw to meet the “Accessory Dwelling Unit” requirements of the 2024 Affordable Homes Act.

Or take any other action related thereto.

**[Section one of Article 8 authorizes the expenditure of \$160,139.70, from the remaining unused balances in old capital articles that are no longer needed to fund various capital projects for buildings under the care, custody and control of the Select Board; the work may include, but is not limited to feasibility studies, design, and construction. Section two repurposes funding from the Northbridge, LLC Host Community Agreement to the design and construction of sidewalks on Foster Street. And, Section three reprograms available funds from a prior Planning Department article to GIS support for the zoning diagnostic and recodification (\$6,000), and, professional services supporting the adoption of new FEMA Flood Insurance Rate Maps and updating the Town’s Zoning Bylaws to meet the “Accessory Dwelling Unit” requirements of the 2024 Affordable Homes Act (\$6,000).]**

**Motion:** Moved and seconded by the Select Board that the Town vote to approve Article 8 as printed in the

Warrant.

**The Finance Committee and the Select Board recommend this article.**

**ARTICLE 9**

Select Board

**Amend Article 12 of the May 2, 2022, Annual Town Meeting**

*[Majority vote]*

To see if the Town will vote to amend Article 12 of the May 2, 2022, Annual Town Meeting, to repurpose the \$50,000 (Fifty Thousand Dollars and Zero Cents) for a Nagog Orchard Building Feasibility Study for repairs and improvements to the Nagog Hill Orchard, including all costs incidental and related thereto, or take any other action related thereto.

**[This article will repurpose funding from an earlier article for a Nagog Orchard building feasibility study for general Nagog Hill Orchard-related expenses. The Town is currently seeking to lease most of the Nagog Hill Orchard. The Select Board and Finance Committee agreed at their September 23<sup>rd</sup> joint meeting to allocate \$18,926 of the \$50,000, if this article is approved at the Special Town Meeting, for repairs at the Nagog Hill Orchard. As the Town enters into negotiations with prospective tenants, the Town anticipates there will be other expenditures required to prepare the property and buildings for rental of the Nagog Hill Orchard.]**

**Motion:** Moved and seconded by the Select Board that the Town vote to approve Article 8 as printed in the warrant.

**The Finance Committee and the Select Board recommend this article.**

**ARTICLE 10**

Conservation Commission

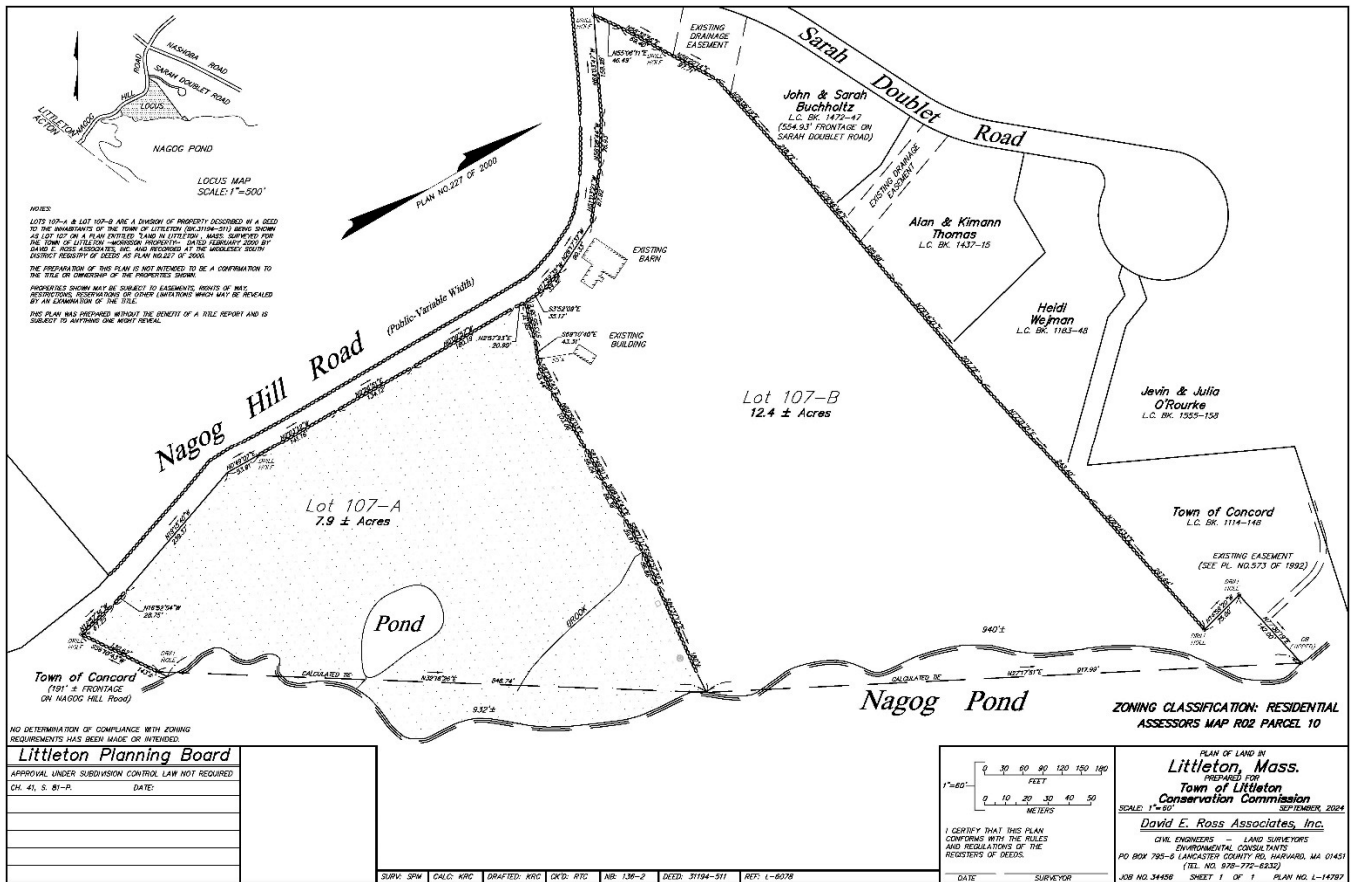
**Transfer Care, Custody and Control of Lot 107-A at the Nagog Hill Orchard to the Conservation Commission**

*[2/3rds majority vote]*

To see if the Town will vote pursuant to G.L. c. 40, § 15A, to transfer the care, custody, management and control of an approximately 7.9 acre portion of 94 Nagog Hill Road, Assessor's Parcel R02-10-0, from the Select Board to the Littleton Conservation Commission for conservation and passive recreation purposes, such area identified as Lot 107-A in the plan below; or take any other action related thereto.



# TOWN OF LITTLETON, MASSACHUSETTS



[In November 2015, Town Meeting voted to approve, pursuant to an agreement between the Select Board and the Conservation Commission, that the Non-Lease Parcel at 94 Nagog Hill Road be separated and that the Select Board were authorized to prepare an engineered plan that delineates the division of Assessor Parcel R02-10-0 (Lot 107 on the above plan). Article 10 formally transfers the southern portion of the parcel to the care, custody and control of the Conservation Commission. This area was not part of the Self-Help Grants or the Agricultural Preservation Restriction, and includes no buildings.]

**Motion:** Moved and seconded by the Conservation Commission that the Town vote to approve Article 10 as printed in the warrant.

**The Conservation Commission recommends this article.**

## ARTICLE 11 Select Board Fund Collective Bargaining Agreements *[Majority vote]*

To see if the Town will vote to raise and appropriate or transfer from available funds a sum or sums of money for the purpose of funding any new collective bargaining agreements between the Town and its employee unions, or to take any other action in relation thereto.

**[Article 11 is a placeholder to fund any Collective Bargaining Agreements that may be settled prior to Town Meeting.]**

***Motion:*** Motion to be made on the floor of Town Meeting.

**ARTICLE 12**

Select Board

Authorize the Town Clerk to Fix Scrivner Errors to Town Bylaws Adopted by Town Meeting  
*[Majority vote]*

To see if the Town will vote to amend the General Bylaws to allow the Town Clerk to make non-substantive editorial revisions to the General Bylaws, by inserting a new Article III into Chapter 29, as follows:

Article III      Editorial Revisions to General Bylaws

§ 29-5 Authority of the Town Clerk

The Town Clerk shall have the authority to assign appropriate numbers or letters to General Bylaw sections, subsections, paragraphs and subparagraphs and to make nonsubstantive editorial revisions to the same to ensure consistent and appropriate sequencing and numbering, and to make nonsubstantive editorial revisions or references regarding such numbering or lettering as contained within the bylaws to ensure accuracy and conformity.

Or to take any other action in relation thereto.

**[Article 12 is intended to provide the Town with the ability to correct non-substantive revisions in the Town's General Bylaws without having to request the permission of Town Meeting to make these changes.]**

***Motion:*** Moved and seconded by the Select Board that the Town vote to approve Article 12 as printed in the warrant.

**The Select Board recommends this article.**

**This Page Intentionally Left Blank**



Town of Littleton  
Select Board  
P.O. Box 1305  
Littleton, MA 01460

Prsrt Std  
US Postage  
Paid  
Permit #19  
Littleton, MA

Residential Customer  
Littleton, MA 01460