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May 14, 2025

Jeffrey Yates, Chairman  
Littleton Planning Board  
Town of Littleton  
37 Shattuck Street  
Littleton, MA 01460

RE: 600 Great Road, Littleton, MA (the "Property") – Request for Site Plan Review Approval and Aquifer District Special Permit

Dear Chairman and Members of the Board;

Reference is made to the above caption matter. In that connection, this firm represent Matthew Kozazcki (the "Applicant"), the potential purchaser of the Property. The Applicant is applying for relief under of Chapter 173 of the Town's Bylaws (the "Zoning Bylaw") for Site Plan Review Approval under Article VI and for an Aquifer Overlay Special Permit under Article XIV.

Existing and Proposed Uses and Conditions

Currently, there exists several greenhouses at the Property, which are in very poor condition, and a retail building from which produce is sold, a hot dog stand and a "food-truck" style restaurant serving food out of a permanent structure. The Applicant owns and operates Tendercrop Farms on which he raises various crops, poultry, beef, and pork across Massachusetts, primarily in Newbury, Rowley and Ipswich. As shown in the plans submitted herewith, the Applicant proposes to replace the existing greenhouses with one new one and construct an addition to the existing building from which currently produce is sold at the Property. Additionally, the Applicant will be planting and growing a crop on the undeveloped portion of the Property as well as in the greenhouse. The Applicant intends to sell produce and crops raised in the greenhouse and from the Property and from other Tendercrop locations in Massachusetts from the building. The Applicant also proposes to sell various meats raised on his farms and baked goods (collectively, with the crops and produce the "Farm Products") onsite. The addition of the butchery and bakery are a part of the agricultural operation and with the sale of the Farm Products are an exempt agricultural use under Chapter 40A, Section 3. The "food truck" style building will continue to operate.

The Property is located in the Residence District and the Aquifer Overlay District. The Property includes 130,675 square feet of area (2.99 acres) with 1,041 square feet of frontage on Lawrence Street and Great Road. The Property currently has 52.5% lot coverage and the Applicant proposes 55% lot coverage. Under the Aquifer Overlay District, a property is not permitted to have more than 15% or 2,500 square feet without a Special Permit. The Applicant will be renovating and adding onto the existing building which faces Lawrence Street from which the Farm Products will be sold. Please note, this building will not be replaced, and the 28.7 foot setback will not be changed. All of the structures will continue to comply with the existing setback requirements under the

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dimensional table. The location of the food truck will not be moving. The current open “sea” of asphalt will be better organized with marked parking and delivery areas.

Based upon the foregoing, the Applicant will require:

1. Site Plan Review given that there will be construction of 8 or more parking spaces.
2. Review under the Aquifer Overlay District Special Permit

#### Site Plan Review

The attached plans satisfy the design requirements of Section 173-18 of the Zoning Bylaw.

A. Internal circulation and egress are such that traffic safety is protected, and access via minor streets servicing single-family homes is minimized.

- The Applicant proposes an improved layout of the parking lot area.

B. Visibility of parking areas from public ways and residences is minimized, and lighting of these areas avoids glare on adjoining properties.

- The proposed layout of the Property keeps the additions away from Great Road and Lawrence Street and the parking areas are kept away from the adjacent single family lots.

C. Major topographic changes or removal of existing trees is minimized.

- The vegetation at the Property is not proposed to be disturbed and any topographic changes improve the site, except to allow a crop to be grown in the undeveloped portion of the Property. Additionally, the Applicant is proposing a new row of Arborvitae along the shared property line with the abutter to the west of the Property.

D. Adequate access to each structure for fire and service equipment is provided.

- The Applicant proposes an improved layout of the parking lot area. Further there will be complete access all the way around the buildings.

E. Utilities and drainage in the vicinity either are or will be made adequate, based on the functional standards of the Planning Board's Subdivision Regulations.

- The Applicant is submitting a drainage site plan. The new construction of the green house and proposed addition will be infiltrated using Best Management Practices. Runoff from the new pavement at the loading dock will be treated using water quality units and then infiltration. Further, where there is new construction over existing hot top, the Applicant proposes to cut a band of five feet of pavement from around the structures and replace the pavement with permeable pavers, thereby improving existing conditions.
- The Applicant is providing a new title V system to support the bathrooms and water usage in the new building. There is public water available at the site.

F. Methods of stormwater control and treatment as outlined in the Town of Littleton Low Impact Design/Best Management Practices Manual (latest edition) are utilized to the maximum extent practicable.

- Proposed stormwater improvements include, collection, treatment and infiltration of new paved areas, removal of a portion of existing pavement and replaced with permeable pavers, directing a portion of the clean roof runoff to infiltration chambers. The drainage improvements will enhance groundwater recharge for this property.

In regard to parking at the Property, given the Agricultural use, the Board may only apply reasonable regulations to the number of spaces required. Currently, there are no parking spaces demarcated on the site, and the Applicant proposes 71 spaces. The Applicant proposes to stripe parking spaces, and improve the layout and flow of cars on the existing pavement on the Property.

#### Aquifer Overlay District Special Permit

The Applicant requires a review under the Aquifer Overlay District Special Permit because the table in Section 173-61 of the Town's Zoning Bylaw includes a Special Permit for "Rendering impervious more than 15% or 2,500 square feet of any lot or parcel but less than 30%". Here the Property already exceeds the standards set forth in the Zoning Bylaw. However, the Applicant will be making improvements to the current situation. Currently, all stormwater leaves the site or moves on the site as sheet flow.

As stated above, the proposed stormwater improvements implemented to comply with Aquifer Overlay District include, collection, treatment and infiltration of new paved area associated with the loading dock and related access, removal of a portion of existing pavement and replaced with permeable pavers, directing a portion of the clean roof runoff to infiltration chambers. The drainage improvements will enhance groundwater recharge for this property.

Section 173-62 (D) of the Zoning Bylaw requires the following submittals by the date of the first publication of the public hearing notices.

1) A complete list of all chemicals, pesticides, fuels and other potentially toxic or hazardous materials to be used or stored on the premises, accompanied by a description of measures proposed to protect from vandalism, corrosion and leakage and to provide for spill prevention and countermeasures.

Not applicable, other than potentially heating oil if necessary.

(2) A description of potentially toxic or hazardous wastes to be generated, indicating storage and disposal method.

Not applicable, other than potentially heating oil if necessary.

(3) Evidence of approval by the Massachusetts Department of Environmental Quality Engineering (DEQE) of any industrial waste treatment or disposal system and of any wastewater treatment system over a capacity of 15,000 gallons per day.

Not applicable.

(4) For underground storage of toxic or hazardous materials (to the extent that it may be permissible pursuant to § 173-61), evidence of qualified professional supervision of system design and installation.

Not applicable.

(5) Analysis by a qualified engineer experienced in ground-water evaluation and/or geohydrology, with an evaluation of the proposed use, including its probable effects or impact on surface and groundwater quality and quantity and natural flow patterns of watercourses.

The plans have been prepared and stamped by a qualified engineer.

Additionally, the Applicant satisfies that general Special Permit criteria laid out in Section 173-7(D):

Special permits shall only be granted if it appears to the special permit granting authority that no significant nuisance, hazard or congestion will be created and that there will be no substantial harm to the neighborhood or derogation from the intent of this chapter.

No significant nuisance, hazard or congestion will be created by the proposal. The proposal improves the site from both layout and stormwater perspectives. Furthermore, the proposal satisfies the purpose of the Zoning Bylaw:

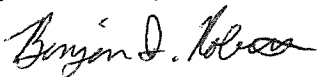
...to keep our Town a good place in which to live and work, preserve its historic rural character and its agricultural open land, and for the purposes stated in Chapters 40A, 40B and 41 of the General Laws as amended and under the authority thereof and Article 89 of the Amendments to the Constitution, the use of land, buildings and structures in this Town is hereby regulated as herein provided.

The Proposal revitalizes an agricultural use at the Property and the production and sale of the Farm Products complies with the intent of Chapter 40A of the General Laws, specifically section 3 which encourages agricultural uses.

Conclusion

Therefore, the Applicant respectfully requests to appear before the Board at the June 5, 2025 meeting and requests Site Plan Review approval and a Special Permit for the Aquifer Overlay District.

Respectfully submitted  
Matthew Kozazcki  
By its Attorney,



Lisa L. Mead  
Benjamin J. Roberts

cc: Client  
Attachments