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TOWN OF ACTON
PLANNING DEPARTMENT

Let's Roll, LLC
Use Special Permit #04/22/2024 – 501
930 Main Street
July 22, 2024



Select Board

TOWN OF ACTON
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Acton, Massachusetts 01720
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DECISION

#04/22/2024 — 501

Let's Roll, LLC
930 Main Street

GRANTED

Decision of the Acton Select Board (hereinafter the Board) on the request of Let's Roll, LLC of 930 Main Street, Suite 10, Acton MA 01720 (hereinafter the Applicant), for the property located at 930 Main Street, Suite 10, in Acton, Massachusetts (hereinafter the Site). This Decision is in response to an application for a use special permit, submitted to the Select Board on April 22, 2024, pursuant to Sections 3.5.26, 3.13, and 10.3 of the Acton Zoning Bylaw (hereinafter the Bylaw), to establish and operate a firearm business in the Small Manufacturing zoning district (hereinafter the Use). The Board considered the request at a duly noticed public hearing on July 8, 2024. Board members Francesca Arsenault (Chair), Dean Charter, Alissa Nicol, Jim Snyder-Grant and David Martin were present. The minutes of the meeting and submissions on which this decision is based on may be found in the Planning Division or in the Town Clerk's office at the Acton Town Hall.

1 EXHIBITS

Submitted for the Board's deliberation were the following exhibits:

- 1.1 A properly executed application for a Use Special Permit was received and filed with the Town Clerk on April 22, 2024. The drawings and documents submitted as part of the application comprise the following:
 - Certified Abutter's List;
 - Massachusetts Firearms Dealer/License To Sell Ammunition/Gunsmith License Application;
 - Exhibit A showing security camera and lighting layout;
 - Exhibit B showing invoices providing purchase history;
 - Exhibit C showing invoices providing purchase history;
 - Letter from Property Owner;
- 1.2 Supplemental Information:
 - Letter to Kaila Sauer, Senior Planner in response to email questions;
 - Exhibit E showing parking space locations;
- 1.3 Interdepartmental communication was received from:
 - Police Department comments, dated May 29, 2024;
 - Planning Division memo, dated July 1, 2024;

Exhibit 1.1 is hereinafter referred to as the Plan.

2 FINDINGS AND CONCLUSIONS

Based upon its review of the exhibits, and the record of the proceedings, the Board finds and concluded that:

- 2.1 The Site is located within the Small Manufacturing (SM) Zoning District, Flood Plain Overlay District and Groundwater Protection District Zone 1 and 2.
- 2.2 The applicant is requesting a special permit for the operation of a firearms business in a tenant space, Suite 10, at 930 Main Street.
- 2.3 The Applicant intends to operate the facility on Mondays 10AM-2PM.
- 2.4 The Applicant does not propose any additional lighting at this time due to the hours of operation.
- 2.5 Five parking spaces will be dedicated to the use.
- 2.6 There are no proposed modifications or alterations to the structure which would increase the overall Floor Area Ratio of the Site.
- 2.7 There are no modifications or alterations to the existing parking lot. Based upon the requirements of Section 6.3, the existing parking lot would seem to comply with the minimum Bylaw parking requirements.
- 2.8 The Board has received comments from various Town departments, which are listed in Exhibit 1.3 above. These comments were considered by the Board in its deliberations, were made available to the Applicant, and are incorporated into this decision as deemed appropriate by the Board.

- 2.9 The proposed use and the Use Special Permit as conditioned herein are consistent with the Master Plan, will not be detrimental or injurious to the neighborhood in which the use is to take place, is appropriate for the site in question, complies with all applicable requirements of this bylaw, and is in harmony with the purpose and intent of the Bylaw.

3 BOARD ACTION

Therefore, on July 8, 2024, the Board voted unanimously in favor of GRANTING the requested Use Special Permit subject to and with the benefit of the following conditions, and limitations.

3.1 CONDITIONS

The following conditions shall be binding on the Applicant and its successors and assigns. Failure to adhere to these conditions shall render this Use Special Permit null and void, without force and effect, and shall constitute grounds for the revocation of this Use Special Permit, and of any building or occupancy permit issued hereunder. The Town of Acton may elect to enforce compliance with this Use Special Permit using any and all powers available to it under the law.

- 3.1.1 Prior to opening or obtaining a building permit, the applicant shall submit to the Planning Division a copy of the endorsed insurance policy. The insurance policy shall provide insurance coverage by an insurance company licensed to do business in the Commonwealth, insuring the Firearm Business against liability for damage to property and for injury to, or death of, any person as a result of the theft, sale, lease or transfer, or offering for sale, lease or transfer of a firearm or ammunition, or any other operation of the Firearm Business. The limits of liability shall not be less than \$1,000,000 for each incident of damage to property or incident of injury to death to a person.
- 3.1.2 Notice of termination of any applicable insurance must be given to the Select Board at least 30 days prior to the effective date of the cancellation.
- 3.1.3 There shall be no lapse in insurance coverage.
- 3.1.4 The hours of operation shall be Mondays 10AM-2PM, with any change in hours requiring approval from the Select Board.
- 3.1.5 The applicant agrees to reconsider their hours of operation in the case their operations affects other businesses at the Site.
- 3.1.6 The use shall not sub-lease space from a tenant of any BUILDING or STRUCTURE and is prohibited from sub-leasing the Firearms Business use space to another Firearm Business.
- 3.1.7 The use shall notify the Police Department of any changes to the name or phone numbers of all management staff and keyholders.
- 3.1.8 The use shall be equipped with, and the operation of such Firearm Business shall maintain in working order at all times, security system to the satisfaction of the Town.
- 3.1.9 A video surveillance system shall be installed and maintained which shall monitor all parking lot areas, main building entrances and exits, storage areas, and any and all transition areas for sale of merchandise. Recordings shall be maintained for a minimum of six months. A sign no larger than 2 square feet shall be placed in a visible location on the building which notes that video surveillance is in use on the property.

- 3.1.10 If the Applicant proposes changes to the hours of operation that requires lighting, the exterior grounds, including the parking lot and landscape areas, shall be lit in such a manner that all areas are clearly visible at all times during business hours; all lighting shall be full cut off with a temperature of no more than 3,000K.
- 3.1.11 No person under the age of eighteen (18) shall be permitted on the premises of the Firearms Business unless they are accompanied by a parent or legal guardian and notice of such limitation shall be posted outside the Business.
- 3.1.12 Temporary Signs as defined in Section 7.2.19 and Window Signs as defined in Section 7.5.16 are prohibited.
- 3.1.13 The Use shall be conducted at all times in accordance with the terms of this Use Special Permit and shall conform with and be limited to the improvements indicated in the Plan as modified herein.
- 3.1.14 Any change, expansion or modification that is not in conformance with this Use Special Permit shall require further approval of the Board.
- 3.1.15 The Applicant shall meet all requirements of the Town Bylaws.
- 3.1.16 All taxes, penalties and back charges resulting from the non-payment of taxes, if any, shall be paid in full.
- 3.1.17 The Applicant shall record this Decision at the Middlesex South District Registry of Deeds.

3.2 LIMITATIONS

The authority granted to the Applicant under this Animal Boarding Use Special Permit is limited as follows:

- 3.2.1 The foregoing required conditions have been stated for the purpose of emphasizing their importance, but are not intended to be all inclusive or to negate the remainder of the Bylaw and the Rules.
- 3.2.2 This Use Special Permit applies only to the Site identified in this decision and to the proposed Use and activity as shown on the Plan.
- 3.2.3 Other approvals or permits required by the Bylaw, other governmental boards, agencies or bodies having jurisdiction shall not be assumed or implied by this decision.
- 3.2.4 The Board hereby reserves its right and power to modify or amend the Plan and the terms and conditions of this Use Special Permit with or without a public hearing upon the request of the Applicant, his designees or assigns, or upon its own motion.

4 APPEALS

Appeals, if any, shall be made pursuant to MGL, Ch. 40A, S. 17 and shall be filed within 20 days after the date of filing this decision with the Town Clerk.

The Town of Acton Select Board



Francesca Arsenault, Chair

This is to certify that the 20-day appeal period on this decision has passed and there have been no notices of appeal filed with this office.

Eva Szkaradek, Town Clerk

Date

Copies furnished:

Applicant -
certified mail #
Town Clerk
Fire Chief

Land Use Department
Engineering Department
Assessors Department
Police Chief

Town Manager
Acton Water District
Owner