

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 (8)

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.

Wade Cray

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 ██████████

Date: 5/30/14

Jeff Arment
 Print Name

170 Ayer Rd

Address

Littleton MA 01460

Town, State, Zip

978-268-0513

Phone #

jeffarment@necessityshequipment.com

Email Address

Deed Reference: Bk 63033 Page 293

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

██████████
 Signature

5/30/14
 Date

978-268-0513

Phone #

JL Realty Holdings LLC
 Print Name (if different from petitioner)

jeffarment@necessityshequipment.com

Email

170 Ayer Rd, Littleton MA 01460
 Address (if different from petitioner)

ASSESSOR MAP & PARCEL NUMBER R32 1-7

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

Check box if AQUIFER DISTRICT
 applicable

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

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 _____

Jeffrey M. Arimento
Print Name _____

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.c40B

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.

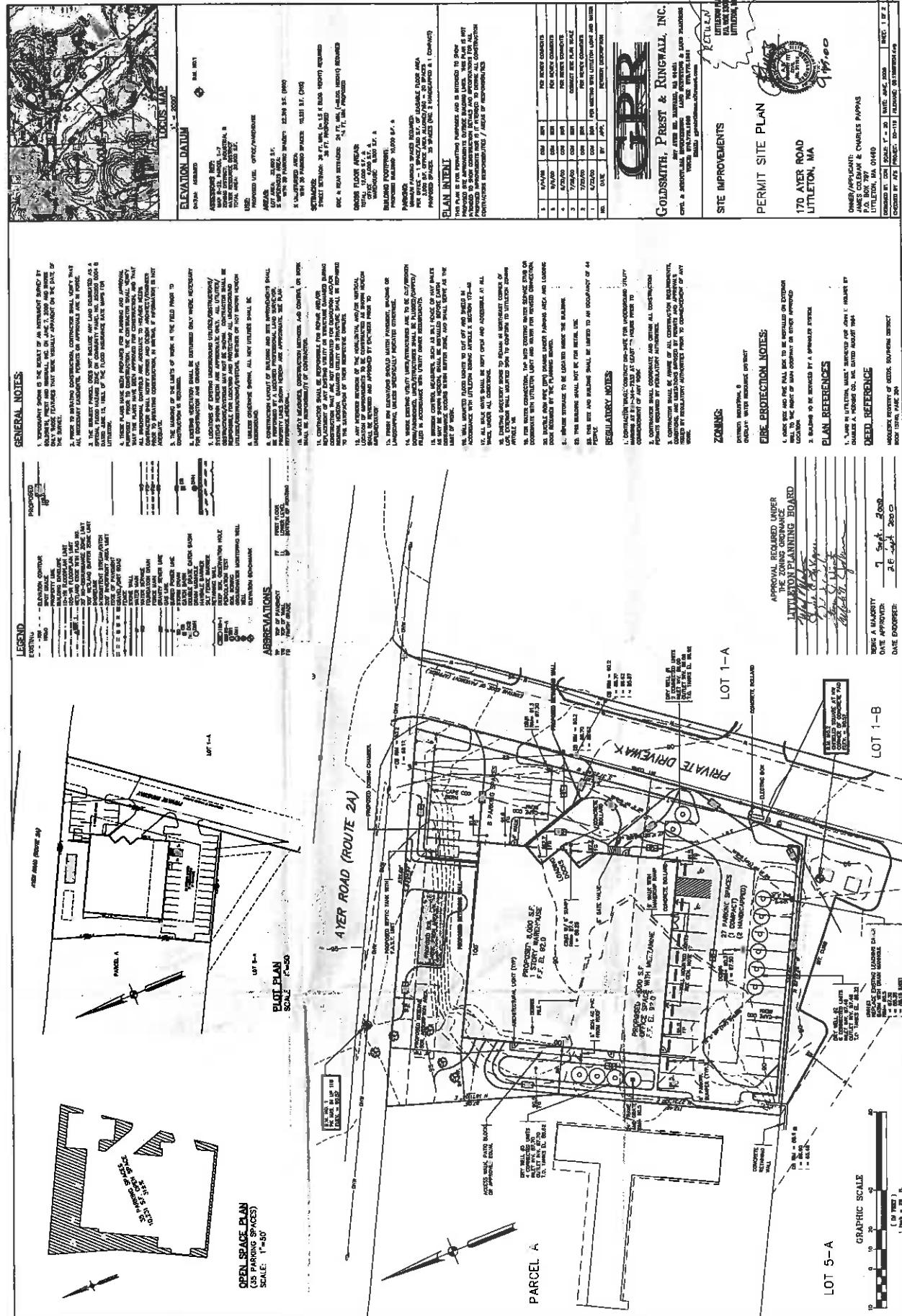
Maren

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, was that approved at the Planning Board meeting of June 12th.

Shelly



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.

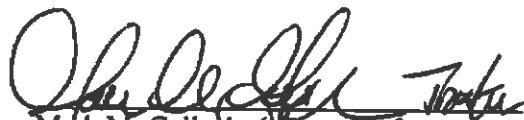
Subject to easements, rights, restrictions and covenants of record if they affect the locus and are in full force and effect, expressly not intending nor meaning to extend the same in the event that they have expired by operation of law or otherwise.

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.



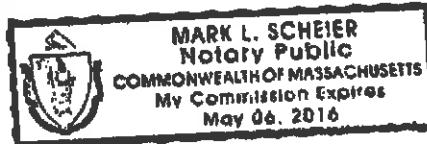
Mark M. Gallagher, Trustee of
Mark-Phi Realty Trust

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

✓ SUDSBURY 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

KOYOUUMJIAN JACK
KOYOUUMJIAN VAHE
U-5 160 AYER RD

LITTLETON MA 01460

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

LUC: 344

KOYOUUMJIAN JACK AND
KOYOUUMJIAN 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 BROARDWAY

SAUGUS MA 01906

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

LUC: 440

MCNIFF JAMES & SHERYL TRUSTEES
KING TUCK TRUST
PO BOX 924

LITTLETON MA 01460

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

LUC: 441

MCNIFF JAMES & SHERYL TRUSTEES
KING TUCK TRUST
PO BOX 924

LITTLETON MA 01460

8/16/14

APPLICANT REQUESTING LIST

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