

## 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 § \_\_\_\_\_

**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 \_\_\_\_\_

See supplemental instructions: Littleton Zoning Board of Appeals Rules for the Issuance of a Comprehensive Permit under

## Special Permit 40B

Under MGL c. 40B

M.G.L.c40B

## Variance

Under MGL c. 40A §. 10

The undersigned hereby petitions the Board of Appeals for the Town of Littleton to vary, in the manner and for the reasons hereinafter set forth, the applicable provisions of the Zoning By-law.

**1. Specifically, from what Zoning bylaw section are you seeking relief?** 173-31 Intensity of Use

**2. Why are you seeking relief from a literal enforcement of this Zoning Bylaw?**

*Attach a written statement that specifically describes existing conditions and your objectives, along with plans, specifications, certified plot plan and any documentation necessary to support your request.*

**3. Show evidence that you meet the minimum requirements of a variance under section 173-6 B (2) of the Littleton Zoning Bylaws.**

*Attach a written statement which specifically includes why, owing to conditions (soil, shape, or topography) especially affecting the premises, but not affecting generally the zoning district in which it is located, a literal enforcement of the Zoning By-law would result in a substantial hardship to you. Applicant must clearly demonstrate the lack of alternative remedies.*

**4. 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.**

Tim E. Baillio  
Signature

Tim E. Baillio  
Print name

## Filing Instructions

**1. IMPORTANT: SEE THE BUILDING COMMISSIONER/ZONING ENFORCEMENT OFFICER BEFORE YOU FILL OUT THIS APPLICATION.** He will assist you with the proper zoning sections and application request(s). His review may save time by preventing delays in the hearing process.

**2. Bring the completed application packet to the Administrative Assistant to the Building Commissioner who will assist you in filing with the Town Clerk.**

**Necessary Exhibits—** provide 3 copies and an electronic copy of the following with the completed application:

1. A copy of the most recently recorded plan of land or where no such plan exists, a copy of a plot plan endorsed by a registered engineer or land surveyor. The plan should show;
  - A) metes and bounds of the subject land
  - B) adjacent streets and other names and readily identifiable landmarks and fixed objects
  - C) dimensional layout of all buildings
  - D) distances and setbacks from the various boundaries
  - E) exact dimensions, setbacks and specifications of any new construction, alterations, additions or installations
  - F) direction of North
  - G) the name of each abutting property owner
2. Copy of the latest recorded deed
3. A written statement which details the basis for your petition
4. Pictures, plans, maps, drawings and models are always helpful in explaining the problem
5. In cases pertaining to signs, a scale print of the sign lettering and colors
6. In cases pertaining to subdivisions of land, prints should show the proposed subdivision endorsed by a registered engineer or land surveyor
7. In cases pertaining to Accessory dwellings evidence that the Board of Health has approved the septic system
8. The date of the building construction and the history of ownership are useful in finding facts about the case

Completed applications filed with the Town Clerk by the third Thursday of the month will be considered at the next regularly scheduled Zoning Board of Appeals meeting, held on the third Thursday of the following month.

The Board in its discretion may dismiss an application or petition for failure to comply with any of the foregoing rules



## General Information

### What authority does the Board of Appeals have?

The Board of Appeals obtains its authority under the Massachusetts General Laws Chapter 40A §14 and the Town of Littleton's Zoning By-law 173-6 to hear and decide *appeals*, to hear and decide applications for *Chapter 40A special permits*, and to hear and decide petitions for *variances*. The Board of Appeals also hears and decides applications for *special permits for low and moderate income housing under Massachusetts General Laws Chapter 40B Sections 20, 21, 22, and 23*.

### What is an Appeal?

Pursuant to Massachusetts General Laws Chapter 40A §8 and Littleton Zoning By-law 173-6 B(3) and 173-6 B(5) the Board of Appeals hears and decides appeals by any person aggrieved by any written order or decision of the Zoning Enforcement Officer or other administrative official in violation of any provision of Massachusetts General Laws Chapter 40A or the Littleton Zoning By-laws. Building permits withheld by the Building Commissioner acting under MGL C. 41, §81Y as a means of enforcing the Subdivision Control Law may also be issued by the Board of Appeals. Action taken by the Building Commissioner acting under the Code of Littleton Chapter 152 will also be heard by the Board of Appeals. *If the Zoning Enforcement Officer or other administrative official does not issue a written order or decision, the Board of Appeals will not hear the appeal.* Appeals from the written decisions of the Zoning Enforcement Officer or other administrative official must be filed with the Office of the Town Clerk pursuant to Massachusetts General Laws Chapter 40A Section 15 within thirty (30) days from the date of the written order or decision which is being appealed. **Failure to file a timely appeal is fatal.**

### What is a Chapter 40A Special Permit?

Certain uses of property are permitted as a matter of right. However, the Littleton Zoning By-laws provide that other uses are not allowed in certain zoning districts, and that specific types of uses shall only be permitted in specified zoning districts upon the issuance of a Special Permit from the Board of Appeals pursuant to Massachusetts General Laws Chapter 40A § 9, 9A, and 9B. Special Permits may be issued only for uses which are in harmony with the general purpose and intent of the By-law, and may be subject to general or specific provisions set forth therein, and such permits may also impose conditions, safeguards and limitations on time or use. A Special Permit, unlike a Variance, may be conditioned by limiting its duration to the term of ownership or use by the Applicant. When a Special Permit application is accompanied by plans or specifications detailing the work to be undertaken, the plans and specifications become conditions of the issuance of the permit. Therefore, once a Special Permit is granted, modification of the plans or specifications require as a prerequisite, modification of the Special Permit through the filing of a successive Special Permit application. No building permit may be issued by the Building Commissioner for a use or structure that requires a Special Permit until 1) a Special Permit has been granted by the Board of Appeals, 2) the expiration of the twenty (20) day appeal period pursuant to Massachusetts General Laws Chapter 40A Section 11, and 3) the Special Permit has been recorded at the Middlesex South District Registry of Deeds. The Building Commissioner shall require proof of recording at the Registry of Deeds from the Town Clerk prior to issuance of a building permit. No party is entitled "as a matter of right" to a Special Permit. The Board of Appeals, in the proper exercise of its discretion, is free to deny a Special Permit even if the facts show that such a permit could be lawfully granted. **Special Permits 40A shall lapse 24 months following the granting unless substantial use or construction has commenced.**

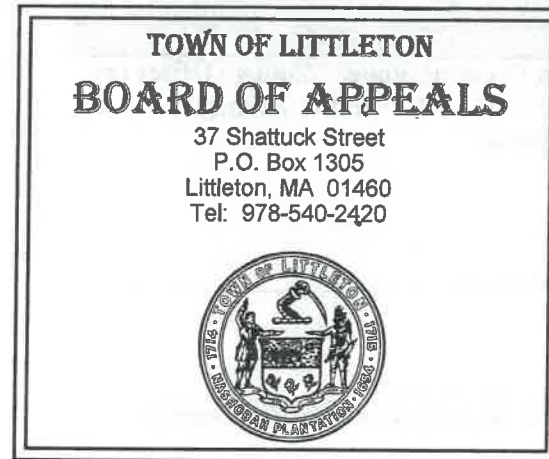
### What is a Chapter 40B Special Permit?

Chapter 40B is a state statute, which enables local Boards of Appeals to approve affordable housing developments under flexible rules if at least 25% of the units have long-term affordability restrictions. Also known as the Comprehensive Permit Law, Chapter 40B was enacted in 1969 to help address the shortage of affordable housing statewide by reducing unnecessary barriers created by local approval processes, local zoning, and other restrictions. Its goal is to encourage the production of affordable housing in all communities throughout the Commonwealth. **Special Permits 40B shall lapse 3 years from the date the permit becomes final unless construction authorized by a comprehensive permit has begun, or unless specifically noted otherwise in the permit by the Board of Appeals.**

### What is a Variance?

A Variance is a waiver of the zoning rules adopted by the Citizens of Littleton at Town Meeting. A Variance may be granted pursuant to the Littleton Zoning By-laws and Massachusetts General Laws Chapter 40A Section 10. Accordingly, it is only in rare instances and under exceptional circumstances that relaxation of the general restrictions established by the Zoning By-laws are permitted. A Variance is distinguished from a Special Permit. The Variance is used to authorize an otherwise prohibited use or to loosen dimensional requirements otherwise applicable to a structure. No person has a right to a Variance. *Variance of "use" is almost never granted by the Board of Appeals. Variance of "dimensional" requirements is granted in rare occasions.* **The Board of Appeals has no discretion to grant a Variance unless the petitioner provides evidence, and that the Board of Appeals determines that, owing to circumstances relating to the soil conditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the ordinance or by-law would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or by-law.** Even if the Board of Appeals find that such hardship exists, it may exercise its discretion and not grant a Variance. No building permit may be issued by the Building Commissioner for a use or structure that requires a Variance until 1) a Variance has been granted by the Board of Appeals, 2) the expiration of the twenty (20) day appeal period pursuant to Massachusetts General Laws Chapter 40A Section 11, and 3) the Variance has been recorded at the Middlesex South District Registry of Deeds. The Building Commissioner shall require proof of recording at the Registry of Deeds from the Town Clerk prior to issuance of a building permit. **Rights authorized by a Variance must be exercised within 1 year of granting, or said variance shall lapse.**

ZBA Case No.: 22-963 Address 7 Whitetail Way  
R23-20-4



### 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**  
8/24/22 9:40am  
Kim Hehl

The filing is not official until stamped by the Town Clerk

Filing Fee paid: \$ \_\_\_\_\_ Check # \_\_\_\_\_

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.

Deborah A. Richard  
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 Tim E. Baillio Date: 08/22/2022

Tim E. Baillio  
Print Name

7 Whitetail Way  
Address

Littleton, MA, 01460  
Town, State, Zip

978-339-5462  
Phone #

TBaillio@AOL.com  
Email Address

Deed Reference: Bk 74929 Page 235

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

Tim E. Baillio 08/22/2022  
Signature Date

Phone # \_\_\_\_\_

Print Name (if different from petitioner) \_\_\_\_\_

Email \_\_\_\_\_

Address (if different from petitioner) \_\_\_\_\_

ASSESSOR MAP & PARCEL NUMBER \_\_\_\_\_

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

Check box if applicable

☐ AQUIFER DISTRICT

☐ WATER RESOURCE DISTRICT

**FEEs**  
Residential Property \$200 filing + \$105 recording fee + \$25 abutter list + \$176.53 public hearing notice = \$ 506.53  
Commercial Property \$350 filing + \$105 recording fee + \$25 abutter list + \$176.53 public hearing notice = \$ 656.53  
Comprehensive Permit \$1000 + \$100/unit over 10 units  
Please make check payable to Town of Littleton

# Town of Littleton

DATE: 8/23/2022

## 176 - Appeals

### Schedule of Departmental Payments to the Treasurer

Source/From Whom	Account Name	Account Number	Amount
--	--	--	\$
--	--	--	\$
7 Whitetail Way	Board Receipts	00011763-432000	ZBAFEE \$200.00
Tim Baillio	--	--	CLK FEE \$105.00
--	--	--	BOA FEE \$25.00
--	--	13044370-484000	ZBAADS \$176.53
--	--	--	\$
--	--	--	\$
--	--	--	\$
--	--	--	\$
--	--	--	\$

TOTAL Turnover

**\$506.53**

Credit	\$
Cash	\$
Checks	\$ <b>\$506.53</b>
<b>TOTAL</b>	<b>\$506.53</b>

Must equal total above

The above listed receipts, collected by the Committee/Department have been turned over to the Treasurer.

  
Committee/Department Signature

8/23/22  
Date

Received from the Committee/Department the total as listed above.

  
Treasurer's Office Signature

8-23-22  
Date



TIM E BAILLIO  
SARAH E BAILLIO  
7 WHITETAIL WAY  
LITTLETON MA 01460

973

53-7122/2113

Aug 23, 2022

Date

CHECK ARMOR  
TRADE PROTECTION

Pay to the  
Order of

Town of Littleton

\$ 500.<sup>53</sup>/<sub>100</sub>

Dollars



Photo  
Solo  
Deposit  
Check, m track

Five hundred six and 53/100



Middlesex<sup>26</sup>  
Savings Bank  
GROTON, MA 01450

*Tim E Baillio*

MP

For

⑆211371227⑆ 163455910⑆ 0973





TOWN OF LITTLETON  
**BOARD OF ASSESSORS**  
P.O. BOX 1305  
LITTLETON, MA 01460  
(978) 540-2410 FAX: (978) 952-2321

Date: August 23, 2022

Re: **Certified List of Abutters for Board of Appeals (300 feet - public hearings, special permits  
And/or for Variances)**

Applicant Town of Littleton ZBA  
Mailing Address PO Box 1305, Littleton, MA 01460

**Subject Parcel Location:** 7 Whitetail Way  
**Subject Owner** Tim Baillio  
**Subject Map & Parcel No:** R23 20 4

M.G.L. Chapter 40A, Section 11. "In all cases where notice of a public hearing is required notice shall be given by publication in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than fourteen days before the day of the hearing and by posting such notice in a conspicuous place in the city or town hall for a period of not less than fourteen days before the day of such hearing. In all cases where notice to individuals or specific boards or other agencies is required, notice shall be sent by mail, postage prepaid. **"Parties in interest" as used in this chapter shall mean the petitioner, abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within three hundred feet of the property line of the petitioner as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town, the planning board of the city or town, and the planning board of every abutting city or town.** The assessors maintaining any applicable tax list shall certify to the permit granting authority or special permit granting authority the **names and addresses of parties in interest and such certification shall be conclusive for all purposes.** The permit granting authority or special permit granting authority may accept a waiver of notice from or an affidavit of actual notice to any party in interest or, in his stead, any successor owner of record who may not have received a notice by mail, and may order special notice to any such person, giving not less than five nor more than ten additional days to reply." .....

**I hereby certify the attached list of abutter(s) as stated in the M.G.L. Chapter 40A, Section 11.**

Number of Abutter(s) 15 including the subject parcels + 1 Applicant Requesting Abutter's List.

Certified by:

A handwritten signature in blue ink, appearing to read "April Iannacone", is written over a horizontal line.

April Iannacone, Assistant Assessor

REAR WHITETAIL WY	R21 15 1	6 WHITETAIL WY	R23 20 37
WHITETAIL TRUST	LUC: 132	KULCHUK ROBERT	LUC: 101
LEWIS R, PALMER W JR, T, S & M		KULCHUK JULIE	
222 LITTLETON RD		6 WHITETAIL WAY	
WESTFORD, MA 01886-3513		LITTLETON, MA 01460	
OFF SPECTACLE POND RD	R21 16 0	7 WHITETAIL WY	R23 20 4
WHITETAIL TRUST	LUC: 132	BAILLIO TIM	LUC: 101
LEWIS R, PALMER W JR, T, S & M		BAILLIO SARAH	
222 LITTLETON RD		7 WHITETAIL WAY	
WESTFORD, MA 01886-3513		LITTLETON, MA 01460	
1 WHITETAIL WY	R23 20 1	9 WHITETAIL WY	R23 20 5
PARAKKAVETTY, SAMEER	LUC: 101	LINDA WILLIAMS HAINES REVOCABL	LUC: 101
SANAM, SHEETHAL		HAINES LINDA WILLIAMS TRUSTEE	
1 WHITETAIL WAY		9 WHITETAIL WAY	
LITTLETON, MA 01460		LITTLETON, MA 01460	
3 WHITETAIL WY	R23 20 2	11 WHITETAIL WY	R23 20 6
JARVIE JAMES S IV	LUC: 101	LEWIS RICHARD, PALMER WARREN JR	LUC: 130
JARVIE JULIE		PALMER TITUS, SAMUEL & MAX TRS	
3 WHITETAIL WAY		21 VOSE ROAD	
LITTLETON, MA 01460		WESTFORD, MA 01886	
5 WHITETAIL WY	R23 20 3	13 WHITETAIL WY	R23 20 7
BENT WILLIAM J	LUC: 101	PALMER MAX A	LUC: 101
BENT PATRICIA A		PALMER JESSICA L	
5 WHITETAIL WY		13 WHITETAIL WAY	
LITTLETON, MA 01460		LITTLETON, MA 01460	
16 WHITETAIL WY	R23 20 32		
BARRETT RICHARD C JR	LUC: 101		
BARRETT ANDREA E			
16 WHITETAIL WY			
LITTLETON, MA 01460			
14 WHITETAIL WY	R23 20 33		
BELCHER JAMES	LUC: 101		
BELCHER SARAH A H			
14 WHITETAIL WAY			
LITTLETON, MA 01460			
12 WHITETAIL WY	R23 20 34		
ANDERSEN RICHARD C	LUC: 101		
ANDERSEN LYNN E			
12 WHITETAIL WY			
LITTLETON, MA 01460			
10 WHITETAIL WY	R23 20 35		
HEER HANS J	LUC: 101		
HEER MARIANNE M			
10 WHITETAIL WAY			
LITTLETON, MA 01460			
8 WHITETAIL WY	R23 20 36		
CALLA SAURABH K	LUC: 101		
TRIVEDI PURVI K			
8 WHITETAIL WAY			
LITTLETON, MA 01460			

# Middlesex South Registry of Deeds

## Electronically Recorded Document

This is the first page of the document - Do not remove

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### Recording Information

Document Number	: 96695
Document Type	: DEED
Recorded Date	: June 19, 2020
Recorded Time	: 02:47:50 PM
Recorded Book and Page	: 74929 / 235
Number of Pages(including cover sheet)	: 3
Receipt Number	: 2477774
Recording Fee (including excise)	: \$3,324.20

\*\*\*\*\*  
MASSACHUSETTS EXCISE TAX  
Southern Middlesex District ROD # 001  
Date: 06/19/2020 02:47 PM  
Ctrl# 319437 05968 Doc# 00096695  
Fee: \$3,169.20 Cons: \$695,000.00  
\*\*\*\*\*

**Middlesex South Registry of Deeds**  
**Maria C. Curtatone, Register**  
208 Cambridge Street  
Cambridge, MA 02141  
617-679-6300  
[www.middlesexsouthregistry.com](http://www.middlesexsouthregistry.com)

Record and Return to:

BARSH AND COHEN, P.C.  
189 Wells Avenue  
Newton, Massachusetts 02459

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

**QUITCLAIM DEED**

*9 Long Lake Rd,*  
I, Jon Kazanjian, of Littleton, Massachusetts 01460,

for consideration paid, and in full consideration of Six Hundred Ninety-Five Thousand and 00/100  
(\$695,00.00) Dollars,

grants to Tim Baillio and Sarah Baillio, as husband and wife, tenants by the entirety, *now of*  
*1 Whitetail Way, Littleton, MA 01460*

**With QUITCLAIM COVENANTS**

The land with the buildings thereon, in Littleton, Middlesex County, Massachusetts, shown as Lot 4 on a plan of land entitled "WHITETAIL WAY" Definitive Subdivision of Land in Littleton, Mass, prepared for Tidan Corporation, Scale: 1" = 40', July 1994, David E. Ross Associates, Inc., Civil Engineers, Land Surveyors, Environmental Consultants, P.O. Box 361, 17 W. Main Street, Ayer, Mass. 01432; said Plan recorded with the Middlesex South District Registry of Deeds as Plan No. 314 of 1995 at Book 25296, Page 92, and to which Plan reference is made for a more particular description of said Lot 4.

Excepting and excluding from this conveyance the fee in Whitetail Way as shown on said Plan but there is hereby granted to Grantee and its successors and assigns the right to use Whitetail Way for all purposes for which streets and ways are commonly used in the Town of Littleton in common with Granter and others who may be or become entitled thereto.

Said Lot 4 containing 40,648 square feet, more or less, according to said plan.

The within conveyance is made subject to a Proposed Temporary Slope Easement and Proposed Drainage Easement, all as shown on plan referenced above.

This conveyance is made subject to and with the benefit of matters referred to in the Form D Certificate of Approval of a Definitive Subdivision Plan dated December 5, 1994 and recorded with said Deeds at Book 25296, Page 102 AND in the Form F Covenant dated December 30, 1994 and recorded with said Deeds at Book 25296, Page 99. Reference is hereby made to these recorded documents for information regarding the fact that an active quarry is located nearby and does conduct periodic blasting operations and that the homeowners in Whitetail Way Subdivision should expect to hear the blasts and feel vibrations.

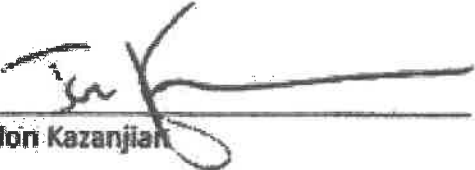
Property address: 7 Whitetail Way, Littleton, MA 01460



All rights of homestead and any other interests are hereby released by the Grantors, and there are no other persons entitled to the protections of the Homestead Act.

Being the same premises conveyed to the Grantor by deed recorded with Middlesex (Southern District) Registry of Deeds, in Book 52680, Page 535.

Executed as a sealed instrument this 24<sup>th</sup> day of APRIL 2020

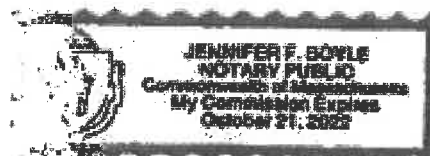
  
Jon Kazanjian

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On April 24, 2020 before me, the undersigned notary public, personally appeared Jon Kazanjian, the above-named and proved to me through satisfactory evidence of identification being Massachusetts Driver's License, to be the person(s) whose name(s) is/are signed on this document, and acknowledged to me that they signed it voluntarily for its stated purpose and that the foregoing instrument is their free act and deed.

  
Notary Public:  
My Commission Expires: 10/21/2022



7 Whitetail Way The petitioner, Tim Baillio, seeks a variance pursuant to 173-31 Intensity of Use to allow for a retaining wall with reduced side setback

My family is seeking to build a retaining wall in our back yard to provide our two young children with a safe and secure area behind our home to play away from the road and pedestrians. The current backyard slopes down steeply into the woods about 15 feet from the house. The proposed retaining wall will level off a portion of the backyard with the patio. The wall along the property line with 5 Whitetail Way will go from ground level to the wall's highest point 12ft above the grade of the slope. Because the wall is greater than 4ft above grade in areas the wall is considered a structure and thus subject to a 10 ft. setback from the property lines. Due to the slope a ten foot section of the property next to wall would be unusable for play. We are requesting a variance to reduce the side setback along the property line with 5 Whitetail Way from 10 ft. to 2 ft. This 2 ft. setback will allow us to maximize the play space behind our home away from the road and pedestrians.

This plan is not to be used for the establishment of property lines, erection of fences, landscaping or construction of additional structures.

# Certified Inspection Plan

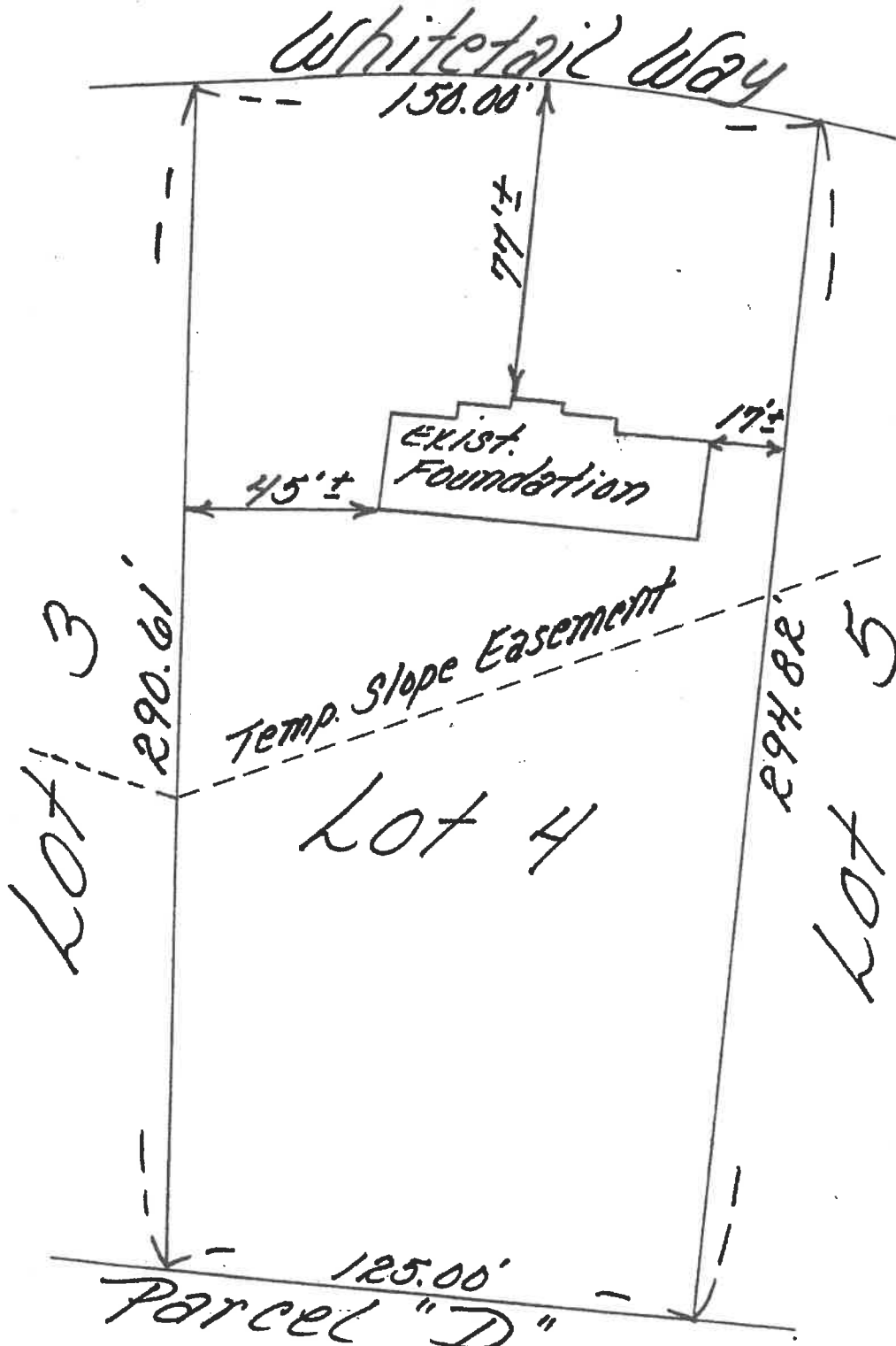
*Whitetail Way Littleton, Mass.*  
STREET TOWN  
**DAVID E. ROSS ASSOCIATES, INC.**

111 FITCHBURG ROAD-P.O. BOX 368-AYER, MA 01432  
(978) 772-6232 368-1065 448-3916 FAX: 772-6258



*Michael D. Martorella*  
SURVEYOR

DATE: *3/20/2007*



I certify that the existing foundation is located on the lot as shown and that its location conforms with the front, side and rear yard setback requirements of Zoning Bylaws of the Town in effect at this time.

I further certify that the foundation is located within Flood Zone "C" per Flood Insurance Rate Map (FIRM) for the Town of Littleton, Community Panel No. 250200 0001 B dated 6/15/83.

REFERENCES: *L-2535, NB. 71-F-28, Job # 21624*

PLAN NO. *S-11208*

This plan is not to be used for the establishment of property lines, erection of fences, landscaping or construction of additional structures.

# Certified Inspection Plan

*Whitetail Way - Littleton, Mass.*  
STREET TOWN

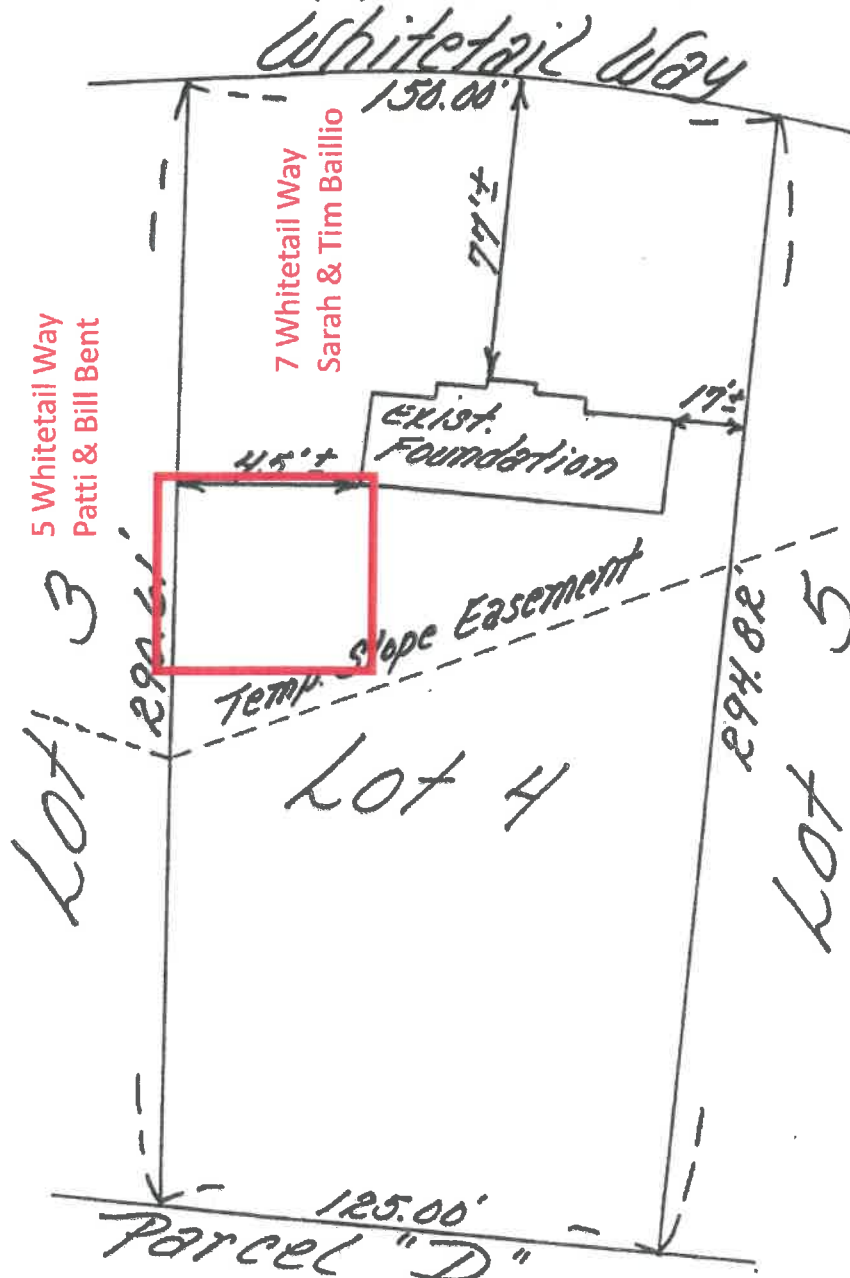
DAVID E. ROSS ASSOCIATES, INC.

111 FITCHBURG ROAD-P.O. BOX 368-AYER, MA 01432  
(978) 772-6232 368-1065 448-3916 FAX: 772-6258



*Michael D. Martorella*  
SURVEYOR

DATE: *3/20/2007*



9 Whitetail Way  
Linda & Jeff Haines

I certify that the existing foundation is located on the lot as shown and that its location conforms with the front, side and rear yard setback requirements of of Zoning Bylaws of the Town in effect at this time.  
I further certify that the foundation is located within Flood Zone "C" per Flood Insurance Rate Map (FIRM) for the Town of Littleton, Community Panel No. 250200 0001 B dated 6/15/83.

REFERENCES: *L-2535, NB. 71-F-28, Vol # 21624*

PLAN NO. *S-1/208*

13 Whitetail Way  
Jessica & Max Palmer

[illegible][illegible]

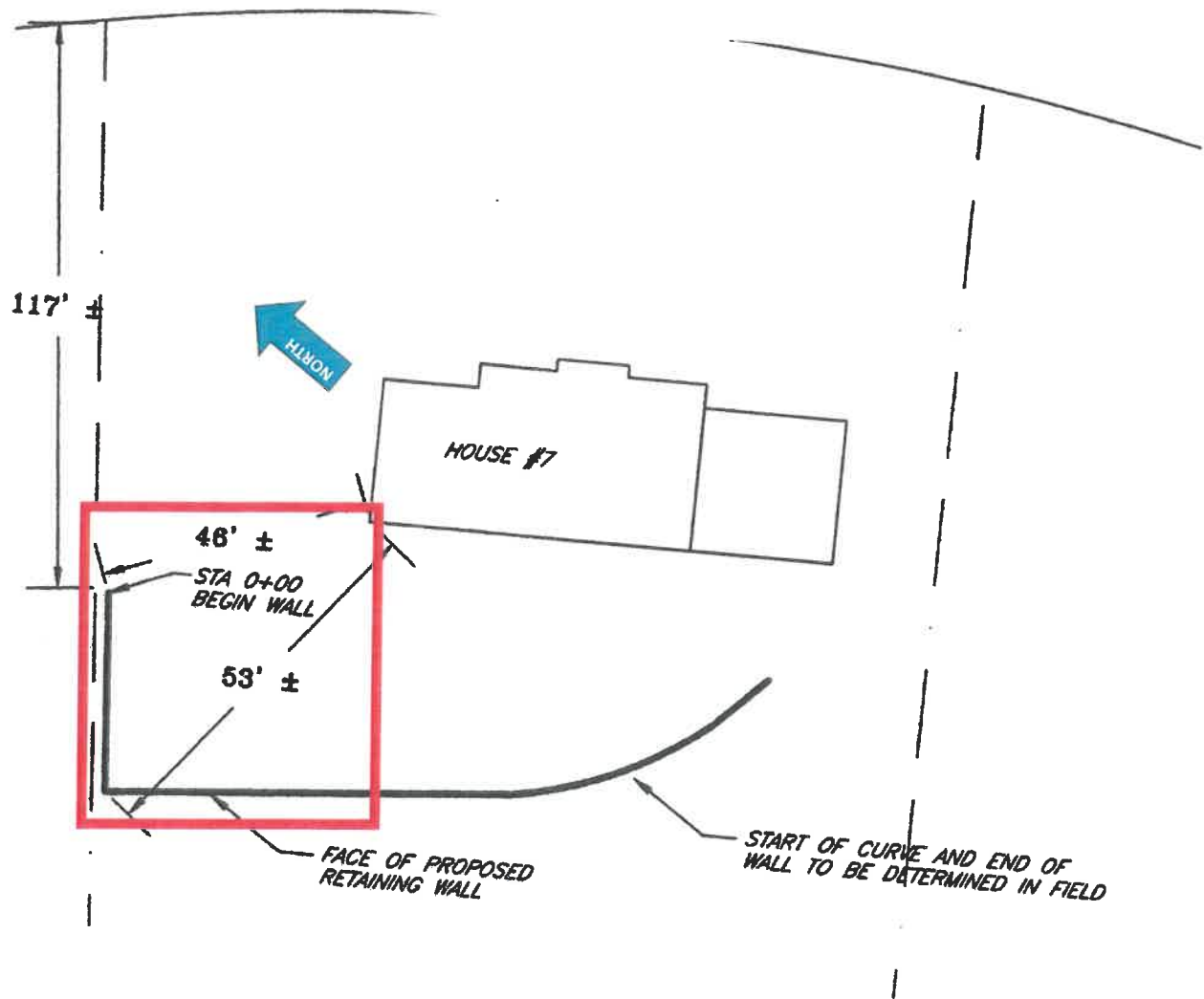
Topographic map showing a proposed five-bedroom house and a stone retaining wall. The map includes contour lines, a north arrow, and a red rectangular area labeled L1 and L2. A vertical dimension of 290.61' is marked on the left side of the red area.

Key features and labels:

- Proposed Five Bedroom House:** Located in the upper right, with a footprint of 266.23' and a T.O.C. ELEV. of 266.0.
- Garage:** Located adjacent to the house, with a T.O.C. ELEV. of 263.0.
- Stone Retaining Wall:** Labeled "PROP. STONE RET. WALL" with a top elevation of 257.0.
- Contour Lines:** Labeled with elevations 240, 245, 250, 255, 260, 265, 266, 267, and 268.
- North Arrow:** Points towards the upper left.
- Red Rectangular Area:** Labeled L1 and L2, with a vertical dimension of 290.61'.
- Other Labels:** "EXISTING HOUSE", "PROPOSED FIVE BEDROOM HOUSE", "T.O.C. ELEV. = 266.23", "T.O.C. ELEV. = 266.0", "T.O.C. ELEV. = 263.0", "PROP. STONE RET. WALL TOP = 257.0", "257", "255", "250", "245", "240", "268", "267", "266", "265", "263", "262", "261", "260", "259", "258", "257", "256", "255", "254", "253", "252", "251", "250", "249", "248", "247", "246", "245", "244", "243", "242", "241", "240".

[illegible]





The proposed retaining wall plans show a set back of approximately 2 ft from the property line to the face of the wall.

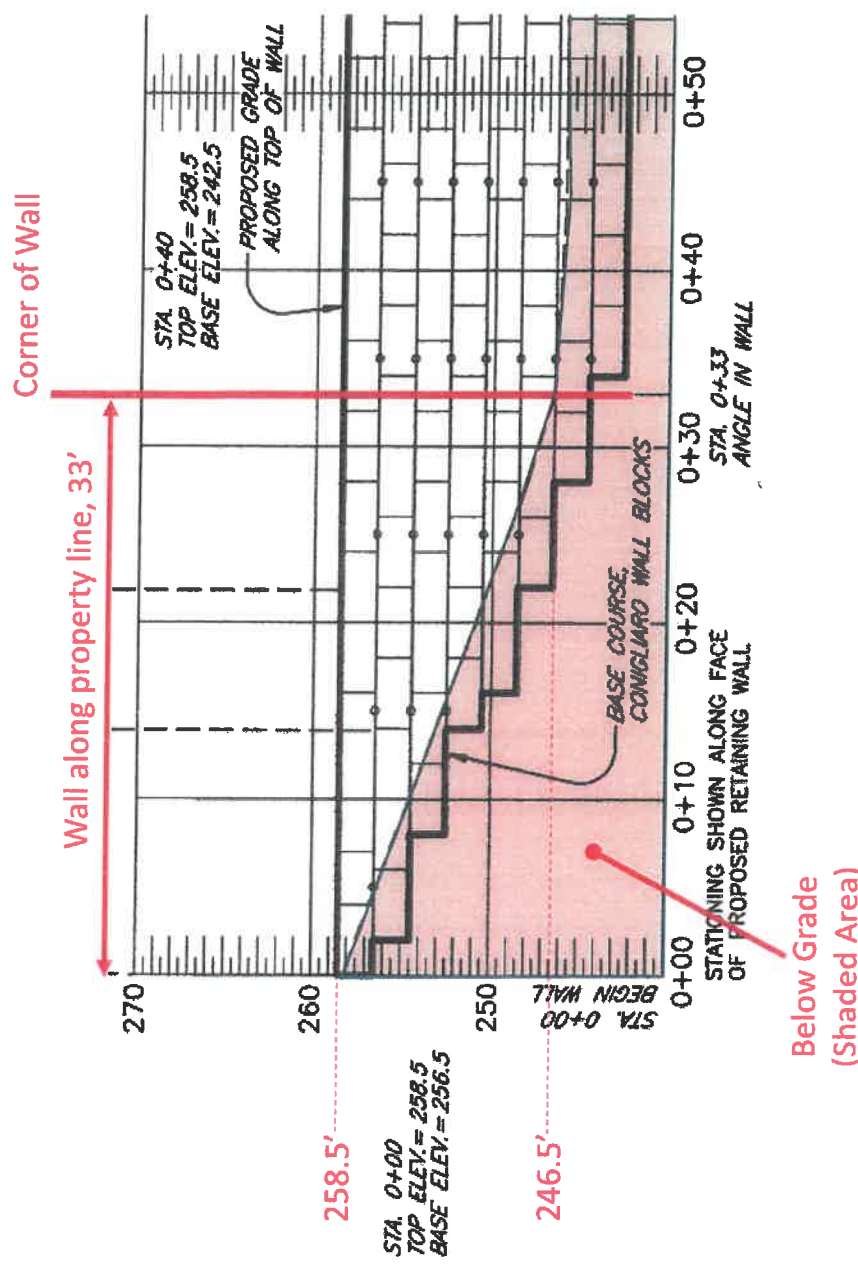
This image was taken from sheet 2 of the proposed retaining wall plans dated 2022

The proposed retaining wall plans show a wall height of 12' above grade at the corner of the wall adjacent to 5 Whitetail Way

The top of the wall is level with the patio seen in following images

The top of fence will be 3.5' above the wall at a height of 15.5' above grade at the corner

This image was taken from sheet 2 of the proposed retaining wall plans dated 2022



Across the back of the house

L1 = Lot line 1  
L2 = Lot Line 2  
2 = 2 ft from lot line  
10 = 10 ft from lot line





Backyard along property line with 5 Whitetail Way

L<sub>2</sub>

L<sub>1</sub>

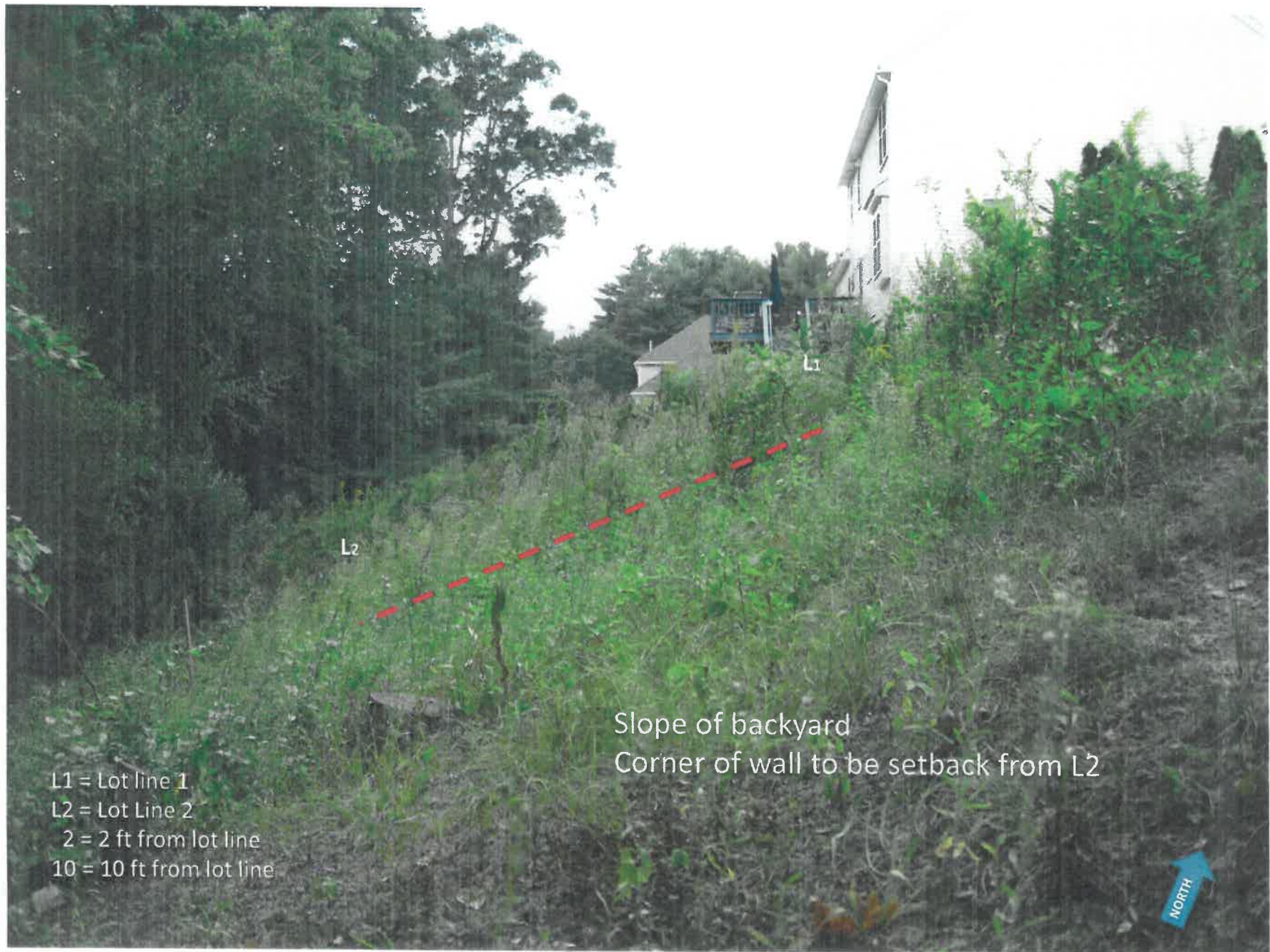
10

2

L<sub>1</sub> = Lot line 1  
L<sub>2</sub> = Lot Line 2  
2 = 2 ft from lot line  
10 = 10 ft from lot line







L1 = Lot line 1  
L2 = Lot Line 2  
2 = 2 ft from lot line  
10 = 10 ft from lot line

Slope of backyard  
Corner of wall to be setback from L2







Backyard along property line with 5 Whitetail Way

