



OFFICE OF THE
LITTLETON BOARD OF APPEALS
 LITTLETON, MASSACHUSETTS 01460

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received
 8/1/08

Board Use Only Case # 752A Filing Date Aug. 1, 2008

The undersigned, having standing in this matter, hereby petitions the Littleton Board of Appeals for a VARIANCE SPECIAL PERMIT and/or APPEAL (Check all that apply)
 as specified below and as provided by the Town of Littleton Zoning Bylaw

1. LOCATION OF THE PROPERTY:

A. Street Address Monarch Dr. Please print

B. Assessors' Map and Parcel # 10 - 16A 4 10-14

Zoning District Aquifer District Water Resource District

C. Deed Reference 47402 P. 9B Assessor's Name 5/7/08
09418 P. 379

2. LITTLETON ZONING BYLAW SECTION(S)

A. Variance § 173-18 Off-premises sign, § 173-27 + Town of Littleton Zoning of Use Schedule - Building Height.

B. Special Permit _____

C. Appeal _____

3. STATE BRIEFLY REASONS FOR THIS PETITION Use additional sheets, if necessary

The proposed hotel design is re-angled with a pitched roof to improve the aesthetic of the structure. The building will still be four stories. The off-site signs are needed for the hotel operation due to the hidden nature of the site.

4. PETITIONER(S) Waterford Development Corp.

Owner Tenant Licensee Agreed Purchaser Agent Other _____

NOTE: If petitioner is not the owner, furnish written authorization from owner below.

Signature

Fred M. Daley, III, President FPK Realty Trust LLC
 Mailing Address
105 Bartlett Street, Marlborough Ma. 01752

Date

508-485-4230 x-13

Telephone #

Town Clerk Use ONLY

Filing Fee Paid \$ 750Registry Fee Paid \$ 75.00Date 8/11/08

**FPK Realty LLC
105 Bartlett Street
Marlboro, MA 01752**

September 15, 2008

**Zoning Board of Appeals
Town Office Building, Room 203
37 Shattuck Street
Littleton, MA 01460**

Rc: Monarch Drive, Littleton MA

Dear Members of the Zoning Board of Appeals,

Waterford Development Corp. and my company, FPK Realty LLC, owner of Monarch Drive, map & parcel 10-16-A, Book 47402, page 98 (also see ANR Plan approved 5/7/08 Book 9418, page 379), entered into a Purchase and Sales agreement on March 28, 2008. Waterford Development will be purchasing Lot 2A on Monarch Drive for the purpose of building a 112 room Homewood Suites extended stay hotel.

Please accept this letter as written authorization from FPK Realty LLC for Waterford Development and their representatives to speak on my behalf with respect to any issues pertaining to their business with the Zoning Board of Appeals.

Sincerely,
FPK Realty LLC

Fred Daley
Manager



**cc: Bob Shapiro, Waterford Development
Becky Mahoney, Waterford Development**

MONARCH DRIVE

RELIEF UNDER SECTIONS 173-34, 173-35, 173-38, OFF PREMISES SIGN

Petitioner seeks a variance from the provisions of Sections 173-34, 173-35 and 173-38 of the Zoning By-Law for the purposes of maintaining an off-premises sign of a size and height in excess of that permitted by said sections. The owner of the Property known as 151 Taylor Street intends to grant Petitioner an easement for the use, installation, construction and maintenance of a monument sign at the intersection of Monarch Drive and Taylor Street. A literal enforcement of the provisions of the zoning chapter will involve a substantial hardship to Petitioner.

The hardship is owing to the following circumstances: The land which Petitioner intends to develop for a Hotel (and for which the sign is intended), is, due to the original taking and construction of Interstate Route 495, significantly below the grade of said Interstate 495 and is virtually hidden from Interstate 495 and is set back from Taylor Street. Interstate 495, while not providing actual frontage to the Property, is the only through public way adjacent to the Property, and therefore signage for the Hotel must be visible from Taylor Street in order to locate and identify the proposed Hotel for its customers and other business invitees. Without the sign requested by this variance, there would be limited, if any, directional and identification signage for the proposed Hotel.

The surrounding area is Industrial and other commercial uses, as well as the adjacent interstate highway. There are no residential homes within site distance of the proposed sign location.

Therefore, the desired relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the zoning by-law.

RELIEF UNDER SECTION 173-27A and 173 28D, INTENSITY USE SCHEDULE, BUILDING HEIGHT

Petitioner seeks a variance from the provisions of Section 173-27 of the Zoning By-Laws for the purpose of constructing a pitched roof on the proposed Hotel to be constructed on the Property.

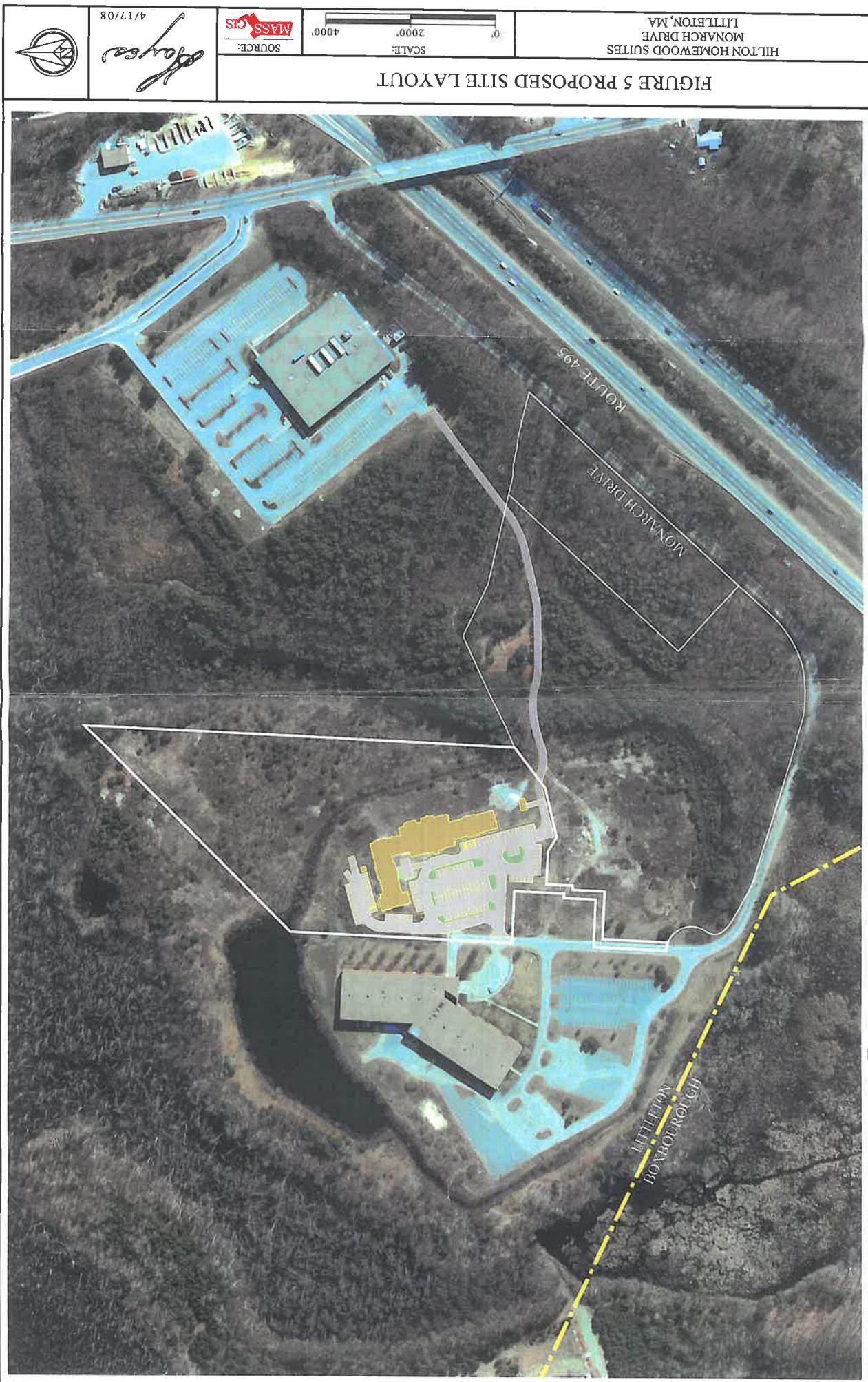
Section 173-27 provides that no buildings shall be over 40 feet and four stories in the zoning district for the Property. The proposed Hotel structure will be only four stories, but due to the planned pitched roof design, the proposed Hotel structure will be 46 feet high; thus 6 feet higher than the Zoning By-Law permits.

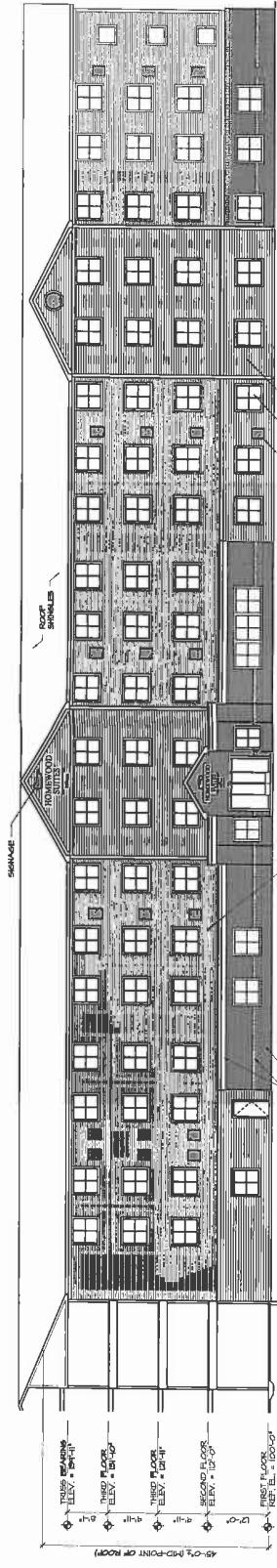
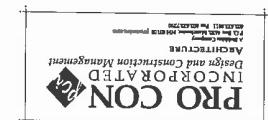
The hardship is owing to the following characteristics: First, weather conditions in and around Littleton and New England produce significant annual snowfall, and a pitched roof instead of a flat roof is more conducive to avoiding unsafe accumulations of

snow and ice on the roof of the Hotel; Second, in order to construct the Hotel more in keeping with the New England character of Littleton and surrounding communities, and maintaining such New England character as much as possible, it is more aesthetically appropriate to use a pitched roof. Finally, to construct a three story Hotel without a pitched roof would not be economically viable and would present an economic hardship upon the Petitioner.

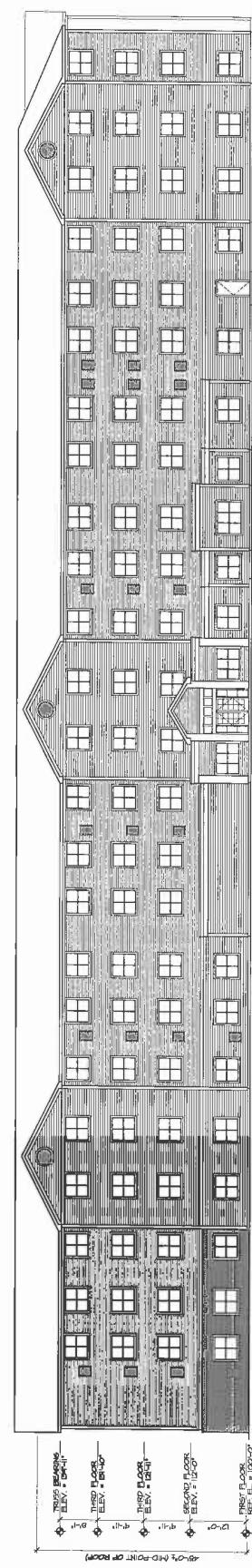
The proposed Hotel is being constructed in an industrial and business area and the additional unoccupied height will not pose any danger to surrounding properties or buildings, nor will it result in any dissipation of light, or increase of wind currents which would adversely affect neighboring properties. Further, the additional 6 feet of height over the zoning limit is a relatively small increase beyond the zoning limit, and for all intent and purpose would not be readily discernable by most people looking at the Hotel structure.

Therefore, the desired relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the zoning by-law.





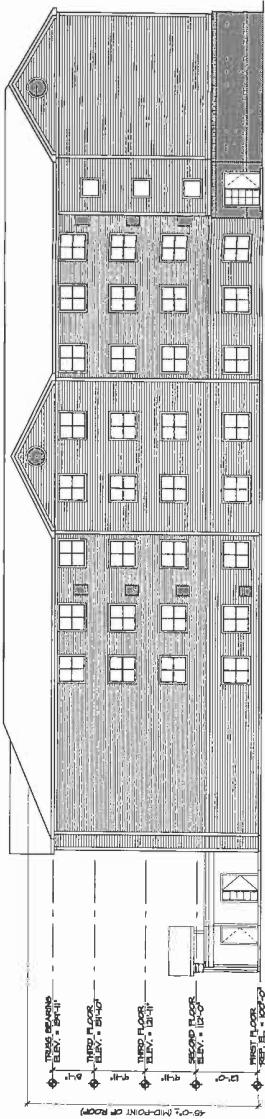
WEST ELEVATION



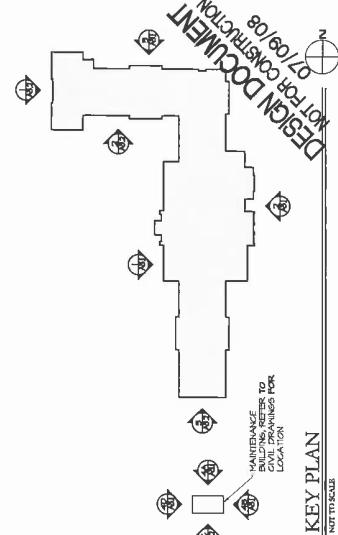
EAST ELEVATION

HILTON HOMewood SUITES
EXTERIOR ELEVATIONS w/ PITCHED ROOF
LITTLETON, MA

NORTH ELEVATION



NORTH ELEVATION



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CONSULT THE SURVEY FOR CLASSIFICATION BEFORE PROCEEDING WITH THIS WORK.

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