



OFFICE OF THE
LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

Petitioner: DALE A. CATALDO
Case No: 799A
Date Filed: December 1, 2011

The Littleton Board of Appeals conducted a public hearing on November 17, 2011 at 9:00 P.M. at the Shattuck Street Municipal Building, Shattuck Street, Littleton, for a special permit pursuant to Section 173-10B(1) to allow an extension of a pre-existing non-conforming structure which would result in additional encroachment into the front and rear yard setbacks at 36 Robinson Road, Littleton, Massachusetts. Notice of the hearing was given by publication in the Littleton Independent, a newspaper published in Acton and circulated in Littleton, on November 3, 2011 and November 10, 2011, and by mail to all abutters and parties in interest. Present and voting: Sherrill R. Gould, Chairman, John Cantino, Cheryl Hollinger and William Farnsworth, and Alan Bell. Members. Present and not voting were Marc Saucier, Rod Stewart, and Patrick Joyce, Alternates.

The Petitioner's husband, presented a plan showing that his property consists of a pre-existing house at 36 Robinson Road. The Petitioner proposes to add an addition, with porch and deck to the westerly side of the house. The proposed addition would meet the side setback being located over 40' from the boundary, but would increase the existing front setback violation and the porch and deck would increase the rear setback violation. The new addition would be approximately 14.2 feet from the front property line and the porch and deck in the rear would not conform to the rear setback, but would not be any closer than the existing rear setback. Robinson Road is a scenic road in the town of Littleton and the houses along the road are well established. The petitioner's house is the last property before the cul de sac. The petitioner's business property is the petitioner's abutter to the rear.

No abutters appeared in opposition to the petition.

FINDINGS: The Board identified the current non-conforming features of the property and structure and found that the extension of the setbacks would not be substantially more detrimental to the neighborhood than the existing nonconforming use.

DECISION: The Board voted unanimously to GRANT a Special Permit from the requirements of Section 173-10B(1) to permit extension of the dwelling at 36 Robinson Road, substantially as shown on the plan prepared for Joe Cataldo by Acton Survey and Engineering, Inc., dated October 13, 2011, and submitted with the application.

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: _____

A handwritten signature in blue ink, appearing to read "Jeffrey Yates", is written over a horizontal line.

Jeffrey Yates, Clerk

The Variance/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: Alma C. Gray

Date: Dec 1, 2011

Book: 28948, Page 74 and Book 48082, Page 30

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