

**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
LL 9-7-16

The filing is not official until stamped by the Town Clerk

Filing Fee paid: \$ 200 Check # 8449

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. Richards
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 Donna Morris Date: 7/11/16
Print Name Donna Morris Phone # 978-443-0826
Address 48 Sexton St Email Address DonnaMorris51@Verizon.Net
Sudbury MA 01776 Deed Reference: Bk 14597 Page 534
Town, State, Zip

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

Signature Donna Morris Date 7/12/16 Phone # _____
Print Name (if different from petitioner) _____ Email _____
Address (if different from petitioner) _____

ASSESSOR MAP & PARCEL NUMBER U7 311

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

- Check box if applicable
- ☐ AQUIFER DISTRICT
 - ☐ WATER RESOURCE DISTRICT

FILING FEES

Residential Property	\$200 to Town of Littleton
Commercial Property	\$350 to Town of Littleton
Comprehensive Permit	\$1000 + \$100/unit over 10 units

ADDITIONAL FEES (all applications)

- \$75 to Comm of Mass-recording fee
- \$25 to Town of Littleton-shutter list
- Legal Notice publication fee due prior to opening hearing

ZBA Case No. 875A Site address 3 Lincoln Drive

Sept 15
7:30

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 § 173-10 B (1)

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

Donna M Morris
Print Name

Special Permit 40B

Under MGL c. 40B

See supplemental instructions: Littleton Zoning Board of Appeals Rules for the Issuance of a Comprehensive Permit under M.G.L.c.40B

NOTES:

- 1) THIS PLAN WAS PREPARED FROM AN INSTRUMENT SURVEY PERFORMED ON JANUARY 8, 2018.
- 2) SUBSURFACE AND ABOVE GROUND UTILITIES WERE NOT INCLUDED AS PART OF THIS SURVEY. ONLY THE LOCATION OF VISIBLE SURFACE EVIDENCE WAS LOCATED. THE LOCATION OF SUBSURFACE UTILITIES ARE NOT WARRANTED TO BE CORRECT. NOR DOES THE SURVEYOR GUARANTEE THAT ALL UTILITIES ARE SHOWN. THE CONTRACTOR SHALL VERIFY ALL UTILITIES AND CONTACT "DIG SAFE" (1-800-DIG-SAFE) PRIOR TO THE COMMENCEMENT OF WORK.
- 3) A TITLE EXAMINATION WAS NOT PROVIDED FOR THIS SURVEY. AS SUCH OTHER MATTERS OF RECORD MAY EXIST AND NOT BE SHOWN HEREON.
- 4) PROPOSED SEPTIC SYSTEM PROVIDED BY TED P. DOUCETTE, P.E., DOUCETTE ENGINEERING, LITTLETON, MA.

RECORD OWNERS:

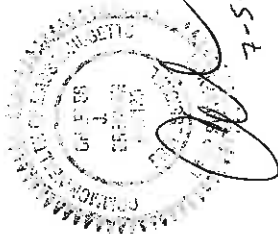
GERALD F. MOORE
3 LINCOLN DRIVE
LITTLETON, MA

REFERENCES:

DEED BOOK 14597 PAGE 534
LCC 37202 A
LCC 24404 A
PLAN BOOK 362 PLAN 28

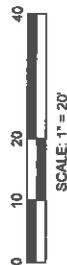
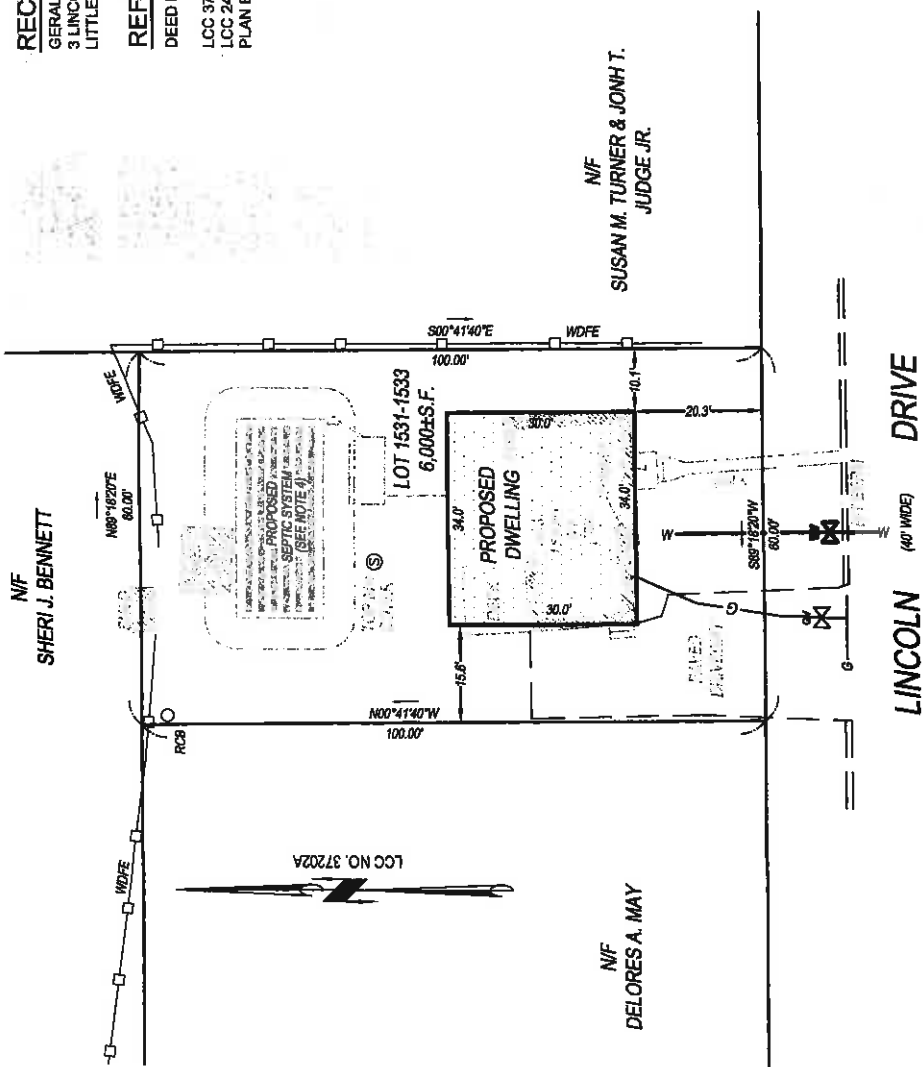
LEGEND:

BIT	BITUMINOUS
CON	CONCRETE
CU	CONNECTION UNKNOWN
DEC	DECIDUOUS TREE
GV	GAS VALVE
TBR	TO BE RAZED
WDFE	WOOD FENCE
WV	WATER VALVE
---	GAS LINE
---	WATER LINE



PROPOSED
PLOT PLAN
IN
LITTLETON, MA
AT 3 LINCOLN DRIVE.
PREPARED FOR
DOUCETTE ENGINEERING

BY
SUMMIT SURVEYING INC.
285 LITTLETON ROAD, SUITE 2, WESTFORD, MA
TEL 978-682-7109
WWW.SUMMITSURVEYINGINC.COM
JUNE 21, 2016
18-0103



20.20

20

I, DONNA M. WRIGHT,
of Littleton, Middlesex
for consideration paid, grants to Gerald P. Moore

County, Massachusetts.

of Lowell, Middlesex County, Mass.

with mortgage covenants to secure the payment of Two Thousand (\$2,000.00)

Dollars

in 14.5 years with Fourteen and one-half (14½) per cent interest, per annum
payable semiannually ~~annually~~ annual percentage rate

as provided in my note of even date,

~~whereby~~ A certain parcel of land with the buildings thereon, situated in
Littleton, Middlesex County, Massachusetts, being shown as Lots 1531, 1532 and
1533 on a plan entitled ~~Map A of Long Lake,~~ "Map A of Long Lake,
Town of Littleton, Middlesex County, Massachusetts" recorded with Middlesex
South District Registry of Deeds in Plan Book 362, Plan 26, said lots are
together bounded and described as follows:

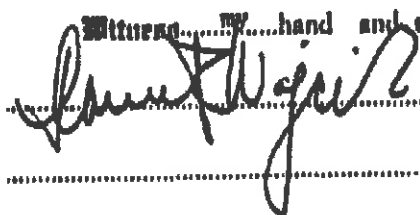
SOUTHERLY	by Lincoln Drive, sixty (60) feet;
WESTERLY	by Lot 1530, as shown on said plan, one hundred (100) feet;
NORTHERLY	by Lots 1570, 1571 and 1572, as shown on said plan, sixty (60) feet; and
EASTERLY	by Lot 1534, as shown on said plan, one hundred (100) feet.

Said premises conveyed subject to all restrictions, rights and privileges,
of record, insofar as the same are now in force and applicable.

Being the same premises conveyed to me by deed of Wayne A. Wright dated
April 23, 1982 and recorded in Middlesex South District Registry of Deeds
in Book 14597, Page 534.

This mortgage is upon the statutory condition,

for any breach of which the mortgagee shall have the statutory power of sale.

Witness my hand and seal this 28th day of May, 19 82
 Donna M. Wright

The Commonwealth of Massachusetts

Middlesex,

ss.

Lowell

May 28,

19 82

Then personally appeared the above named Donna M. Wright

and acknowledged the foregoing instrument to be her free act and deed.

Doucette Engineering

152 Whitcomb Avenue
Littleton, Massachusetts 01460
978.621.2138
doucette.engineering@comcast.net

August 17, 2016

Littleton Planning Board
Littleton Town Hall
37 Shattuck Street
Littleton Massachusetts 01460

Re: 3 Lincoln Drive – Map U17, Lot 311
Special permit narrative

Boardmembers:

On behalf of the owner of Donald and Donna Morris, owner of 3 Lincoln Drive, Doucette Engineering submits this narrative to accompany the Special Permit Application.

Existing Conditions

The existing lot is a pre-existing non-conforming lot due to the existing home not meeting the minimum setback distances for the front yard and side yard. The existing home is a two-bedroom cottage set toward the front of the 6,000 sf lot. The condition of the house is such that the owner determined it is more economical to tear down the existing home and rebuild.

Proposed Conditions

The owner plans to construct a new two-bedroom home, and due to the size of the lot would like to take advantage of the existing non-conformities to fit a fully compliant septic system on the lot. Table 1 summarizes the lot setbacks.

Table1 – Existing and Proposed Lot Line Setbacks

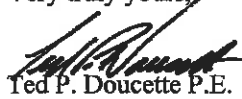
	Existing setback (min)	Proposed setback
Front yard	19.9 ft	20.4 ft
Right side yard	9.7	10.2
Left side yard	14.6	15.8

The goal of the design is to give the owner the maximum flexibility to allow in developing their property to the extent necessary to make financial sense, while not making the new home appear out of place. To accomplish this the owner is putting a house that will have similar width and depth from the street view which will not drastically change the appearance of the neighborhood. The existing lot line is 12 feet from the curb, which seems greater than other neighborhoods in Littleton, and gives the appearance that the lot is compliant with the front yard zoning requirements. This gives the appearance that the house is not built too close the street and will also not drastically change the appearance of the neighborhood.

Conclusion

The owner is planning to replace an existing home on a very small, non-conforming lot, without increasing the bedroom count in a manner that is financially possible and will not change the appearance of the neighborhood. The owner requests the variances to reduce the setback from a property line as summarized in Table 1, to accomplish both of those goals.

Very truly yours,



Ted P. Doucette P.E.
Owner



**TOWN OF LITTLETON
BOARD OF ASSESSORS**

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

Date: August 11, 2016

Re: **Certified List of Abutters for Board of Health (Direct abutters and across the Street)**

Applicant: **Ted Doucette** Name of Firm: **Doucette Engineering**
Mailing **152 Whitcomb Ave, Littleton, MA 01460**

Subject Parcel Location: **3 Lincoln Drive**
Subject Parcel Map & Parcel No: **U17-311-0**
Subject Parcel Owner: **Donna Morrist**

CMR Regulations 310 CMR 15.00 the State Environmental Code, Title 5: Standard Requirements for the siting, construction, inspection, upgrade and expansion of the on-site sewage treatment and disposal systems and for the transport and disposal of septage.

310 CMR 15.403 Local Upgrade Approvals (1) "Notification to abutters shall be provided pursuant to the process in 310 CMR 15.411(1)(b), as required by 310CMR 15.405(2), where the application is for reduction in the setback from a property line or from a private water supply well".

310 CMR 15.405 Contents of Local Upgrade Approval (2) "No application for a local upgrade approval in which the setback from property lines or a private water supply well is reduced shall be complete until the applicant has notified all abutters whose property or well is affected by certified mail at his/her own expense at least ten days before the Board of Health meeting at which the upgrade approval will be on the agenda. The notification shall reference the standards set forth in 310 CMR 15.402 through 15.405 and indicate the date, time and place where the upgrade approval will be discussed."

310 CMR 15.411 Process for Seeking a Variance From Local Approving Authorities (1).... (b) "No application for a variance shall be complete until the applicant has notified all abutters by certified mail at his/her own expense at least ten days before the Board of Health meeting at which the variance request will be on the agenda. The notification shall reference the specific provisions of 310 CMR 15.000 from which a variance is sought, a statement of the standards set forth in 310 CMR 15.410 and the date, time and place where the application will be discussed."

I hereby certified the attached list of abutter(s) as stated in CMR Regulations 310 CMR 15.00.

Number of Abutter(s): 6 including the subject parcel + 1 Applicant Requesting Abutter's List.

Certified by:

Celia Jorner, Assistant Assessor

Loc: 2 LINCOLN DR Parcel ID #: U17 269 0

ALLEN FAMILY TRUST
ALLEN PATRICIA J - TRUSTEE
2 MANNION PLACE
LITTLETON MA 01460

Loc: 4 LINCOLN DR Parcel ID #: U17 270 0

JONAS BRIDGETTE LEE
4 LINCOLN DR
LITTLETON MA 01460

Loc: 163 GOLDSMITH ST Parcel ID #: U17 290 0

TURNER SUSNA M
JUDGE JOHN T
163 GOLDSMITH STREET
LITTLETON MA 01460

Loc: 4 WASHINGTON DR Parcel ID #: U17 291 0

BENNETT SHARI J
4 WASHINGTON DR
LITTLETON MA 01460

Loc: 5 LINCOLN DR Parcel ID #: U17 291 0

MAY DELORES A
PO BOX 111
LITTLETON MA 01460

Loc: 3 LINCOLN DR Parcel ID #: U17 311 0

WRIGHT DONNA M
C/O GERALD F MOORE
45 SEXTON ST
SUDBURY MA 01776

APPLICANT REQUESTING LIST:

TED DOUCETTE
DOUCETTE ENGINEERING
152 WHITCOMB AV
LITTLETON MA 01460