



OFFICE OF THE
LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

received
7/15/14

Petitioner: JL REALTY HOLDINGS, LLC
Case No: 833A
Date Filed: May 30, 2014

The Littleton Board of Appeals conducted a public hearing on June 19, 2014, at 7:30 P.M. at the Shattuck Street Municipal Building, Shattuck Street, Littleton, for a Special Permit for a motor vehicle service station in the Industrial B zone at 170 Ayer Road, Littleton, Ma. Notice of the hearing was given by publication in the Littleton Independent, a newspaper circulated in Littleton, on June 5, and June 12, 2014, and by mail to all abutters and parties in interest. Present and voting: Sherrill R. Gould, Chairman, Jeff Yates, William Farnsworth, and Cheryl Hollinger, Members, and Patrick Joyce, Alternate. Present and not voting were Alan Bell and Rod Stewart, Alternates.

The Petitioner presented a request for a Special Permit for a motor vehicle service station in the Industrial B zone at 170 Ayer Road. The property is currently developed with an industrial type building, which is used as a plant for making and distributing car wash equipment. The owners of the business have an interest in "muscle cars" and classic, collectible type vehicles and are seeking permission to be able to sell them from the location as an accessory or hobby use. The property is in a water resource area, and a recent change to the zoning bylaw now prohibits "motor vehicle service or washing stations" in the water resource zone. The Planning Board had approved site plan review for the facility, issuing a permit for the proposed use with a limit on the number of vehicles that can be stored at any time. The Petitioner presented the Site Plan and a letter from the Littleton Water Department, stating that they had no concerns with the "boutique" nature of the requested business for limited sales. The Building Commissioner submitted a letter opposing the use as prohibited by the bylaw.

No abutters appeared in opposition to the petition.

FINDINGS: The Board reviewed the zoning provisions and concluded that the proposed request did not satisfy the definition of Motor Vehicle Station which requires that the premises are "devoted to retail sale...". The Board found that the use fits more properly into the Accessory Use category as one "incidental to and located on the same lot with the principal building or use," and is allowed by Planning Board Special Permit in the Industrial Zone.

DECISION: The Board therefore voted unanimously to GRANT a Special Permit pursuant to Section 173-53 to allow an accessory use for retail sales and a showroom for motor vehicles at 170 Ayer Road, Littleton, Ma. with the following conditions:

1. The showroom area is not to exceed 800 square feet.
2. There is to be no servicing and oil changes on site.
3. That outdoor display of vehicles is limited to no more than three at a time.

Appeals, if any, shall be made pursuant to G.L. 40A, Section 17 and shall be filed within twenty days after the date of filing of this Notice in the office of the Town Clerk.

Signed: _____

Date: _____

Book: 63033, Page: 283

I hereby signify that twenty (20) days have elapsed since the filing of the above Decision by the Board of Appeals and that no appeal concerning said decision has been filed or that any appeal that has been filed has been dismissed or denied.

True Copy Attest: _____ Town Clerk, Littleton, Massachusetts