



Office of the
LITTLETON BOARD OF APPEALS

Littleton, Massachusetts 01460

Petitioner: JOSEPH TRAN

Case No: 895A

Date Filed: April 27, 2018

The Littleton Board of Appeals conducted a public hearing on May 17, 2018 at 7:30 P.M. at the Shattuck Street Municipal Building, 37 Shattuck Street, Littleton, for a Variance or Special permit pursuant to Section 173-31 and Section 173-10B (1), to allow change or extension of a pre-existing non-conforming structure to allow a portico over a front landing within the required setback at 46 Russell Street, Littleton, Ma. Notice of the hearing was given by publication in the Littleton Independent, a newspaper circulated in Littleton, on May 2, and May 9, 2018, and by mail to all abutters and parties in interest. Present and voting: Sherrill R. Gould, Chairman, Jeff Yates, Cheryl Hollinger and Rod Stewart, Members and Jillian Shaw, Alternate. Present and not voting were Kathleen O'Connor and John Sewell, Alternates.

The Petitioner requested permission to erect a roof canopy/portico over a front landing at 46 Russell Street, Littleton, Ma. He explained that the steps and landing were pre-existing conformities, but a change in the Massachusetts Building Code now requires that steps and landing be within the setback. The Petitioner explained that he commenced this and other construction without proper permits due to his inexperience, and that the building inspector advised him to come before the Board for approval prior to granting the permits. No abutters appeared in opposition to the petition. The Building Inspector commented by letter that due to the changes in the building code interpretation of setback the steps are legally pre-existing non-conforming but the requested canopy would require a Special Permit or Variance.

FINDINGS: The Board found that the garage proposal would not be substantially more detrimental to the neighborhood than the existing nonconforming structure. Two Board members opined that the request could be allowed without action pursuant to Section 173-10(A) (4). The Board found that the request should be allowed by variance as the petitioner established the uniqueness of the small lot and the need to have a covered area to await a school bus or use the entry.

DECISION: The Board voted unanimously to GRANT a Variance to construct a roof canopy/portico over the front landing at 46 Russell Street.

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

Signed: _____

Sherrill R. Gould

5-23-18

XZ

I hereby signify 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: _____ Town Clerk, Littleton, Massachusetts

TOWN OF LITTLETON
BOARD OF APPEALS

37 Shattuck Street
P.O. Box 1305
Littleton, MA 01460
Tel: 978-540-2420



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
4/27/2018 200
(Signature)

The filing is not official until stamped by the Town Clerk

Filing Fee paid: \$ 300.00 Check # 160

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.

K Lord 4/27/18
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

Joseph Tran

Date:

4/25/2018

Print Name

JOSEPH TRAN

Phone #

(508)-333-5777

Address

46 RUSSELL ST

Email Address

JOSEPHTRAN2002@HOTMAIL.COM

Town, State, Zip

LITTLETON, MA 01460

Deed Reference: Bk _____ Page _____

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

Joseph Tran

4/25/2018

(508)-333-5777

Signature

Date

Phone #

Print Name (if different from petitioner)

JOSEPHTRAN2002@HOTMAIL.COM

Address (if different from petitioner)

ASSESSOR MAP & PARCEL NUMBER 019-13

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 fee + \$75 recording fee + \$25 abutter list = \$300 to Town of Littleton
Commercial Property: \$350 filing fee + \$75 recording fee + \$25 abutter list = \$450 to Town of Littleton
Comprehensive Permit: \$1000 + \$100/unit over 10 units
ADDITIONAL FEES: ALL APPLICATIONS:
Legal Notice publication fee to be paid prior to opening the hearing

ZBA Case 895A

Michelle Cobleigh

From: Joseph Chang <josephptran2002@hotmail.com>
Sent: Monday, April 23, 2018 10:18 PM
To: Michelle Cobleigh
Subject: Variances Appeal!

Hello Sir, Madam (Town Officials)

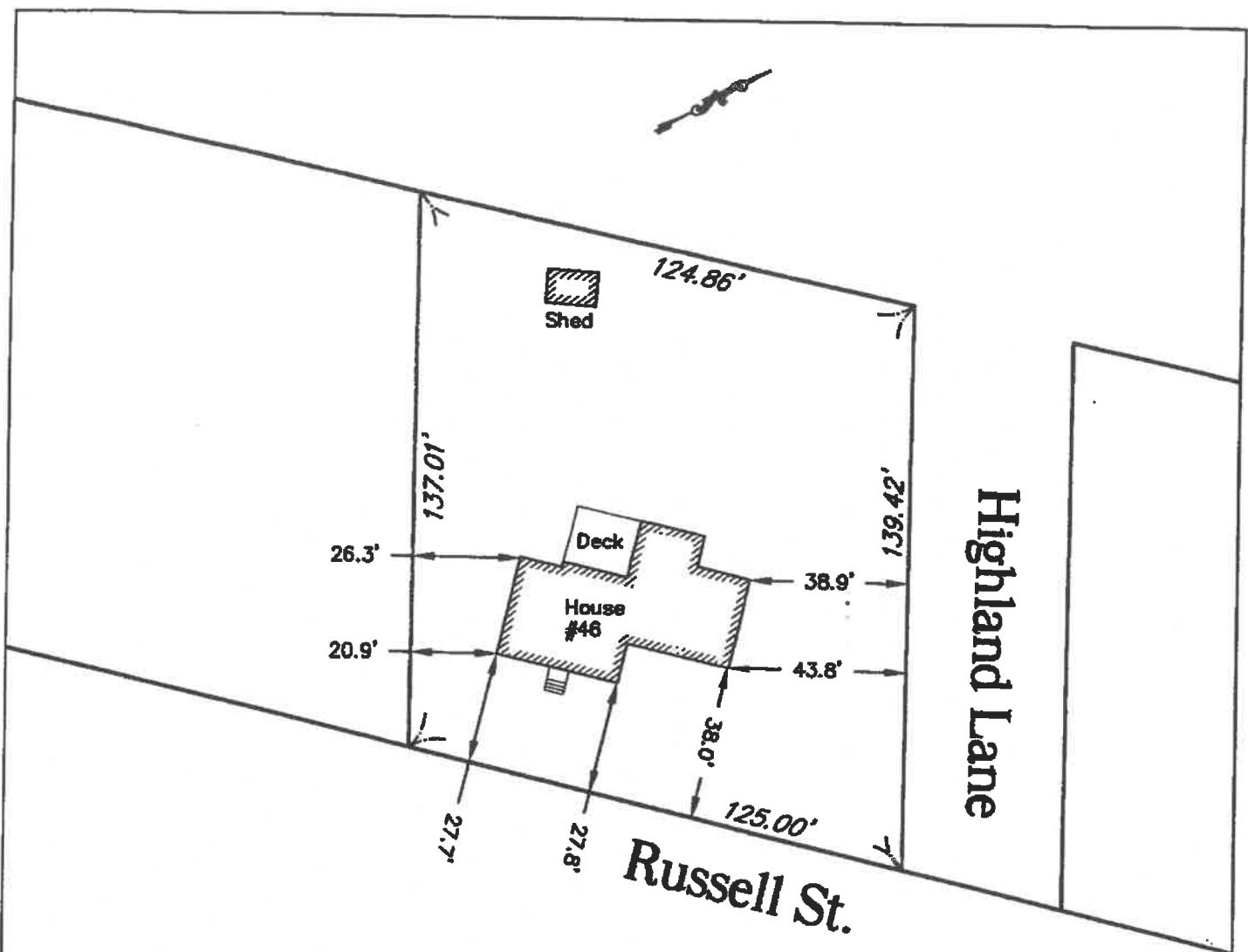
How are you doing Sir, Madam? My name is Joseph Tran, I bought a little house in your town "Littleton" to raise my three very young kids. I've hired General Contractor to replace old shingle with new Shingle and there is part of small roof which is coming out and it is offset the survey land little bit. Would you please allow me to keep small roof on top of my house's entry door? So it (Small roof) can prevent rain and snow coming down while we (My family) are trying to open the entry door in order to come inside the house.

Wish you all have a wonderful day.

Thank you

Joseph Tran

*Be Soldiers to protect America, Be Veterans/Disable Veterans to proud of doing good things for the Country.



Certified Plot Plan

I CERTIFY TO THE LITTLETON
BUILDING INSPECTOR THAT THE
STRUCTURES ARE LOCATED ON THE
PARCEL AS SHOWN.

SCALE: 1" = 40'

DATE: January 30, 2018

Places Associates, Inc.

**Planning, Landscape Architecture,
Civil Engineering, Surveying**

256 GREAT ROAD, SUITE 4
LITTLETON, MA 01460

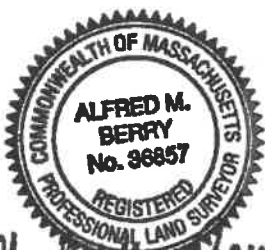
978.486.0334 Ph.

978.486.0447 Fax

places@placesassociates.com

PROJECT No.: 5323

PLAN No. 5323-CPP



Alfred M. Berry



Commonwealth of Massachusetts
Town of Littleton

PO Box 1305 37 Shattuck Street, Room 302 978-540-2420
Return card to Building Division for Certificate of Occupancy



BUILDING PERMIT

Post permit and approved construction documents in clear view and protected from weather at all times until the Certificate of Occupancy is issued.

Permit # B-17-281
Date Issued 2/6/2018
Fee \$50.00
Balance: \$0.00

Property Information

Address 46 RUSSELL ST
Map U19 Parcel U19 13 0 Zone R

Owner/Agent TRAN JOSEPH
Address 47 LAUREL AV
HAVERHILL, MA 01835

Contractor Information

Name	License Type	License No	License Expir.	Insurance	Insurance Expir.
QUOC TRAN	Construction Supervisor	CS-110530	5/25/2020	True	

☐ Applicant Doing Work

Scope of Work

Eight Edition Code Commercial - Eight Edition 1&2 Family

RESIDENTIAL RENOVATION/ADDITION ...
COMPLETE REMOVAL OF REAR DECK...REMOVAL OF FRONT CANOPY BECAUSE IT ENCROACHES INTO THE REQUIRED FRONT SETBACK...MISC. REPAIRS TO
INTERIOR OF DWELLING TO INCLUDE KITCHEN, BATHROOMS...

Building	Plumbing/Gas	Electrical	Assessor
540-2420	540-2423	486-0167	540-2410
Foundation	Rough Plumbing	Rough	LELWD
Rough Framing	Final Plumbing	Security	540-2222
Insulation	Rough Gas	Final	Board of Health
As-Built	Final Gas	Fire: 978-540-2302	540-2430
Site Plan	Sheet Metal	Fire Protection	Highway Department
Construction Documents		Oil Burner	540-2670
(SEE BELOW)			Planning Board
Final			540-2425

Required

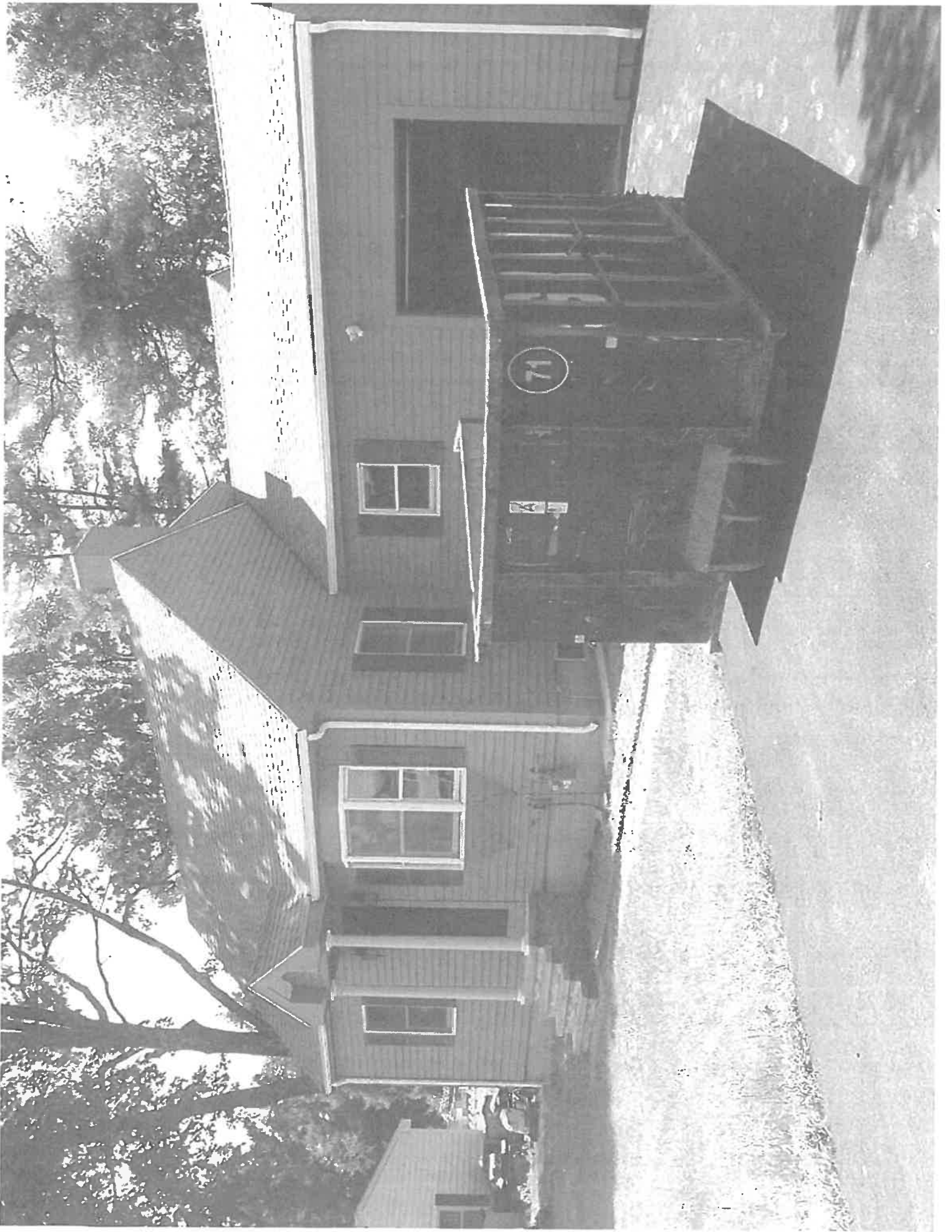
- | | | |
|--|---|--|
| <input type="checkbox"/> Electrical Panel Certificate
Energy code | <input type="checkbox"/> Dumpster 6 Yard Or Greater
Fire Department Permit | <input type="checkbox"/> Construction Control
final reports |
| <input type="checkbox"/> Blower test certificate | <input type="checkbox"/> Clearly visible street number | <input type="checkbox"/> Dryer Vent Placard
\$M1502.4.5 & \$504.6.5 |
| <input type="checkbox"/> Passive Radon System | | |

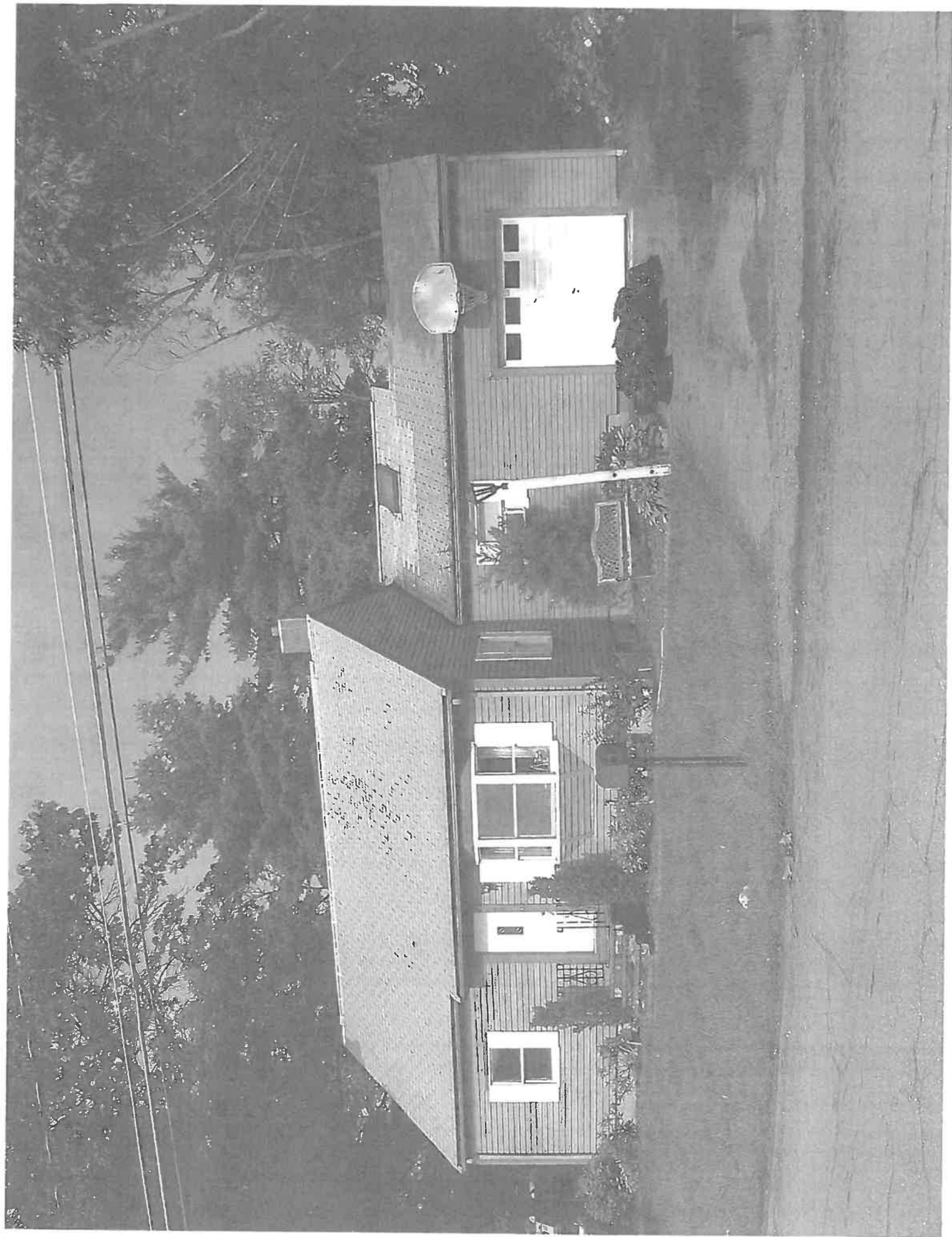
All attachments are to remain with permit card for the duration of the project.

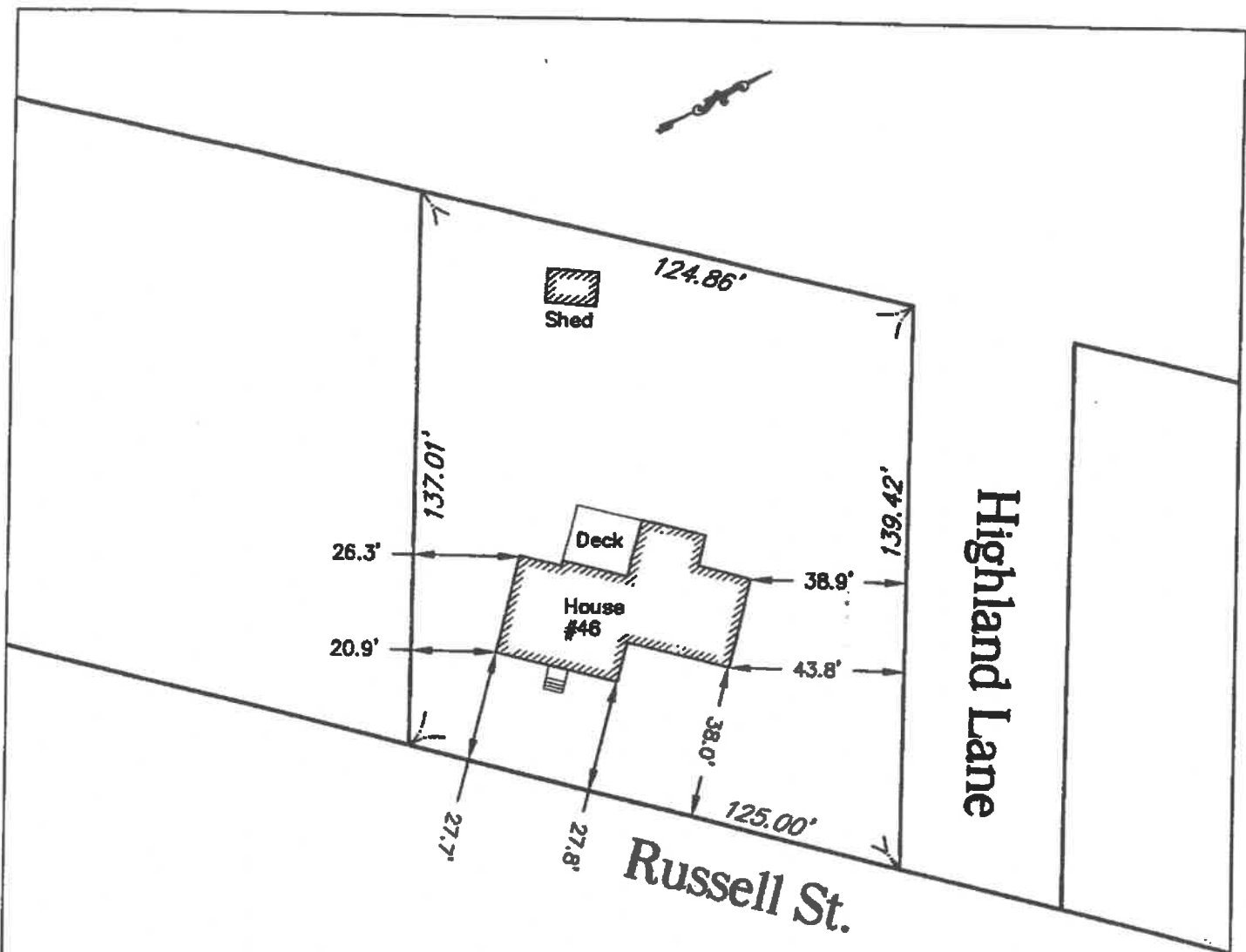
Permit Issued By

Roland J. Bernier

Building Commissioner







Certified Plot Plan

I CERTIFY TO THE LITTLETON
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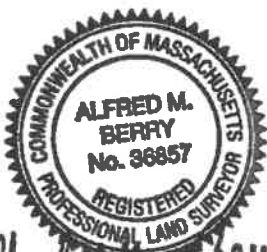
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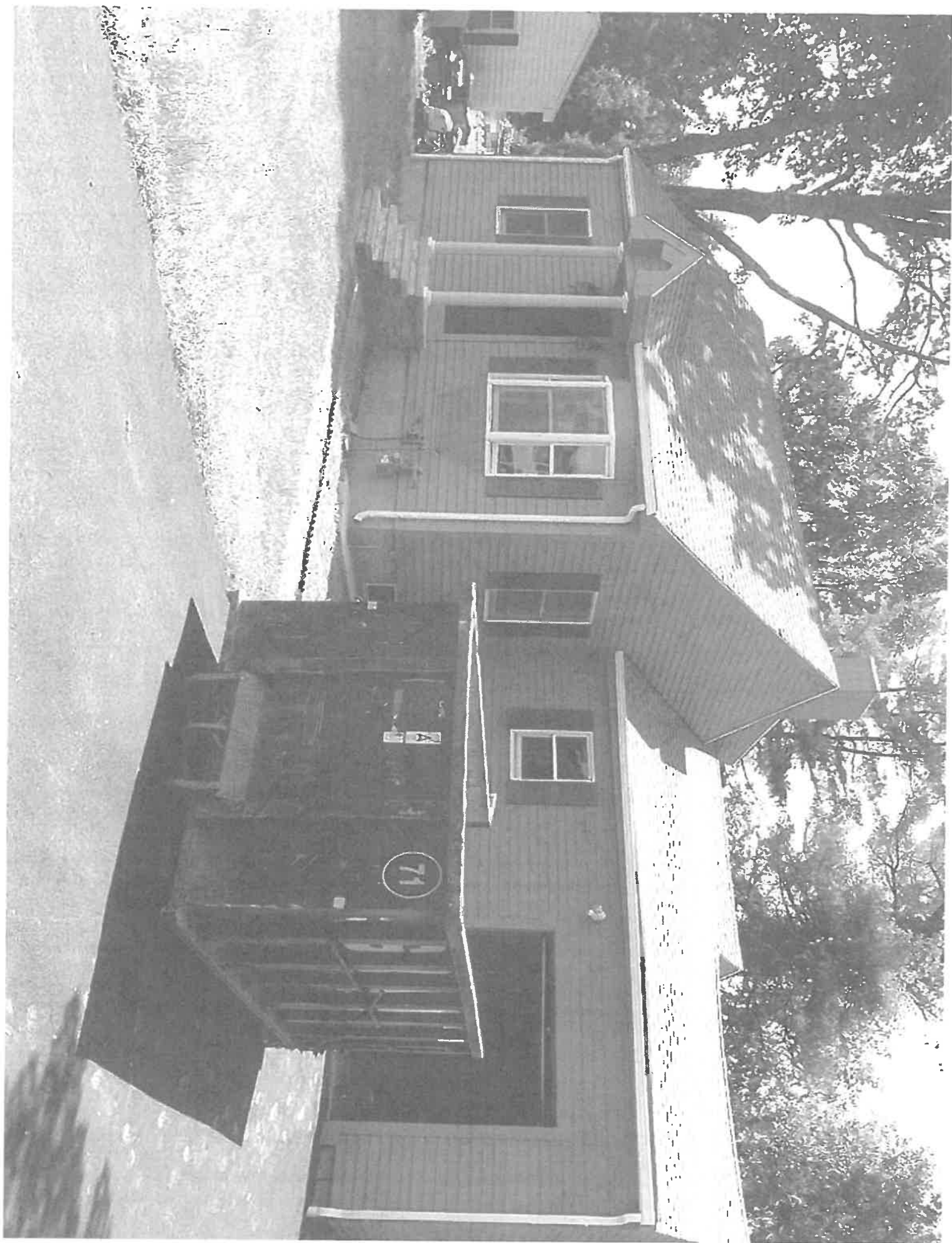
978.486.0447 Fax

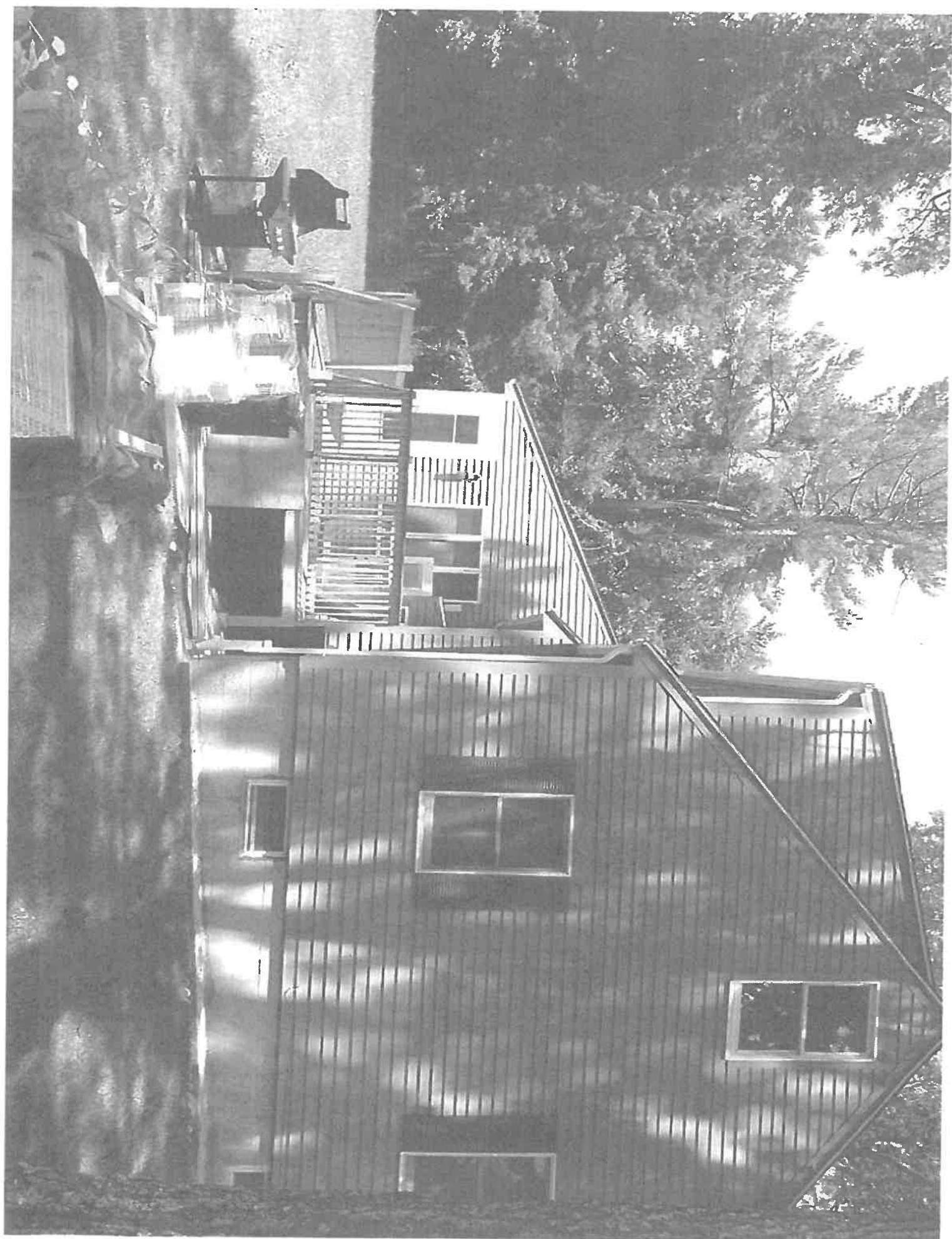
places@placesassociates.com



PROJECT No.: 5323

PLAN No. 5323-CPP





46 Russell St