



OFFICE OF THE
LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

received
9/5/12 93041
(signature)

Petitioner: Skip Ciccarelli
Property Address: 45 Washington Drive
Case No: 814A
Date Filed: August 1, 2012

The Littleton Board of Appeals (the "Board") conducted a public hearing on August 16, 2012 at Shattuck Street Municipal Building, Shattuck Street, Littleton, MA on the petition of Skip Ciccarelli for a Special Permit pursuant to the Town of Littleton Zoning Bylaws Section 173-10B(1) to build a deck onto a nonconforming structure at 45 Washington Drive. Notice of the hearing was given by publication in the Littleton Independent, a newspaper circulated in Littleton, on August 2 & 9, 2012 and by mail to all abutters and parties in interest. Present and voting were Sherrill Gould, Chair, William Farnsworth, John Cantino, Jeff Yates, Members and Alan Bell, Alternate. Present but not voting were Cheryl Cowley-Hollinger, Member, Marc Saucier, Rod Stewart and Patrick Joyce, Alternates.

Submitted with the Application was:

- Special Warranty Deed, Bk. 58724, Pg. 377
- Plans titled "Septic System Upgrade at 45 Washington Drive Littleton Mass" dated December 31, 2011, Sheet No. 1 of 1, prepared by R. Wilson & Associates, Inc.
- Mortgage Inspection Plan dated 3/05/12 Prepared by Northern Associates, Inc.

Submitted at the hearing:

- Plans, 1 page, titled "45 Wash. Dr., Deck Proposal, Ciccarelli" without date, entered by Board on August 16, 2012.

Mr. Skip Ciccarelli presented the petition. Mr. Ciccarelli stated that the existing house is a preexisting, nonconforming structure because it is located on a lot of 9560 square feet and frontage of 80.1 feet. The house is approximately 13 feet from the front property line and 8 feet from the left side property line as shown on the plot plan. The proposal is to construct a 12 foot by 14 foot deck to the right side of the existing house. The deck will be approximately 38 feet from the right side property line and 22 feet from the front property line.

Roland Bernier, Building Commissioner / Zoning Officer, submitted a memo dated August 16, 2012 in which he states that the applicant is "seeking relief from the required 30 foot street setback." Mr. Bernier indicates information in regards to a submitted building permit application which was denied.

There were no persons in opposition.

FINDINGS: The Board made the following findings:

1. The property is in the Residential zoning district.
2. The lot area is non-conforming: 40,000 square feet required, 9560 square feet actual.
3. The lot frontage is non-conforming: 150 feet required, 80.1 feet actual.
4. The front setback is non-conforming: 30 feet required, 13 feet actual.
5. The side setback is non-conforming: 15 feet required, 8 feet actual at the left side.
6. The proposed addition will not increase the non-conformities any will not create any new non-conformity.
7. The proposed addition is not substantially more detrimental to the neighborhood than the existing structure.

DECISION: The Board voted unanimously to GRANT, under Section 173-10B(1) of the Town of Littleton Zoning Bylaws, a Special Permit to construct a 12 foot by 14 foot deck onto the existing house at 45 Washington Drive as generally shown on the plans submitted with this application.

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: Jeff Yates Jeff Yates, Clerk

Date: 5 SEP 2012

Book: 58724, Page: 377

I herby 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: _____ Date: _____

Town Clerk, Littleton, Massachusetts