



Littleton Building Department
Building Commissioner
Zoning Officer
P.O. BOX 1305
LITTLETON, MA 01460
(978) 540-2420

Rec'd 10/21/2019

October 21, 2019

Mr. Mark Gallagher
307 Harwood Avenue
Littleton MA 01460

Dear Mr. Gallagher;

This letter is in response to your email of October 18, 2019, requesting a zoning opinion regarding Littleton Zoning Bylaws Section 173-28 Street frontage exception.

Section 173-28 Street frontage exception: Lots having less than the normally required lot frontage may be created and built upon for residential use, provided that such lots are shown on a plan endorsed by the Planning Board "Approved for Reduced Lot Frontage". Plans shall be endorsed if meeting each of the following, but not otherwise:

- A. *Each lot shall have frontage of at least 35 feet.*
- B. *Egress over that frontage shall create no greater hazard owing to grade and visibility limitations than would be normal for a standard lot in the same area.*
- C. *Each lot must contain at least 40,000 square feet more than the minimum otherwise required, without counting the area within any access strip. "Access strip" in this case shall mean any portion of the lot between the street and the point where lot width equals 100 feet or more.*
- D. *All other normal lot requirements as specified in the Intensity of Use Schedule shall be met.*
- E. *Each lot with less frontage than normally required shall be capable of containing a square with side equal to the normally required lot frontage. Said square shall be shown on the plan submitted to the Planning Board for endorsement.*
- F. *No lot having less than normally required frontage shall be endorsed by the Planning Board if its access strip abuts another such lot.*
- G. *Plans of reduced frontage lots shall show the frontage of each lot abutting its access strip and if any such lot is a reduced frontage lot, shall show the location of that lot's access strip.*

In reviewing your email and the plan attached thereto entitled "Plan of Lots Conventional Subdivision" by GPR Engineering, I offer the following: There are six(6) reduced frontage lots shown – Lot 5,7,9,11,12 and 14. The comments below refer to the specific sections of 173-28 as referenced above.

- A. The lot data table indicates each of these lots have at least 35 feet of frontage.
- B. This department cannot make that determination

- C. The lot data table indicates each of the reduced frontage lots contain at least 40,000 square feet **more** than the minimum otherwise required (40,000 s.f.) exclusive of the access strip. Without a "to scale" plan this department cannot verify that the access strip areas shown on the lot data table include all area from the street to the point where the lot width equals 100 feet or more.
- D. Plan indicates that location and size of proposed dwellings are approximate only, it appears that setbacks required in the Intensity of Use Schedule could be met.
- E. The plan shows a square on each the reduced frontage lots. Without a "to scale" plan this department cannot verify that this is equal to the normally required lot frontage.
- F. No lot having less than normally required frontage shall be endorsed by the Planning Board if its access strip abuts another such lot. It is the opinion of this department that Lot 5, Lot 9 and Lot 14 **do not** meet this requirement. The access strip for Lot 5 abuts another reduced frontage lot (Lot 7); the access strip for Lot 9 abuts another reduced frontage lot (Lot 11) and the access strip for Lot 14 abuts another reduced frontage lot (Lot 12).
- G. The lot table indicates that Lot 4, Lot 6, Lot 8, Lot 10 and Lot 13 have 150 ft of frontage. The frontage of the abutting lot to Lot 11 (land of Cherneff) and Lot 12(land of Oborski) is not shown but the Littleton GIS maps indicate these abutting lots have greater than 150 ft of frontage.

In summary,

- this department agrees with your statement that the access strip is any portion of the reduced frontage lot from the street and the point where the lot width equals 100 feet or more;
- agrees that the area of the access strip cannot be counted towards the overall square footage, but cannot verify the areas listed on the lot data table without a fully dimensioned "to scale" plan; and
- agrees that the access strip of a reduced frontage lot cannot contact another reduced frontage lot. Lot 5, Lot 9 and Lot 14 do not meet this requirement of the bylaw.

You have the right to appeal this opinion pursuant to General Laws Chapter 40A, Section 8, 10 and 15, to the Littleton Board of Appeals, provided such an appeal is taken within thirty days from the receipt of this opinion. Failure to file a timely application is fatal.

If you have any further questions, please do not hesitate to contact me.

Sincerely,



Michelle Cobleigh
Assistant Zoning Enforcement Officer
Littleton Building Department