



# OFFICE OF THE BOARD OF APPEALS

Littleton, Massachusetts 01460

## LEGAL NOTICE NOTICE OF HEARING

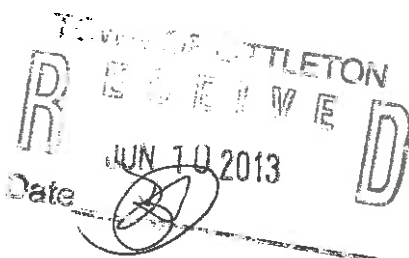
The Littleton Zoning Board of Appeals will conduct a public hearing on Thursday June 20, 2013 at the Littleton Town Offices, 37 Shattuck Street in Room 103 to consider the following petitions:

7:15p.m. – Case 823A – Steven L'Heureux for a special permit/variance for a proposed porch at 11 GREEN STREET.

7:30 p.m. – Case 824A – Brian and Jill Cadogan for a special permit/variance for a proposed addition at 44 MATAWANAKEE TRAIL.

LITTLETON BOARD OF APPEALS  
Jeffrey Yates, Clerk

To be published in the Littleton Independent on June 6 and 13, 2013





BUILDING COMMISSIONER  
ZONING OFFICER  
P.O. BOX 1305  
LITTLETON, MA 01460  
VOICE (978) 540-2420

Thursday, June 13, 2013

**TO:** Board of Appeals  
**FROM:** Zoning Officer, Roland Bernier  
**RE:** 11 Green Street  
44 Matawanakee Trail

Pursuant to MGL Chapter 40A, §15, please accept the attached documents, papers and comments constituting the record of the case in which the above noted appeal is being taken.

#### **11 Green Street**

The applicant is seeking relief from §173-10 B(1) to construct within the required front setback. No building plans have been submitted to the building department for review. 11 Green Street appears to be a legal pre-existing non-conforming parcel of land in that it is less than 40,000 square feet in area, the existing front setback of the primary structure is less than the required 30 feet, and further the side setback is less than the required 15 foot setback. The applicant seeks to construct a covered porch within the required front setback, thus reducing the setback of the primary structure to 20.9 feet. No further comment.

#### **44 Matawanakee Trail**

The applicant is seeking relief from §173-10 B(1) to construct within the required front and side setback. No building plans or plot plan have been submitted to the building department for review. 44 Matawanakee Trail appears to be a legal pre-existing non-conforming parcel of land in that it is less than 40,000 square feet in area, the existing front setback of the primary structure is less than the required 30 feet, and further the side setback is less than the required 15 foot setback. The applicant seeks to construct a covered porch within the required front and side setback, thus reducing the setback of the primary structure to approximately 7 feet and 11 feet respectively. No further comment.



OFFICE OF THE  
LITTLETON BOARD OF APPEALS  
LITTLETON, MASSACHUSETTS 01460

RECEIVED  
6/10/13 1PM

Board Use Only ... Case # 824A Filing Date 5-29-13

The undersigned, having standing in this matter, hereby petitions the  
Littleton Board of Appeals for a    VARIANCE ☒ SPECIAL PERMIT  
and/or    APPEAL (Check all that apply)  
as specified below and as provided by the Town of Littleton Zoning Bylaw

1. LOCATION OF THE PROPERTY:

Please print

A. Street Address 44 MATAWANAKEE TRAIL

B. Assessors' Map and Parcel # U47-62

R Zoning District    Aquifer District    Water Resource District

C. Deed Reference 27239-303

2. LITTLETON ZONING BYLAW SECTION(S)

A. Variance ☒

B. Special Permit ☒ 173-10B(1)

C. Appeal   

3. STATE BRIEFLY REASONS FOR THIS PETITION Use additional sheets, if necessary

REMOVE 12X16 SCREENED PORCH AND ADD 24X16  
SUNROOM WITH REAR ENTRANCE  
4 FT DECK AROUND FRONT AND SIDE

4. PETITIONER(S) BRIAN AND JILL CADOGAN

☒ Owner    Tenant    Licensee    Agreed Purchaser    Agent    Other   

NOTE: If petitioner is not the owner, furnish written authorization from owner below.

Brian Cadojan  
Signature

44 MATAWANAKEE TRAIL  
Mailing Address

5/29/13  
Date  
978 952 2641  
Telephone #

Town Clerk Use ONLY

Filing Fee Paid \$ 200.00 CL 13163 Date 6/10/13  
(By way) 75.00 CL 13165



**TOWN OF LITTLETON  
BOARD OF ASSESSORS**

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

Date: June 11, 2013

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

Applicant Brian and Jill Cadogan Name of Firm: Home owner.

Mailing Address: 44 Matawanakee Trail, Littleton, MA 01460

Subject Parcel Location and Parcel ID: 44 Matawanakee Tr. - U47 62 0

Subject Owner: Brian and Jill Cadogan

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 parcel and Applicant Requesting Abutter's List

Certified by:

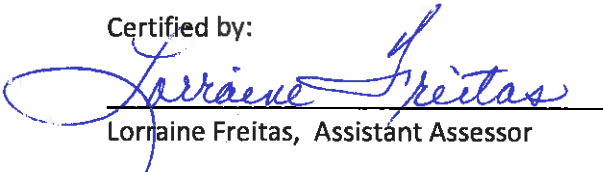
  
Lorraine Freitas, Assistant Assessor

EXHIBIT "A"

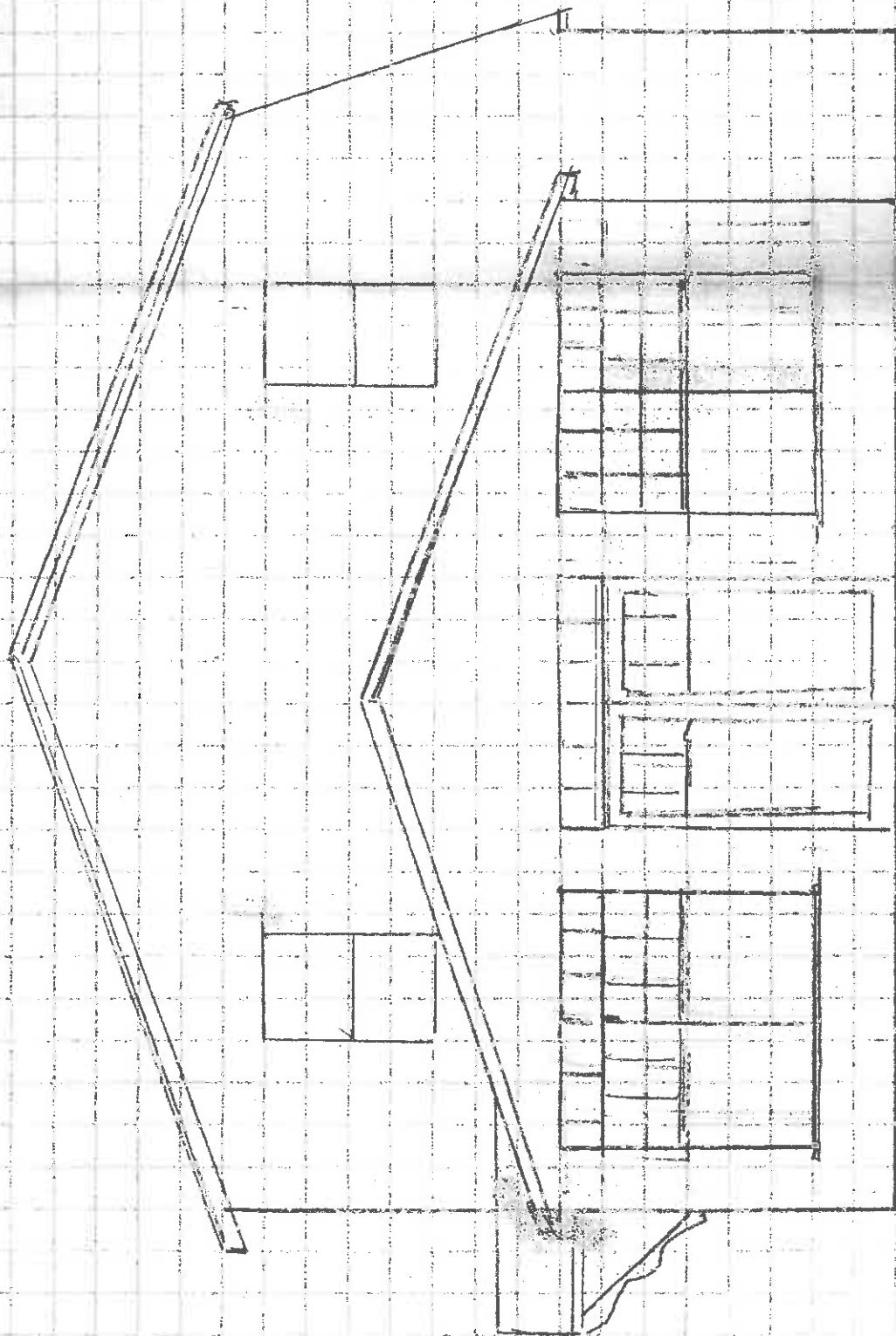
The land in Littleton, Middlesex County, Massachusetts with the buildings thereon and shown as Lots #92 and #93 on a plan entitled, "Plan of Lake Matawanakee Shores, Littleton, Mass., owned by Lake Properties, Inc., H. R. Anderson, Surveyor, June 1945", recorded with Middlesex South District Deeds, Book 6878, Page End, bounded and described as follows:

- NORTHEASTERLY by Massasoit Trail, as shown on said plan, one hundred sixty and 17/100 (160.17) feet;
- SOUTHEASTERLY by Matawanakee Trail, as shown on said plan, twenty-six and 79/100 (26.79) feet;
- SOUTHERLY by Matawanakee Trail, as shown on said plan, seventy-eight and 49/100 (78.49) feet;
- SOUTHWESTERLY by Lot 91, as shown on said plan, one hundred twenty-seven and 97/100 (127.97) feet;
- NORTHWESTERLY by Lot 94, as shown on said plan, one hundred (100) feet.

Containing according to said plan 15,200 square feet.

Subject to benefits, easements and restrictions insofar as the same are in force and applicable.

Being the same premises to us conveyed by Deed of Eric W. Bergquist, et ux, dated April 25, 1997 and recorded with Middlesex South District Registry of Deeds herewith.



Hand-drawn

(LOT 94)

Shown  
map as

B  
P,  
A

15,

100'

Well  
Shed

Lots 93 & 92

Prop.  
Garage  
26 x 36

Flat top  
Trenching

MASSACUSETT TRAIL

160.17'

127.97'

Well

Deck  
20 x 12

12' x 14  
porch

House  
32'4" x 28'4"

1000 gal Tank

6 x 12  
pit

near  
R.

30'

78.49'

MATAWANNAKEE TRAIL

26.79