

1/8/16

ZBA Case No. 86 A Site address 9 Fletcher Lane

**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

1/19/2016 (D) 10:00AM

The filing is not official until stamped by the Town Clerk

200.00

Filing Fee paid: \$ 75.00 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.

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

MARK Canistraro

Print Name

9 FLETCHER Lane

Address

Littleton MA. 01460

Town, State, Zip

Date: 12/4/15

508-369-6904

Phone #

Canistraro1@verizon.net

Email Address

Deed Reference: Bk: 50827 Page 405

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

Signature

Date

12/4/15

508-369-6904

Phone #

Canistraro1@verizon.net

Email

MARK S Canistraro

Print Name (if different from petitioner)

9 FLETCHER Lane

Address (if different from petitioner)

ASSESSOR MAP & PARCEL NUMBER # 6 Parcel # 88

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

Check box if applicable AQUIFER DISTRICT

WATER RESOURCE DISTRICT

FILING FEES		ADDITIONAL FEES (all applications)
Residential Property	\$200 to Town of Littleton	
Commercial Property	\$350 to Town of Littleton	\$75 to Comm of Mass-recording fee
Comprehensive Permit	\$1000 + \$100/unit over 10 units	\$25 to Town of Littleton-abutter list
		Legal Notice publication fee due prior to opening hearing

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?

Zoning Bylaw § 173-10 B(1) 173-31

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.***

If not the owner of record, please attach all supporting documentation showing how do you claim status of aggrieved person

INSTRUCTIONS FOR PETITIONERS

The original petition, with thirteen (14) complete copies, must be filed with the Town Clerk with the list of abutters obtained and certified by the Assessor's office. No appeal will be accepted unless applicable sections of this document are completely filled out (use additional sheets if necessary) with a written statement which details the basis for your petition accompanied with the filing fee payable to the Town of Littleton. Failure to pay the filing fee, answer all questions or file a complete appeal shall constitute sufficient grounds to reject or deny the appeal.

Special Permit 40B

Under MGL c. 40B

The undersigned hereby petitions the Board of Appeals for the Town of Littleton to grant a Comprehensive Permit pursuant to MGL c. 40B

1. You are a public agency, non-profit organization, limited dividend organization known as

2. Mandatory attachments with this application are the *Project Eligibility Letter, Evidence Of Site Control, Preliminary Drawings, Building Tabulation, Utilities Plan, Requested Exemptions, and a Site or Subdivision Plan. See SUPPLEMENT INSTRUCTIONS SPECIAL PERMIT 40B available at the Building Department.*

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.***

If not the owner of record, notarized authorization signed by the owner documenting your authority to represent the petition

INSTRUCTIONS FOR PETITIONERS

The original application for Comprehensive Permit, with thirteen (14) complete copies, must be filed with the Town Clerk with the list of abutters obtained and certified by the Assessor's office. No application will be accepted unless applicable sections of this document are completely filled out (use additional sheets if necessary) with all accompanying plans and/or documents and accompanied with the filing fee payable to the Town of Littleton. Failure to pay the filing fee, answer all questions or file a complete application shall constitute sufficient grounds to reject or deny the application.

Mark Cannistraro

January 16, 2016

9 Fletcher Lane

Littleton Ma. 01460

To: The board of appeals

I Mark Cannistraro am the owner of 9 Fletcher Lane, My parents raised me in this house, along with my 4 other siblings. I took ownership of this property when I got divorced in 2008. I purchased it from my mother. This past year I have been remolding for handicap access to accommodate my elderly mother who will be living with me. I am requesting this variance to build a porch on the front of the house for her to be able to sit outside and enjoy the summer weather. I will eventually need to add a wheel chair ramp for her. The depth of the porch needs to be wide enough for her to maneuver a wheel chair in the future. I had a septic system install this past fall in the back of the house. So building a porch there is not feasible. The two sides of the house are also not feasible because of the setbacks. This porch I would like to build does not impede any views from my neighbors. The neighbor's house on my right is located closer to the road then mine and by me building this porch it would aesthetically go with the neighborhood.

The lot size is 17,735 s.f, the frontage is 165 ft, the front setback is 32 ft, the side and rear setbacks conform to the required zoning setbacks. The proposal is for a porch 21.25 ft x 7.0 ft which will create a new conformity to the front setback at 25 ft. which requires a variance from Section 173-10B(1) for the reduced front setback.

Thank you for taking the time to hear my request.

Mark Cannistraro



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

Date: January 13, 2016

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

Applicant Mark Cannistraro
Mailing Address 9 Fletcher Lane, Littleton, MA 01460

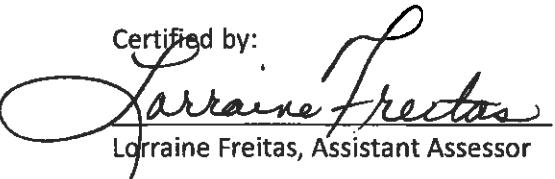
Subject Parcel Location: 9 Fletcher Lane
Subject Owner Mark Cannistraro
Subject Map & Parcel No: U16 88 0

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) 31 including the subject parcels + 1 Applicant Requesting Abutter's List.

Certified by:


Lorraine Freitas, Assistant Assessor

Loc: 35 SHAKER LN Parcel ID #: U13 1 0
 LUC: 934

LITTLETON TOWN OF
SCHOOL DEPARTMENT
PO BOX 1305

LITTLETON MA 01460

Loc: 291 GOLDSMITH ST Parcel ID #: U16 15 0
 LUC: 101

TABER PATRICK

291 GOLDSMITH ST

LITTLETON MA 01460

Loc: 285 GOLDSMITH ST Parcel ID #: U16 16 0
 LUC: 101

PANISH JOSEPH M
PANISH PAMELA S
285 GOLDSMITH ST

LITTLETON MA 01460

Loc: 6 EVERGREEN RD Parcel ID #: U16 17 0
 LUC: 109

BUSHNELL MICHAEL E
MCRAE DEBORAH
105 NORTHWOODS RD

GROTON MA 01450-1048

Loc: 271 GOLDSMITH ST Parcel ID #: U16 25 0
 LUC: 101

COTREAU JOSEPH

271 GOLDSMITH ST

LITTLETON MA 01460

Loc: 267 GOLDSMITH ST Parcel ID #: U16 26 0
 LUC: 101

KRAWIEC ALLEN J
KRAWIEC ELAINE L
P.O. BOX 1002

LITTLETON MA 01460

Loc: 3 EVERGREEN RD Parcel ID #: U16 33 0
 LUC: 101

BURG MARILYN

3 EVERGREEN RD

LITTLETON MA 01460

Loc: GOLDSMITH ST Parcel ID #: U16 71 0
 LUC: 936

LITTLETON TOWN OF
P O BOX 1305

LITTLETON MA 01460

Loc: GOLDSMITH ST Parcel ID #: U16 72 0
 LUC: 132

BALYOSIAN WAYNE

253 NEEDHAM ST

DEDHAM MA 02026-7018

Loc: 6 FLETCHER LN Parcel ID #: U16 73 0
 LUC: 101

LEE FRANK Y

6 FLETCHER LN

LITTLETON MA 01460

Loc: FLETCHER LN Parcel ID #: U16 74 0
 LUC: 132

TARBOX BRIAN J
TARBOX CAPRICE A
16 FLETCHER LANE

LITTLETON MA 01460

Loc: 16 FLETCHER LN Parcel ID #: U16 75 0
 LUC: 101

TARBOX BRIAN J
TARBOX CARPICE A
16 FLETCHER LN

LITTLETON MA 01460

Loc: 20 FLETCHER LN Parcel ID #: U16 76 0
 LUC: 101

DOW ROBERT G

20 FLETCHER LN

LITTLETON MA 01460

Loc: 22 FLETCHER LN Parcel ID #: U16 77 0
 LUC: 101

GEILFUSS JACQUELINE A
BOUGAS PAUL B
22 FLETCHER LN

LITTLETON MA 01460

Loc: 24 FLETCHER LN Parcel ID #: U16 78 0
LUC: 101

GRAHAM JEAN L

24 FLETCHER LN

LITTLETON MA 01460

Loc: 26 FLETCHER LN Parcel ID #: U16 79 0
LUC: 101

LEUNG LOUIS K
WONG HANNA L
26 FLETCHER LN

LITTLETON MA 01460

Loc: 31 FLETCHER LN Parcel ID #: U16 81 0
LUC: 101

STEWART E ALEXANDRIA

190 BALDWIN RD

BEDFORD CORNERS NY 10549

Loc: OFF FLETCHER LN Parcel ID #: U16 83 0
LUC: 132

DEMETRICK JOHN JR TRUSTEE *
DEMETRICK PATRICIA A TRUSTEE *
10 CHARLES ST

LITTLETON MA 01460

Loc: 23 FLETCHER LN Parcel ID #: U16 84 0
LUC: 101

DENTLER ROBIN S
DENTLER JOANNE S
23 FLETCHER LN

LITTLETON MA 01460

Loc: 19 FLETCHER LN Parcel ID #: U16 85 0
LUC: 101

FIDLER DONALD J
FIDLER DEBORAH F
19 FLETCHER LANE

LITTLETON MA 01460

Loc: 15 FLETCHER LN Parcel ID #: U16 86 0
LUC: 101

HOLDSWORTH MARGARET C

15 FLETCHER LN

LITTLETON MA 01460

Loc: GOLDSMITH ST Parcel ID #: U16 87 0
LUC: 132

DIXON RICHARD D
DIXON KATHLEEN A
PO BOX 1603

NORTH EASTHAM MA 02651-1603

Loc: 9 FLETCHER LN Parcel ID #: U16 88 0
LUC: 101

CANNISTRARO MARK

6 DONALD AVE

CHELMSFORD MA 01824-2911

Loc: 274 GOLDSMITH ST Parcel ID #: U16 89 0
LUC: 101

WOODBINE RICHARD D
WOODBINE FAITH L
274 GOLDSMITH ST

LITTLETON MA 01460

Loc: 278 GOLDSMITH ST Parcel ID #: U16 90 0
LUC: 101

DIXON RICHARD D
DIXON KATHLEEN A
PO BOX 1603

NORTH EASTHAM MA 02651-1603

Loc: GOLDSMITH ST Parcel ID #: U16 91 0
LUC: 132

DIXON RICHARD
PO BOX 1603

NORTH EASTHAM MA 02651-1603

Loc: 286 GOLDSMITH ST Parcel ID #: U16 92 0
LUC: 101

NEUFELL TIMOTHY A
286 GOLDSMITH STREET

LITTLETON MA 01460

Loc: 6 CHARLES ST Parcel ID #: U16 93 0
LUC: 101

YOUNG ARMEN S
YOUNG MANOOG S
6 CHARLES STREET

LITTLETON MA 01460

Loc: 10 CHARLES ST Parcel ID #: U16 93 A
LUC: 101

DEMETRICK JOHN JR TRUSTEE *
DEMETRICK PATRICIA A TRUSTEE *
10 CHARLES ST

LITTLETON MA 01460

Loc: 14 HOUGHTON LN Parcel ID #: U16 94 0
LUC: 101

CARLSON RALPH L
C/O CARLSON RALPH L
14 HOUGHTON LN

LITTLETON MA 01460

Loc: 5 CHARLES ST Parcel ID #: U16 98 0
LUC: 101

WAITE DONALD A
WAITE CYNTHIA M
5 CHARLES ST

LITTLETON MA 01460

Applicant Requesting Abutter's List

Mark Cannistraro
9 Fletcher Lane
Littleton, MA 01460

**LEGAL NOTICE
NOTICE OF HEARING**

The Littleton Board of Appeals will conduct a public hearing on Thursday January 21, 2016 at the Littleton Town Offices, 37 Shattuck Street, Room 103 to consider the following petition:

7:45 p.m. Case # 866A – Mark Cannistraro request for a special permit/variance pursuant to Section 173-10B(1) non conforming uses and structures and Section 173-31 intensity of use schedule for reduced setback for a proposed addition

LITTLETON BOARDS OF APPEALS

Alan Bell, Clerk

Littleton Independent January 7 and 14, 2016

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