

OFFICE OF THE
LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

received
8/15/08

Board Use Only ... Case # 754 A Filing Date Aug. 15, 2008

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 12 Long Lake Rd Littleton MA 01460 Please print

B. Assessors' Map and Parcel # 416 6-0

R Zoning District NO Aquifer District NO Water Resource District

C. Deed Reference BK 42167 pg 411 4/30/04

2. LITTLETON ZONING BYLAW SECTION(S)

A. Variance _____

B. Special Permit ✓ 173-10 (BX1)

C. Appeal _____

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

increasing nonconformity
when putting on an addition

4. PETITIONER(S) Edward E. Alicia MacDonald

✓ Owner _____ Tenant _____ Licensee _____ Agreed Purchaser _____ Agent _____ Other _____

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

Alicia MacDonald
Signature

8/15/08
Date

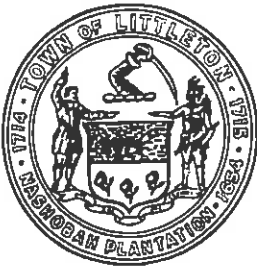
12 Long Lake Rd Littleton MA 01460
Mailing Address

978-486 0608
Telephone #

Town Clerk Use ONLY

Filing Fee Paid \$200 - 2/21
Registry Fee Paid \$75.00 2/22

8/15/08
Date 8/15/08 (Signature)



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

 **FILE**

September 4, 2008

TO: Board of Appeals

FROM: Zoning Officer, Roland Bernier 

RE: Two Monarch Drive
King Street / New Estate Road (Omnipoint)
12 Long Lake
204 Great Road

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.

Two Monarch Drive
No Comment

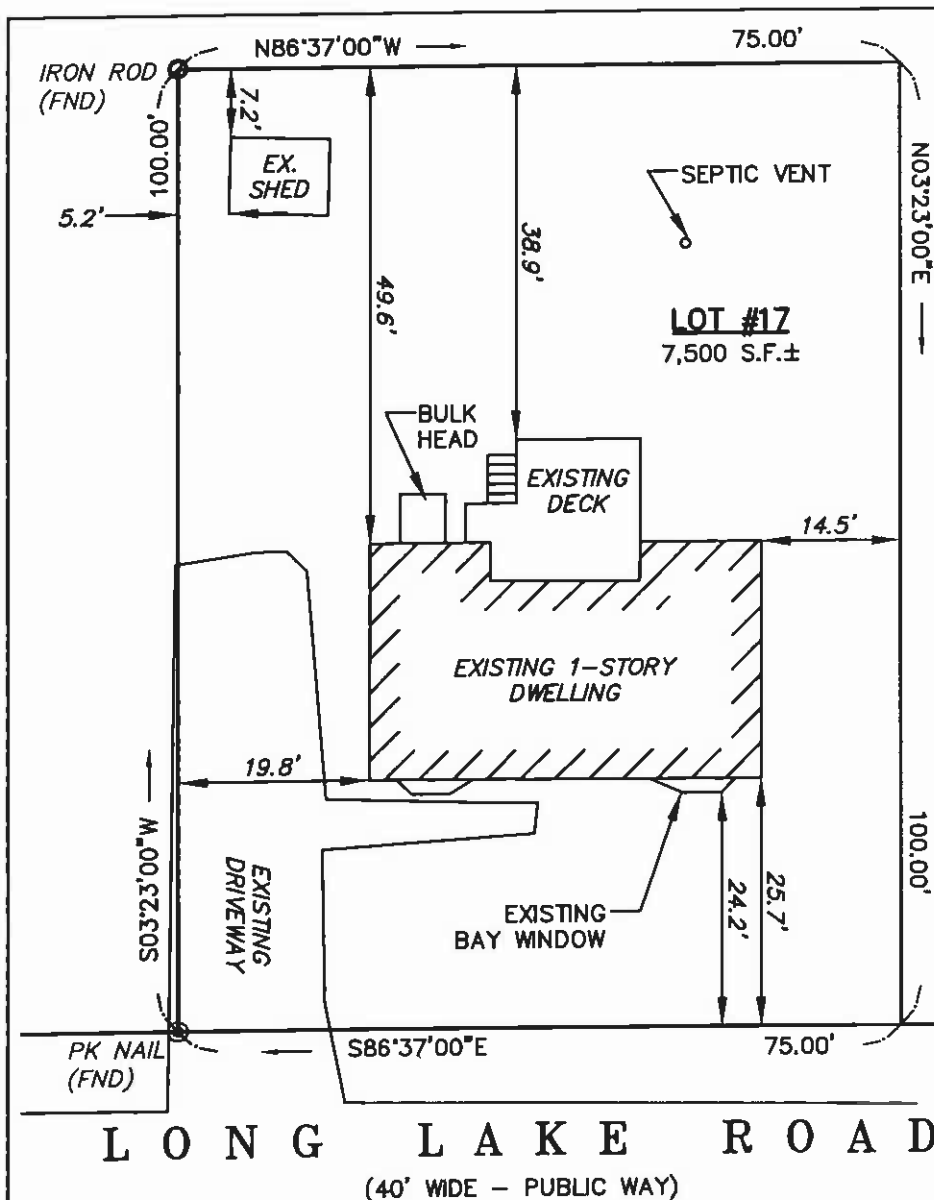
King Street / New Estate Road (Omnipoint)
No Comment

12 Long Lake

A building permit application was received on July 24, 2008 for the proposed removal of an existing roof system of a non-conforming structure and replacing with a new second level. Said proposal increases the existing non-conformity of less than 30 feet from the street property line and less than 15 feet from the side property line. Special Permit request was recommended. §173-10 of the Littleton Zoning Bylaws does not apply as the proposed change does not comply with current zoning.

204 Great Road

A building permit application was received on July 28, 2008 for the purpose of erecting a temporary sign in a residential district for a period to exceed 30 days. Said proposed sign exceeds many of the limitations noted in § 173-37. In addition, the requested size of sign exceeded the maximum allowed sign in a residential district for permanent signs. Variance required.



DEED REFERENCE
 MIDDLESEX SOUTH
 REGISTRY OF DEEDS
 DEED BOOK/PAGE: 42667/411
 DEED RESTRICTION: 43060/299

PLAN REFERENCE
 MIDDLESEX SOUTH
 REGISTRY OF DEEDS
 PLAN #246 OF 1945
 PLAN BOOK/PAGE: 6855/END

ZONING REQUIREMENTS
 ZONING DISTRICT: RESIDENTIAL
 CURRENT MINIMUM SETBACKS:
 FRONT LINE = 30'
 REAR LINE = 15'
 SIDE LINES = 15'

NOTES:

1. THE HOUSE WAS LOCATED FROM AN INSTRUMENT SURVEY.
2. OFFSETS AND DISTANCES SHOWN SHOULD NOT BE USED TO ESTABLISH PROPERTY LINES.
3. PLAN BEARINGS ARE ASSUMED.

I CERTIFY THAT THE FOUNDATION AS SHOWN ON THIS PLAN MEETS CURRENT ZONING REQUIREMENTS REGARDING ZONING SETBACKS IN EFFECT AT THE TIME OF SUBDIVISION APPROVAL.



LAIRD J. WALSH, JR., P.L.S. #36128

DATE: 08/04/08

OWNER OF RECORD
 EDWARD J. & ALICIA M. MACDONALD

CERTIFIED PLOT PLAN
#12 LONG LAKE ROAD
LITTLETON, MASSACHUSETTS

GCG ASSOCIATES, INC.

WILMINGTON

MASSACHUSETTS

SCALE: 1"=20'

DATE: AUGUST 4, 2008

JOB NO. \FILE NAME:
 LITTLETON-BASE

DESIGNED BY: HMC
 DRAWN BY: HMC
 CHECKED BY: LJW

PLAN NO.
 1 OF 1



TOWN OF LITTLETON
POST OFFICE BOX 1305
LITTLETON, MASSACHUSETTS 01460
BOARD OF HEALTH

September 18, 2007

Alicia and Ed MacDonald
123 Long Lake Rd.
Littleton, MA 01460

Re: 12 Long Lake Rd., Littleton, MA

Dear Mr. and Mrs. MacDonald,

At a regularly scheduled meeting of the Littleton Board of Health on September 10, 2007 the Board took the following action on the above referenced property:

It was moved (Mr. Doucette) and seconded (Mr. Frattallone) to amend the minutes of June 4, 2004 to allow 12 Long Lake Rd. the requested increase in square footage but no increase in flow. Aye, 4, unanimous

If you have any questions, please contact this Board.

Sincerely,

Peter Cassinari
60 THE LITTLETON BOARD OF HEALTH

Peter Cassinari, Chair
Ted Doucette, Vice-Chair
Joe Presti, Clerk
Peter Yapp
Gino Frattallone

CC: Jim Garreffi, R.S., NABOH
File

Property Address: 12 Long Lake Road, Littleton, Middlesex County, Massachusetts

QUITCLAIM DEED

I, ANGELINE M. OLDENQUIST, TRUSTEE OF THE OLDENQUIST REALTY TRUST, under a Declaration of Trust dated August 18, 1993 and recorded with Middlesex South District Registry of Deeds in Book 24937, Page 39,

IN CONSIDERATION OF TWO HUNDRED THIRTEEN THOUSAND AND 00/100 DOLLARS
(\$213,000.00)

GRANT TO EDWARD J. MacDONALD AND ALICIA M. MacDONALD, Husband and Wife, As Tenants by the Entirety

of 12 Long Lake Road, Littleton, Middlesex County, Massachusetts

with quitclaim covenants

The land in Littleton, Middlesex County, Massachusetts, with the buildings thereon, being shown as Lot #17, Long Lake road, on plan entitled "Plan of Long Lake Shores, Goldsmith Street and Town Road, Littleton, Massachusetts owned by Thompson Lake Shores, Inc. dated April 15, 1945, Horace F. Tuttle, Surveyor, recorded with Middlesex South District Deeds at the End of Record Book 6855, and bounded and described as follows:

NORTHERLY by Long Lake Road, as shown on said plan, seventy-five (75.00) feet
EASTERLY by Lot #18, as shown on said plan, one hundred (100.00) feet, more or less;
SOUTHERLY by land of owners unknown, seventy-five (75.00) feet and
WESTERLY by Lot #16 as shown on said plan, one hundred (100.00) feet, more or less.

The above described premises are hereby conveyed subject to restrictions and easements of record if any there be now in force and applicable.

By execution of this Deed Angeline M. Oldenquist, as Trustee, hereby declares that The Oldenquist Realty Trust is still in force and effect, all of the beneficiaries are competent and not minors and that all of the beneficiaries have consented to the transfer of 12 Long Lake Road, Littleton, Middlesex County, Massachusetts to the Grantee herein and have authorized Angeline M. Oldenquist, to execute any and all documents necessary to effectuate said transaction.

Being a portion of the premises conveyed to Grantor by Deed dated August 18, 1993 and recorded with said Deeds in Book 24937, Page 45.

Executed as a sealed instrument this 28 day of April, 2004.



Bk: 42687 Pg: 411 Doc: DEED
Page: 1 of 1 04/30/2004 03:24 PM

REGISTRY OF DEEDS
SOUTHERN DISTRICT
ATTES:

COMMONWEALTH OF MASSACHUSETTS

THE OLDENQUIST REALTY TRUST BY:

Angeline M. Oldenquist TR.
ANGELINE M. OLDENQUIST, TRUSTEE

Middlesex, ss.

DATE: 4/28/04

On this 28 day of April, 2004, before me, the undersigned notary public, personally appeared Angeline M. Oldenquist, proved to me through satisfactory evidence of identification which was license to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose,

Lauren A. Jennings
Notary Public:
My Commission Expires:

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 04/30/2004 03:24 PM
Ctrl# 028342 22147 Doc# 00108290
Fee: \$971.28 Cons: \$213,000.00

INES, P.C.
QUARE

LAUREN A. JENNINGS, NOTARY PUBLIC
MY COMMISSION EXPIRES SEPTEMBER 26, 2008

CHELSEA, MA 01938

OFFICE OF THE
Littleton Board of Appeals
Littleton, Massachusetts 01460

received
10/2/08



Petitioner: Edward J. and Alicia M. MacDonald
Case No. 754A
Date Filed: August 15, 2008

The Littleton Board of Appeals conducted a public hearing on September 18, 2008, at the Shattuck Street Municipal Building on the petition of Edward and Alicia MacDonald for a Special Permit under the requirements of Section 173-10 to permit the alteration of a pre-existing non-conforming structure at their residence at 12 Long Lake Road, Littleton, MA. Notice of the hearing was given by publication in the Littleton Independent, a newspaper distributed in Littleton, on August 7 and August 14, 2008, and by mail to all abutters and parties in interest.

Present and voting: Julia Adam, Clerk; John Cantino, Assistant Clerk; Jeff Yates, member; Rod Stewart, alternate; and Marc Saucier, alternate. Sherrill Gould, Chairman, stood down from the hearing as an abutter. Present and not voting was Cheryl Hollinger.

The applicants requested to add a second story addition to their present house and presented a plan to the Board detailing the proposed structure. The present non-conformances, which will not change under the proposed plans, are:

- Side setback is 14.5 feet vs. the required 15 feet.
- The front setback is 25.7 feet vs. the required 30 feet.

The Building Inspector offered no objection. No abutters were in attendance.

FINDINGS: The Board found that the Petitioner satisfied the requirements for a special permit to extend or alter a pre-existing nonconforming structure in that the expansion as proposed would not be substantially more detrimental to the neighborhood than the existing non-conformity.

DECISION: The Board voted unanimously to GRANT a Special Permit under Section 173-10 of the Littleton Zoning By-law to permit the alteration of a non-conforming structure at 12 Long Lake Road, Littleton MA, by allowing the petitioner to build a second story onto the existing structure in substantial conformity with the plans presented to the Board and identified as "Certified Plot Plan #12 Long Lake Road Littleton, Massachusetts" by GCG Associates, Inc. of Wilmington, MA dated August 4, 2008. .

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: Julia A. Adam
Julia A. Adam, Clerk

Date: 10/2/08

Book 42667, Page 411

I hereby signify that twenty 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

Date: _____