



Office of the
LITTLETON BOARD OF APPEALS

received
10/16/2018
5:00 PM

Petitioner: Peter Knox Attorney for Michael McNiff
Property Address: 17-19 Jennifer Street
Case No: 906A
Date Filed: September 5, 2018

The Littleton Board of Appeals (the "Board") conducted a public hearing on September 19, 2018 at Littleton Town Offices, 37 Shattuck Street, Littleton, MA on the petition of Michael McNiff for a Special Permit pursuant to the Town of Littleton Zoning Bylaws Section 173-10B(3) and 173-26 to determine that the dwelling at 17-19 Jennifer Street is a legally existing multifamily dwelling. Notice of the hearing was given by publication in the Lowell Sun, a newspaper circulated in Littleton, on September 4 and 11, 2018 and by mail to all abutters and parties in interest. Present and voting were, Vice Chair Jeffrey Yates, Alan Bell, Clerk, Members, and Marc Saucier and Jillian Shaw, Alternates.

Submitted with the Application was:

- Quitclaim Deed, Bk. 15069, Pg. 405
- Statement by Owner
- Assessor's Card

Attorney Peter Knox presented the petition and stated that the purpose of the hearing was to establish the legality of the present use as a four family dwelling. The Assessor property card indicates this is a four family structure constructed in 1954. The Building Department files do not offer any additional information.

Littleton Bylaws in 1954 allowed up to a four family structure by variance from the Board of Appeals. The Building Department is unable to confirm that a variance had been granted.

The Littleton Zoning Bylaw was established in 1953.

No abutters were present.

FINDINGS: The Board made the following findings:

1. The property is in the Residential zoning district.
2. The four family use is non-conforming.
3. The structure has been in use as a four family since its construction in 1954.
4. The proposed four family use will not increase the non-conformities.
5. The proposed four family use is not substantially more detrimental to the neighborhood than the existing structure.

DECISION: The Board voted unanimously to GRANT under Section 173-10B(3) of the Town of Littleton Zoning Bylaws, a Special Permit for the structure at 17-19 Jennifer Street to be a four family in accordance with its historic and present use.

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:  Alan Bell, Clerk

Date: 10/16/2018.

Book: 15069, Page: 405

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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: _____