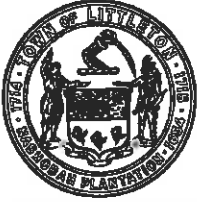


TOWN OF LITTLETON
BOARD OF APPEALS

37 Shattuck Street
P.O. Box 1305
Littleton, MA 01460
Tel: 978-540-2420



APPLICATION FOR PUBLIC HEARING

Pursuant to MGL Chapter 40A, 40B and 41 and the Littleton Zoning Bylaws

TOWN USE ONLY

Received by the Town Clerk Office

received
5/30/2014 140pm (B)

The filing is not official until stamped by the Town Clerk

Filing Fee paid: \$ 350.00 / 75.00 Check # 1490 / 1491

Pursuant to the provisions of Chapter 40, §57 of the Massachusetts General Laws as adopted by Town Meeting 2003, this document must be signed by the Tax Collector verifying payment of taxes.

Wase Crow 5/30/2014
Signature of Tax Collector

The undersigned hereby submits this petition for the following action (check all that apply):

- ☐ Appeal of Decision of Building Inspector or other administrative official (see page 2)
☒ Special Permit (40A) (see page 2)
☒ Variance (see page 3)
☐ Comprehensive Permit (40B) Complete additional application (see page 2)

PETITIONER: Signature

Jeff Armento

Print Name

170 Ayer Rd

Address

Littleton MA 01460

Town, State, Zip

Date: 5/30/14

978-268-0513

Phone #

jarimento@newcarwashequipment.com

Email Address

Deed Reference: Bk 63033 Page 283

PROPERTY OWNER: include authorization of Owner for Petitioner to represent Owner, if unsigned

JE

Signature

5/30/14

Date

JE Realty Holdings LLC

Print Name (if different from petitioner)

170 Ayer Rd, Littleton MA 01460

Address (if different from petitioner)

978-268-0513

Phone #

jarimento@newcarwashequipment.com

Email

ASSESSOR MAP & PARCEL NUMBER R22 1-7

ZONING DISTRICT: R VC B IA **(IB)** (Circle all that apply)

Check box if
applicable

☐ AQUIFER DISTRICT

☒ WATER RESOURCE DISTRICT

FILING FEES
Residential Property \$200 to Town of Littleton
Commercial Property \$350 to Town of Littleton
Comprehensive Permit \$1000 + \$100/unit over 10 units

ADDITIONAL FEES (all applications)
\$75 to Comm of Mass-recording fee
\$25 to Town of Littleton-abutter list
Legal Notice publication fee due prior to opening hearing

ZBA Case 833A

Appeal

Under MGL c. 40A §. 8

The undersigned hereby appeals a written order or decision of the Building Commissioner / Zoning Officer or other administrative official alleged to be in violation of the provisions of MGL c. 40A or the Zoning By-laws to the Board of Appeals for the Town of Littleton.

1. From what Town Official or Board is the appeal being sought?

Mandatory: Attach copies of written order or decision under appeal

Administrative Official _____ Date of order / decision _____

2. Which statute or Zoning Bylaw do you rely for your appeal?

MGL c.40A § _____ Zoning Bylaw § _____ Code of Littleton § _____

You may also consider whether you qualify for relief under any other authority of the Board to grant a Special Permit or Variance.

3. I hereby certify that I have read the Board of Appeals Instructions for Appellants and that the statements within my appeal and attachments are true and accurate to the best of my knowledge and belief.

Signature _____

Print name _____

Special Permit 40A

Under MGL c. 40A §. 9

The undersigned hereby petitions the Board of Appeals for the Town of Littleton to grant a Special Permit for the reasons hereinafter set forth and in accordance with the applicable provisions of the Zoning By-law.

1. Special Permits are expressly permitted in the Zoning Bylaws. Which Zoning Bylaw section do you rely for your appeal?

Zoning Bylaw § 173-26

2. Why are you applying for a Special Permit? Attach a written statement that specifically describes existing conditions and your objectives, along with necessary exhibits as listed in the filing instructions. *You may also consider whether you qualify for relief under any other authority of the Board to grant a variance.*

3. I hereby certify that I have read the Board of Appeals Instructions for petitioners and that the statements within my petition and attachments are true and accurate to the best of my knowledge and belief.

Signature _____

Print Name Jeffrey M. Acimeto

Special Permit 40B

Under MGL c. 40B

See supplemental instructions: Littleton Zoning Board of Appeals Rules for the Issuance of a Comprehensive Permit under M.G.L.c.40B

Michelle Cobleigh

From: Maren Toohill
Sent: Thursday, May 22, 2014 2:39 PM
To: Michelle Cobleigh
Subject: FW: Vehicular Retail Sales/Used Vehicle Sales License Requests at 170 Ayer Road
Attachments: Scan of TM Vote Motor Vehicle Sales.pdf

Categories: Red Category

Shelly –

Jeff Arimento 978-268-0513 will be calling you for the Appeals Board process for a use variance for the 170 Ayer Road site.

Maren

From: Maren Toohill
Sent: Thursday, May 22, 2014 2:02 PM
To: Roland Bernier; Jennifer Gibbons
Cc: Michelle Cobleigh
Subject: Vehicular Retail Sales/Used Vehicle Sales License Requests at 170 Ayer Road

Roland and Jenn –

I want to make sure I am looking at this the right way.

170 Ayer Road. New owner wants to sell used vehicles from this site.

He has applied to the Planning Board for a "Vehicular Retail Sales" special permit, as per the Fall 2013 Town Meeting zoning amendment that added "Vehicular Retail Sales" to the Use table with a "P", indicating a Special Permit from the Planning board is required.

Also, the 170 Ayer Road is in the Water Resource District. The Fall 2013 TM updates also added a restriction to "Vehicular Retail Sales" in the Aquifer and Water Resource Districts. So, the owner would also need a variance from the Appeals Board for auto sales at the 170 Ayer Road site.

And, the Selectmen issue Class II permits that allow for sales of used vehicles.

Summary: 3 approvals are needed:

- Planning Board "vehicular retail sales" special permit;

- Appeals Board use variance under Aquifer and Water Resource District bylaw; and

- Selectmen Class II used car sales permit.

Is this correct?

Thanks.

Maren

Maren Toohill
Planning Administrator/Permit Coordinator
Town of Littleton
978/540-2425

Michelle Cobleigh

From: Maren Toohill
Sent: Tuesday, June 17, 2014 9:21 AM
To: Michelle Cobleigh
Subject: RE: 170 Ayer Road

Hi Shelly – thanks for the question. The Planning Board approved Jeff Arimento's application for vehicle sales at 170 Ayer Road. I don't have the final decision ready to file yet, but it allows up to 3 vehicles for sale at any one time on the site, parked on existing pavement, so there will be no increase in impervious cover.

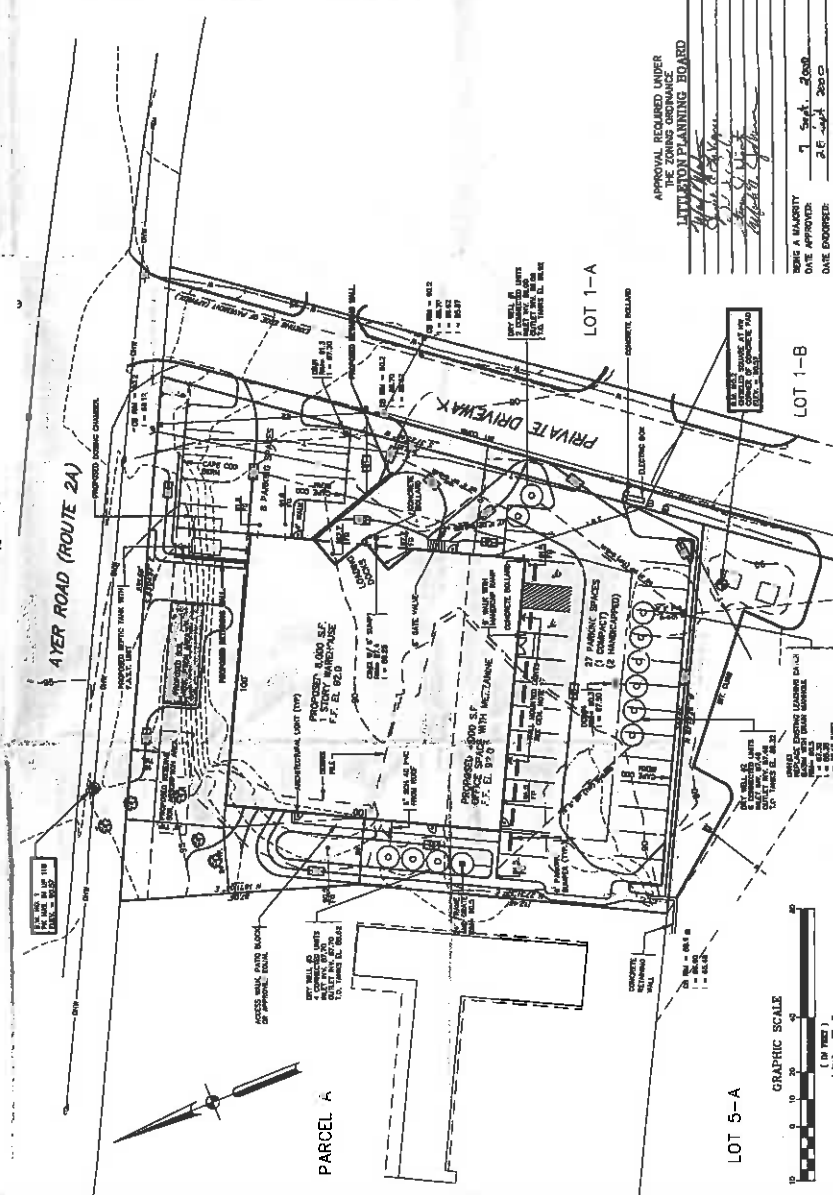
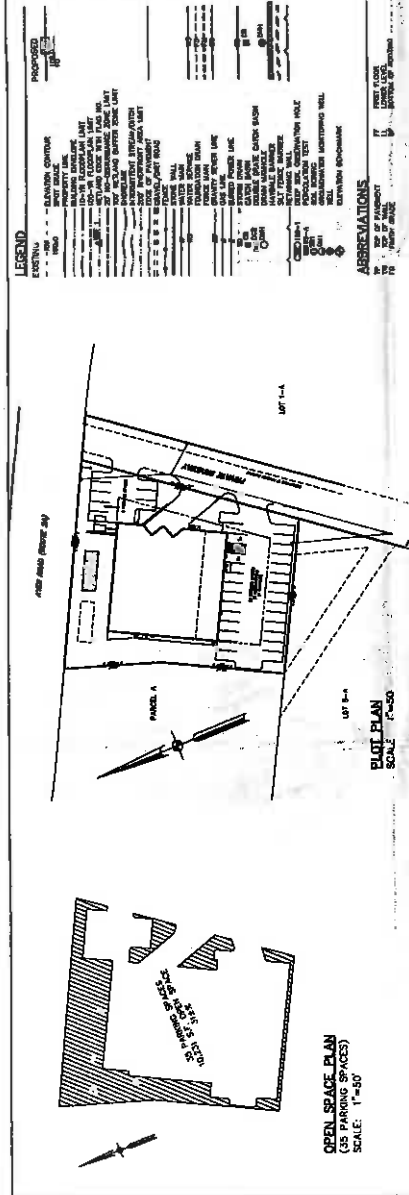
Maren

From: Michelle Cobleigh
Sent: Tuesday, June 17, 2014 9:18 AM
To: Maren Toohill
Subject: 170 Ayer Road

Maren


Jeff Arimento 170 Ayer Road is coming before the Zoning Board on Thursday the 19th. They had also applied for a Vehicular Retail Sales Special Permit from the Planning Board, which was approved at the Planning Board meeting of June 12th.

Shelly



GENERAL NOTES:

[illegible][illegible]

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|---|---|
|  | 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 5 |
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Total Pages = 2

Quitclaim Deed

MARK M. GALLAGHER, TRUSTEE OF MARK-PHI REALTY TRUST, under Declaration of Trust dated December 31, 1963, recorded with the Middlesex South District Registry of Deeds in Book 10474, Page 107

for consideration paid and in full consideration of
EIGHT HUNDRED THOUSAND AND 00/100 (\$800,000.00)
DOLLARS

grant to **JL REALTY HOLDINGS, LLC**, a Massachusetts limited liability company, with a usual place of business at 170 Ayer Road, Littleton, Middlesex County, Massachusetts

For Registry Use

with Quitclaim covenants

A certain tract of land, in Littleton with the building(s) and improvements thereon, situated on the southerly side of the road known as Route 2A and 110 (Ayer Road) and being described as Lot 6-A on a plan entitled "Land in Littleton, Mass., surveyed for John K. Holmer, scale 1" = 50', July 1984, Charles A. Perkins Co., Inc., Civil Engineers and Surveyors, P.O. Box 234, Clinton, Mass. 01510", said plan being recorded with the Middlesex South District Registry of Deeds as Plan No. 946 of 1984 in Book 15740, Page 304, reference to which plan should be made for a more particular description of said Lot 6-A.

Said Lot 6-A contains 32,604 square feet according to said plan.

Said Lot 6-A is conveyed together with the benefit of an easement for driveway, drainage and utility purposes over Lot 1-A and Lot 1-B, said easement being shown as "Easement B" and "Easement D" (Right of Way, Drainage and Utility Easement) on a plan entitled "Plan of Easements in Littleton, Mass., made for John K. Holmer, Scale 1" = 50', August 1984, Charles A. Perkins Co., Inc. Civil Engineers and Surveyors, P.O. Box 234, Clinton, MA 01510" said plan being recorded with Middlesex South District Registry of Deeds as Plan No. 947 of 1984, in Book 15740, Page 304. Further said Lot 6-A is conveyed with the benefit of an easement for drainage purposes over Lots 2, 3, 4 and 5-A being shown as Easements "G", "F", "J", "I", "E" and "K" on said Plan No. 947 of 1984.

Said Lot 6-A is conveyed with the benefit of and subject to a drainage and utility easement shown as Easement "A" on said Plan No. 947 of 1984.

Subject to easements, rights, restrictions and covenants of record if they affect the locus and are in full force and effect, expressly not intending nor meaning to extend the same in the event that they have expired by operation of law or otherwise.

Grantor hereby revokes, rescinds and terminates any and all homestead rights in the herein property and does under oath depose and say that there are no other individuals entitled to claim the benefit of the existing estate of homestead in and to the property.

Meaning and intending to convey the same premises as conveyed by virtue of deed of Acton Garage Storage, Inc. to Mark M. Gallagher, Trustee of Mark-Phi Realty Trust dated December 23, 2002, and recorded with the Middlesex South District Registry of Deeds at Book 37670, Page 119.

PROPERTY LOCATION: 170 AYER ROAD, LITTLETON, MASSACHUSETTS

Witness my hand and seal this 9th day of December, 2013.

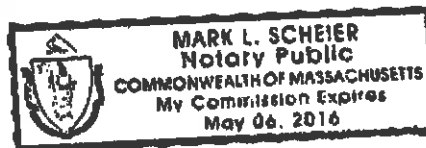

Mark M. Gallagher, Trustee of
Mark-Phi Realty Trust

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss:

On this 9th day of December, 2013, before me, the undersigned notary public, personally appeared Mark M. Gallagher, Trustee of Mark-Phi Realty Trust, proved to me through satisfactory evidence of identification, which was ☒ driver's license, ☐ passport, ☐ employee ID card, ☐ personally known to me, to be the person whose name is signed on the preceding or attached document, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief, and acknowledged to me that he signed it voluntarily for its stated purpose.


Notary public:
My commission expires:



Loc: 162 AYER RD Parcel ID #: R22 1 2
LUC: 400

TING-CROMAN LLC

128 DAKIN ROAD

✓ SUDBURY MA 01776-1104

Loc: 164 AYER RD Parcel ID #: R22 1 3
LUC: 401

NINO REALTY LLC
c/o ROMA TILE CO. INC
✓ 400 ARSENAL ST

WATERTOWN MA 02472

Loc: 168 AYER RD Parcel ID #: R22 1 6
LUC: 401

PAPPAS CHARLES + COLEMAN JAMES
TRS OF C + P REALTY TRUST
✓ P.O. BOX 797

LITTLETON MA 01460

Loc: 170 AYER RD Parcel ID #: R22 1 7
LUC: 401

JL REALTY HOLDINGS LLC

✓ 170 AYER RD

LITTLETON MA 01460

Loc: 160 AYER RD 1 Parcel ID #: R22 1-1 1
LUC: 344

LC REALTY LLC

✓ 4 CROCKETT DRIVE

CHELMSFORD MA 01824

Loc: 160 AYER RD 2 Parcel ID #: R22 1-1 2
LUC: 344

LC REALTY LLC

✓ 4 CROCKETT DRIVE

CHELMSFORD MA 01824

Loc: 160 AYER RD 3 Parcel ID #: R22 1-1 3
LUC: 344

✓ LC REALTY LLC

4 CROCKETT DRIVE

CHELMSFORD MA 01824

Loc: 160 AYER RD 4 Parcel ID #: R22 1-1 4
LUC: 344

LC REALTY LLC

✓ 4 CROCKETT DRIVE

CHELMSFORD MA 01824

Loc: 160 AYER RD 5 Parcel ID #: R22 1-1 5
LUC: 344

KOUYOUMJIAN JACK
KOUYOUMJIAN VAHE
U-5 160 AYER RD

LITTLETON MA 01460

Loc: 160 AYER RD 6 Parcel ID #: R22 1-1 6
LUC: 344

KOUYOUMJIAN JACK AND
KOUYOUMJIAN VAHE
160 AYER RD UNIT 6

LITTLETON MA 01460

Loc: 149 AYER RD Parcel ID #: R22 13 0
LUC: 410

AGGREGATE INDRUSTRIES
MIDDLESEX -ATTN: RE TAX DEPT
1715 BROADWAY

SAUGUS MA 01906

Loc: 178 AYER RD Parcel ID #: R22 2 0
LUC: 440

MCKIFF JAMES & SHERYL TRUSTEES
KING TUCK TRUST
PO BOX 924

LITTLETON MA 01460

Loc: 184 AYER RD Parcel ID #: R22 3 0
LUC: 441

MCKIFF JAMES & SHERYL TRUSTEES
KING TUCK TRUST
PO BOX 924

LITTLETON MA 01460

876-14

APPLICANT REQUESTING LIST

Jeff Arimento
JL Realty Holdings LLC
170 Ayer Rd
Littleton, MA01460