



OFFICE OF THE
LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

Petitioner: Kaveh Azar
Property Address: 19 Chestnut Lane, Littleton, MA
Case No: 931A
Date Filed: July 30, 2019

The Littleton Board of Appeals (the "Board") conducted a public hearing on August 15, 2019, at Littleton Town Offices, 37 Shattuck Street, Littleton on the petition of Kaveh Azar for a Special Permit pursuant to the Town of Littleton Zoning Bylaws Section 173-58 to allow a special permit for accessory apartment at 19 Chestnut Lane, Littleton, Ma. Notice of the hearing was given by publication in the Eagle Independent, a newspaper circulated in Littleton, on July 26 and August 2, 2019 and by mail to all abutters and parties in interest. Present and voting were Sherrill Gould, Chair, Jeffrey Yates, Marc Saucier, Cheryl Hollinger and Rod Stewart, Members Present and not voting were John Sewell, John Field, Jillian Shaw and Katherine O'Connor, Alternates.

Petitioner, represented by William Sturtz, contractor, submitted a proposal and plot plan showing that he is constructing a new residence and detached separated newly constructed barn on his lot at 19 Chestnut Lane Extension. The property contains approximately 22 acres of land and is at the end of a private dead end *cul de sac*. The house plans show the house will contain 6600 square feet and have 3 bedrooms. The proposed accessory will contain 825 square feet (12.5%). The septic system is approved for 6 bedroom, although it is still stands in the name of the prior owner and requires transfer and assignment to petitioner. The proposed accessory unit is currently anticipated to be used for house guests, or a caregiver or relatives. Part of the presentation request was that the barn is now constructed, and the Petitioner wants approval for the accessory prior to the construction/completion of the main dwelling so that he can live in the accessory dwelling during construction.

No abutters appeared in opposition. The building department comment was not opposed.

FINDINGS: The Board made the following findings:

The Petitioner satisfies all of the statutory requirements for an accessory apartment. During construction of the main dwelling, the homeowner will occupy the accessory as his primary dwelling, and once the primary dwelling is complete, "the owner must (continue to) occupy one of the units as their primary residence..." as the statute requires.

DECISION: The Board voted unanimously voted to GRANT a Special Permit for Accessory Apartment under Section 173-58-60 of the Town of Littleton Zoning Bylaws.

Appeals, if any, shall be made pursuant to M.G.L. C. 40A, Section 17 and shall be filed within twenty (20) days after the date of filing of this Decision in the office of the Town Clerk.

The Special Permit shall not take effect until a copy of the Decision bearing the certificate of the Town Clerk is recorded with the Middlesex District Registry of Deeds in accordance with the provisions of M.G.L. C. 40A, Section 11 and 15 stating that twenty (20) days have elapsed after the Decision has been filed in the office of the Town Clerk and no appeal has been filed, or if such appeal has been filed it has been dismissed or denied.

If the rights authorized by this Special Permit are not exercised within two (2) years from the date of granting it shall elapse in accordance with the provisions of M.G.L. C. 40A Section 10.

Signed: _____ **Marc Saucier, Clerk**

Date: _____

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I hereby certify that twenty (20) days have elapsed since the filing of the above Decision by the Board of Appeals and that no appeal concerning said decision has been filed or that any appeal that has been filed has been dismissed or denied.

True Copy Attest: _____ *Print name* _____
Town Clerk, Littleton, Massachusetts

Date: _____