

received

7/31/09 (by)



OFFICE OF THE
LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

Board Use Only Case # 765A Filing Date July 31, 2009

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:

A. Street Address 122 Hartwell Avenue *Please print*
B. Assessors' Map and Parcel # Map R20 parcel 20 *Book 27122*
R Zoning District Aquifer District ✓ Water Resource District
C. Deed Reference BX 27122 PG 303 *Pg 303*

2. LITTLETON ZONING BYLAW SECTION(S)

A. Variance _____
B. Special Permit 173-58
C. Appeal _____

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

Request to build an inlaw (1 bedroom 1 bath)
addition to our house on 122 Hartwell Ave.

4. PETITIONER(S) Dennis and Brenda Hayes

Owner Tenant Licensee Agreed Purchaser Agent Other _____

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

Brenda Hayes
Signature
122 Hartwell Avenue
Mailing Address

July 30, 2009
Date
978-486-2056
Telephone #

Town Clerk Use ONLY

Filing Fee Paid \$ 200.00 CK # 197

Registry Fee Paid \$ 75.00 CK # 195

Date 7/31/09



BUILDING COMMISSIONER

ZONING OFFICER

P.O. BOX 1305
LITTLETON, MA 01460
VOICE (978) 952-2308
FAX (978) 952-2321

FILE

August 11, 2009



TO: Board of Appeals
FROM: Zoning Officer, Roland Bernier
RE: 215 Taylor Street
122 Hartwell Ave

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

215 Taylor Street

A request before the board appears to be for an accessory dwelling at 215 Taylor Street. This condition as I understand already exists. There is no record on file for an accessory conversion.

No further comment

122 Hartwell Ave

Applicant is seeking a special permit for an in-law apartment. A rough estimate scale of the proposed construction indicates there is approximately 30 feet from the side property line, and more than 8 feet from the street.

No further comment.



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LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

FILE

RECEIVED

AUG 09

TO: Building Department
Conservation Commission
Planning Board
Board of Health

LITTLETON
PLANNING BOARD

Dear Fellow Permitting Boards,

You are being provided a packet of the materials submitted for hearings at the next Zoning Board of Appeals meeting on August 20, 2007.

Please review for any details over which your Board has jurisdiction.

If you have comments, or questions, please don't hesitate to get in contact. Space is available below to jot down comments. If you could respond by August 13th, it would greatly help.

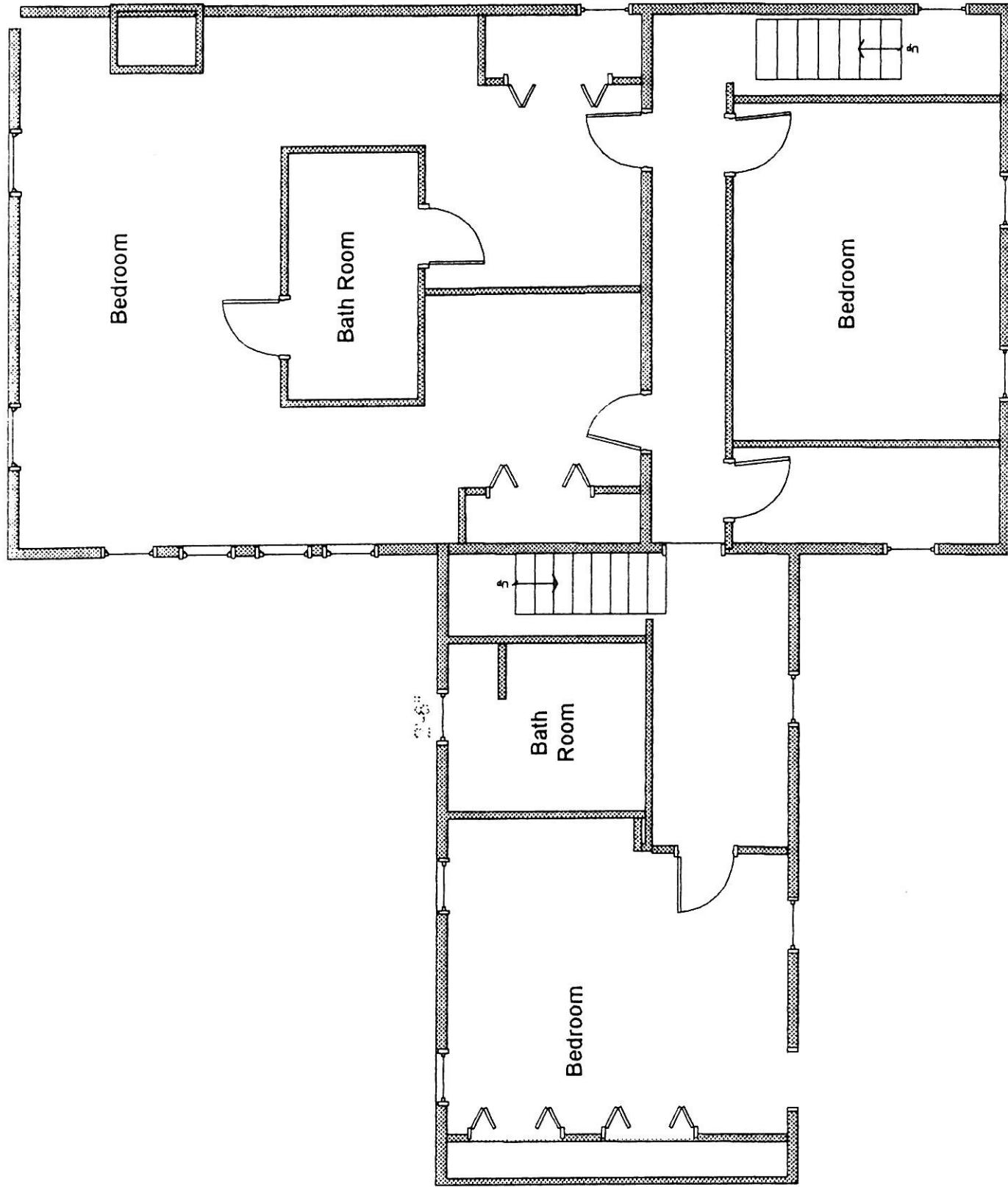
Thank you!

Bev Cyr

COMMENTS

- 215 Taylor Street: zoning is Industrial A and in the Water Resource District a Use Variance is required, I believe. *MM/09/07*
- 122 Hartwell Ave.: no comments

122 Hartwell Ave
2nd Floor



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if Riva

12 R20-2

QUITCLAIM DEED

PROPERTY HOLDING COMPANY, INC., a duly organized and existing Massachusetts corporation with a business address of P.O. Box 1321, Littleton, Middlesex County, MA 01460

for consideration of ONE DOLLAR (\$1.00) AND OTHER VALUABLE CONSIDERATION

grants to **DENNIS F. HAYES** and **BRENDA E. HAYES**, husband and wife, as tenants by the
entirety, of Littleton, Middlesex County, Massachusetts,

with QUITCLAIM COVENANTS,

That certain parcel of land with the buildings thereon, if any, in Littleton, Middlesex County, Massachusetts situated on the northwesterly side of Hartwell Avenue being shown as Parcel H-2 containing 18,470 square feet±, on a plan entitled "Definitive Plan of David Way Subdivision in Littleton, Mass. Owned by: R.D. Kanniard Homes, Inc. 1" = 40" dated October 20, 1995 and modified February 27, 1996, surveyed by Acton Survey & Engineering, Inc." which plan is recorded with the Middlesex South District Registry of Deeds as Plan No. 36 of 1996, recorded on January 10, 1997 as Instrument No. 224.

Parcel H-2 containing 18,470 square feet \pm is not a building lot and is to be combined with Parcel H-1 to form Lot H containing 58,736 square feet \pm of land, all as shown on said plan.

Meaning and intending to vest in the Grantee(s) a full fee simple interest in said land, Parcel H-2, and to extinguish any obligation of the Grantee(s) or any rights of others, including the Grantor, that may have been established as a result of a yard easement previously granted to the Grantee(s) and shown on easement plan recorded with said Registry of Deeds at Book 24825, Page 475, over said premises, it being the Grantor's intent to vest fee simple interest in the said Grantees.

Said premises are conveyed subject to any easements, restrictions, covenants or rights of way of record, and shown on the above referenced plan, if any there may be, to the extent the same may affect the within granted premises.

Subject to Special Permit for Common Driveway recorded with said Registry at Book 24783, Page 165, to the extent applicable.

The within conveyance does not represent all or substantially all of the assets of the grantor corporation.

Being a portion of the premises conveyed to the grantor by deed of R.D. Kanniard Homes, Inc., dated December 22, 1994 and recorded with Middlesex South District Registry of Deeds at Book 25098,

Being a portion of the premises conveyed to the grantor by deed of R.D. Kanniard Homes, Inc., dated December 22, 1994 and recorded with Middlesex South District Registry of Deeds at Book 25098, Page 196.

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From: Michael and Teresa Seeley
119 Hartwell Ave.
Littleton, Ma. 01460

To: Littleton Board of Appeals

Thursday, August 20, 2009

Re: 122 Hartwell Ave. (Dennis and Brenda Hayes)

To Whom It May Concern:

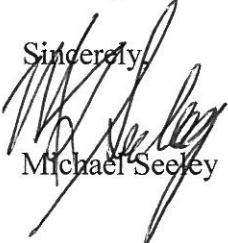
Please consider this letter our full and unconditional endorsement of the expansion planned by Dennis and Brenda Hayes. They have shared the goals of, and approach to this project with us in broad strokes, and we have neither concerns nor reservations.

As neighbors of over 12 years we have observed the great care Dennis and Brenda have taken to preserve the historical character of their home while undertaking other projects. Thus, our confidence in them is not without foundation.

Please also consider the Hayes' willingness to provide personal care and housing for Brenda's parents; a selfless gesture, to say the least.

Please grant approval for the planned expansion at 122 Hartwell Avenue.

Thank you.

Sincerely,

Michael Seeley

Kevin Gillins

5 Gray Farm Rd Littleton, MA 01460

**Littleton Board of Appeals
and anyone else with concern
Littleton, Massachusetts 01460**

Tuesday, August 18, 2009

RE: 122 Hartwell Ave. (Hayes)

Dear Littleton Residents and anyone else with concern:

I would like to address the variance / special permit request on the property at 122 Hartwell Avenue. I have been on location several times and fully aware of the expansion goals planned. I do not see how the desired plans will have any adverse effect. The lot size and position is such that any expansion will not take away from surrounding residents or the existing home. I am aware this home is build with historic qualities and entrust the current residence, Brenda and Dennis Hayes, to follow the same qualities while expanding.

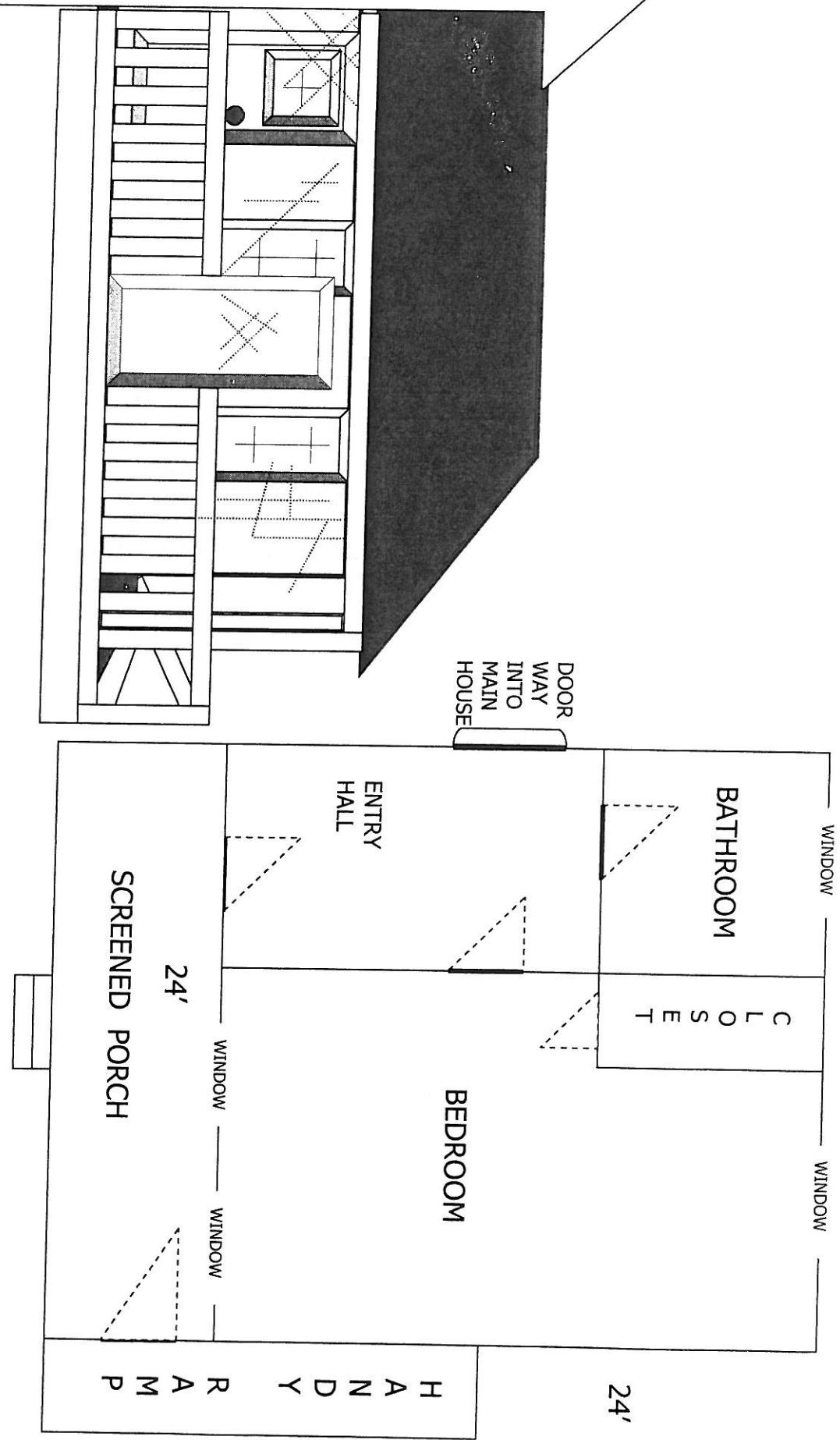
I have also had the pleasure to meet both Ray and Joyce Simmers, whom of which, the expansion is being built for and are Brenda's parents. These folks are very personable. I will enjoy visiting with them after they move into their new "in-law" apartment at 122 Hartwell Avenue. I also find it very generous of Brenda and Dennis Hayes to be willing to go out of their way to accommodate parents as they enter that stage of life which we all will be at one day. I could only hope my children would be as welcoming!

I plead with the town to approve the planned expansion at 122 Hartwell Ave in order for Brenda and Dennis to accommodate Ray and Joyce Simmers needs as they enter into their golden years of life.

Thank you for the opportunity to address the board.

Kevin Gillins

X I S T N I G H T O H U U S E

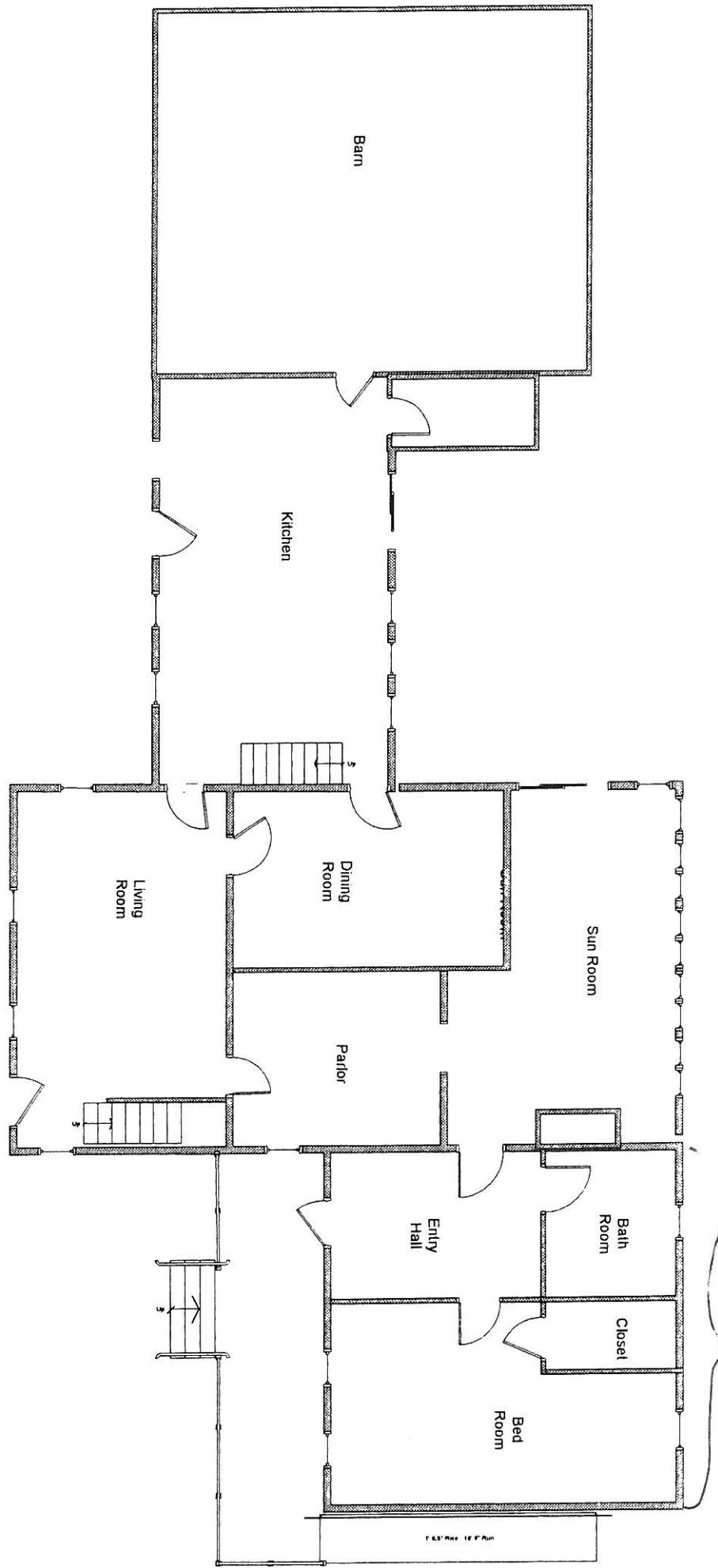


PROPOSED ADDITION TO 122 HARTWELL AVENUE
IN-LAW BEDROOM AND BATHROOM

SUBMITTED BY BRENDA HAYES JULY 30, 2009

122 Hartwell Ave
1st Floor

PROPOSED



HARTWELL AVENUE 1967 TOWN LAYOUT

1967 TOWN LAYOUT

