

**TOWN OF LITTLETON
BOARD OF APPEALS**

37 Shattuck Street
P.O. Box 1305
Littleton, MA 01460
Tel: 978-540-2420



APPLICATION FOR PUBLIC HEARING

Pursuant to MGL Chapter 40A, 40B and 41 and the Littleton Zoning Bylaws

TOWN USE ONLY

Received by the Town Clerk Office

The filing is not official until stamped by the Town Clerk

Filing Fee paid: \$ 300 Check # 1690

Pursuant to the provisions of Chapter 40, §57 of the Massachusetts General Laws as adopted by Town Meeting 2003, this document must be signed by the Tax Collector verifying payment of taxes.

Signature of Tax Collector

The undersigned hereby submits this petition for the following action (check all that apply):

- ☐ Appeal of Decision of Building Inspector or other administrative official (see page 2)
- ☐ Special Permit (40A) (see page 2)
- ☐ Variance (see page 3)
- ☐ Comprehensive Permit (40B) Complete additional application (see page 2)

PETITIONER: Signature

Rebecca Zolla

Date:

8/12/19

Print Name

Rebecca Zolla

Phone #

978-339-5386

Address

34 Mattawanakee Trail

Email Address

rebecrazolla@gmail.com

Town, State, Zip

Littleton MA 01460

Deed Reference: Bk 68052 Page 210

PROPERTY OWNER: include authorization of Owner for Petitioner to represent Owner, if unsigned

Signature

Rebecca Zolla

Date

8/12/19

Phone #

978-339-5386

Print Name (if different from petitioner)

Email

rebecrazolla@gmail.com

Address (if different from petitioner)

ASSESSOR MAP & PARCEL NUMBER

047-61

ZONING DISTRICT: R VC B IA IB (Circle all that apply)

Check box if
applicable

☐ AQUIFER DISTRICT

☐ WATER RESOURCE DISTRICT

FEES
Residential Property: \$200 filing fee + \$75 recording fee + \$25 abutter list = \$300 to Town of Littleton
Commercial Property: \$350 filing fee + \$75 recording fee + \$25 abutter list = \$450 to Town of Littleton
Comprehensive Permit: \$1000 + \$100/unit over 10 units
ADDITIONAL FEES- ALL APPLICATIONS:
Legal Notice publication fee to be paid prior to opening the hearing

Variance

Under MGL c. 40A § 10

The undersigned hereby petitions the Board of Appeals for the Town of Littleton to vary, in the manner and for the reasons hereinafter set forth, the applicable provisions of the Zoning By-law.

1. Specifically, from what Zoning bylaw section are you seeking relief? Article VI Intensity of Use, Setbacks
2. Why are you seeking relief from a literal enforcement of this Zoning Bylaw?
Attach a written statement that specifically describes existing conditions and your objectives, along with plans, specifications, certified plot plan and any documentation necessary to support your request.
3. Show evidence that you meet the minimum requirements of a variance under section 173-6 B (2) of the Littleton Zoning Bylaws.
Attach a written statement which specifically includes why, owing to conditions (soil, shape, or topography) especially affecting the premises, but not affecting generally the zoning district in which it is located, a literal enforcement of the Zoning By-law would result in a substantial hardship to you. Applicant must clearly demonstrate the lack of alternative remedies.
4. I hereby certify that I have read the Board of Appeals Instructions for petitioners and that the statements within my petition and attachments are true and accurate to the best of my knowledge and belief.

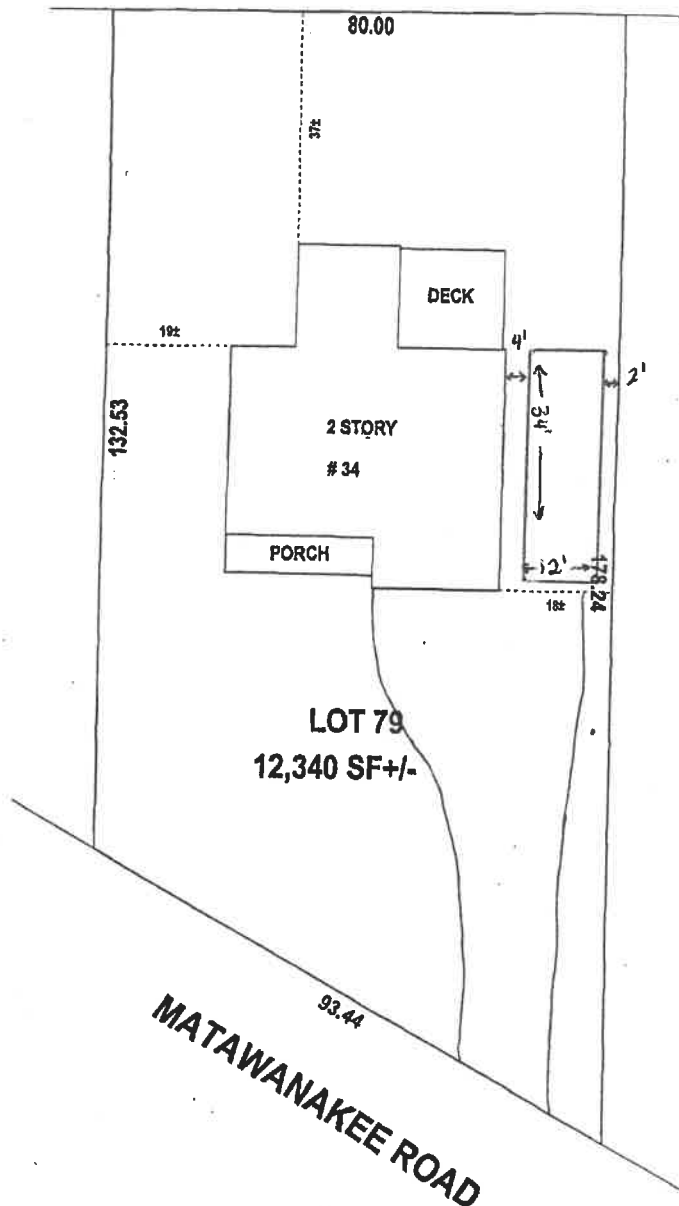

Signature

Rebecca Zolla Michael Zolla
Print name

Filing Instructions

1. **IMPORTANT: SEE THE BUILDING COMMISSIONER/ZONING ENFORCEMENT OFFICER BEFORE YOU FILL OUT THIS APPLICATION.** He will assist you with the proper zoning sections and application request(s). His review may save time by preventing delays in the hearing process.
 2. Apply for a certified abutters list with the Assessors office (request for certified list of abutters form enclosed)
 3. Bring the completed application packet to the Administrative Assistant to the Building Commissioner who will assist you in filing with the Town Clerk.
- Necessary Exhibits**— provide 3 hard copies and an electronic copy of the following with the completed application:
1. A copy of the most recently recorded plan of land or where no such plan exists, a copy of a plot plan endorsed by a registered engineer or land surveyor. The plan should show:
 - A) metes and bounds of the subject land
 - B) adjacent streets and other names and readily identifiable landmarks and fixed objects
 - C) dimensional layout of all buildings
 - D) distances and setbacks from the various boundaries
 - E) exact dimensions, setbacks and specifications of any new construction, alterations, additions or installations
 - F) direction of North
 - G) the name of each abutting property owner
 2. Copy of the latest recorded deed
 3. A written statement which details the basis for your petition
 4. Pictures, plans, maps, drawings and models are always helpful in explaining the problem
 5. In cases pertaining to signs, a scale print of the sign lettering and colors
 6. In cases pertaining to subdivisions of land, prints should show the proposed subdivision endorsed by a registered engineer or land surveyor
 7. In cases pertaining to Accessory dwellings evidence that the Board of Health has approved the septic system
 8. The date of the building construction and the history of ownership are useful in finding facts about the case

Completed applications filed with the Town Clerk by the third Thursday of the month will be considered at the next regularly scheduled Zoning Board of Appeals meeting, held on the third Thursday of the following month.
The Board in its discretion may dismiss an application or petition for failure to comply with any of the foregoing rules



1994 (c) Boston Survey Software

FLOOD DETERMINATION

According to Federal Emergency Management Agency maps, the major improvements on this property fall in as area designated as

ZONE: **X**

COMMUNITY PANEL No. 25017C0228E

EFFECTIVE DATE: 06-04-2010

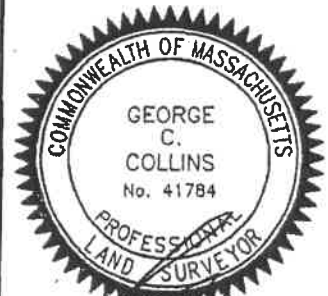
REFERENCES

DEED/CERT: 59433-46
PLAN REF: #499 of 1945

NOTE: To show an accurate scale this plan must be printed on legal sized paper (8.5" x 14")

The permanent structures are approximately located on the ground as shown. They either conformed to the setback requirements of the local zoning ordinances in effect at the time of construction, or are exempt from violation enforcement action under M.G.L. Title VII, Chapter 40A, Section 7, and that are no encroachments of major improvements either way across property lines except as shown and noted hereon.

NOTE: This is not a boundary or title insurance survey. This plan was prepared in accordance to procedural and technical standards for Mortgage Loan Inspections as adopted by the Massachusetts Board of Registration of professional engineers and Land Surveyors, 250 CMR 6.05, and use for any other purpose is prohibited. This plan is not to be used for recording, preparing deed descriptions, or construction.



George C. Collins, PLS

2

f



2016 00166189

Bk: 88052 Pg: 210 Doc: DEED

Page: 1 of 2 09/20/2016 03:21 PM

DEED

*No Title Examination Performed

MICHAEL J. ZOLLA and REBECCA E. ZOLLA, of 34 Matawanakee Trail, Littleton, Massachusetts,

in consideration of ONE and 00/100 (\$1.00) DOLLAR,

grant to MICHAEL J. ZOLLA and REBECCA E. ZOLLA, as Trustees of THE MICHAEL AND REBECCA ZOLLA LIVING TRUST, U/A dated June 28, 2016, of 34 Matawanakee Trail, Littleton, Massachusetts, a certificate of which is recorded herewith

with QUITCLAIM COVENANTS

The land, with the buildings thereon, in Littleton, Middlesex County, Massachusetts as shown on plan entitled "Plan of Lake Matawanakee Shores, Littleton, Mass. owned by Lake Properties, Inc., H.R. Anderson, Surveyor, June 1945" being Lot Number 79 (seventy-nine) on said plan, bounded and described as follows:

SOUTHERLY by Matawanakee Trail as shown on said plan, 93.44 feet;

SOUTHWESTERLY by Lot 78 as shown on said plan, 132.53 feet;

NORTHWESTERLY by Lot 77 and 82 as shown on said plan, 80 feet; and

NORTHEASTERLY by Lot 81 and 80 as shown on said plan, 178.24 feet.

Said Lot containing approximately 12,340 square feet.

Grantee(s) take title subject to all outstanding prior mortgages and/or security instruments, if any, and assumes the obligations set forth therein.


Return to:

The Parents Estate Planning Law Firm, PC
289 Great Road, Suite 302
Acton, MA 01720

Property Address: 34 Matawanakee Trail, Littleton, MA

For our title, see deed from FTB HOMES, LLC dated February 12, 2013, recorded with the Middlesex South District Registry of Deeds in Book 61205, Page 111.

Witness our hands and seals this 28th day of June 2016.

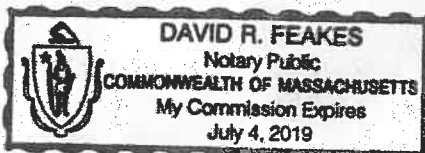

MICHAEL J. ZOLLA



REBECCA E. ZOLLA

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On June 28, 2016 MICHAEL J. ZOLLA and REBECCA E. ZOLLA personally appeared before me, proved to me through satisfactory evidence of identification, which was ☒ photographic identification with signature issued by a federal or state governmental agency, ☐ oath or affirmation of a credible witness, ☐ personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that s/he signed it voluntarily for its stated purpose.




David R. Feakes
Notary Public
My Commission Expires: July 4, 2019

Application for Variance –
Michael and Rebecca Zolla
Article VI Intensity of Use, Minimum Side Setback

34 Matawanakee Trail – constructed in 2012/2013 by FTB Homes
Original homeowners – Michael and Rebecca Zolla

The homeowners request a variance from the minimum side setback requirement to install a carport along the side of their house. The carport would be installed as a continuation of the existing driveway, which already has an additional parking area extending along the right side of the house. The carport will be installed over a gravel parking pad.

Without a variance for the side setback, the homeowners would not be able to install a carport to cover and protect their vehicles. Due to the small lot size, and placement of the home and septic system, there is no alternative location.

Aerial View of 34 Matawanakee Trail



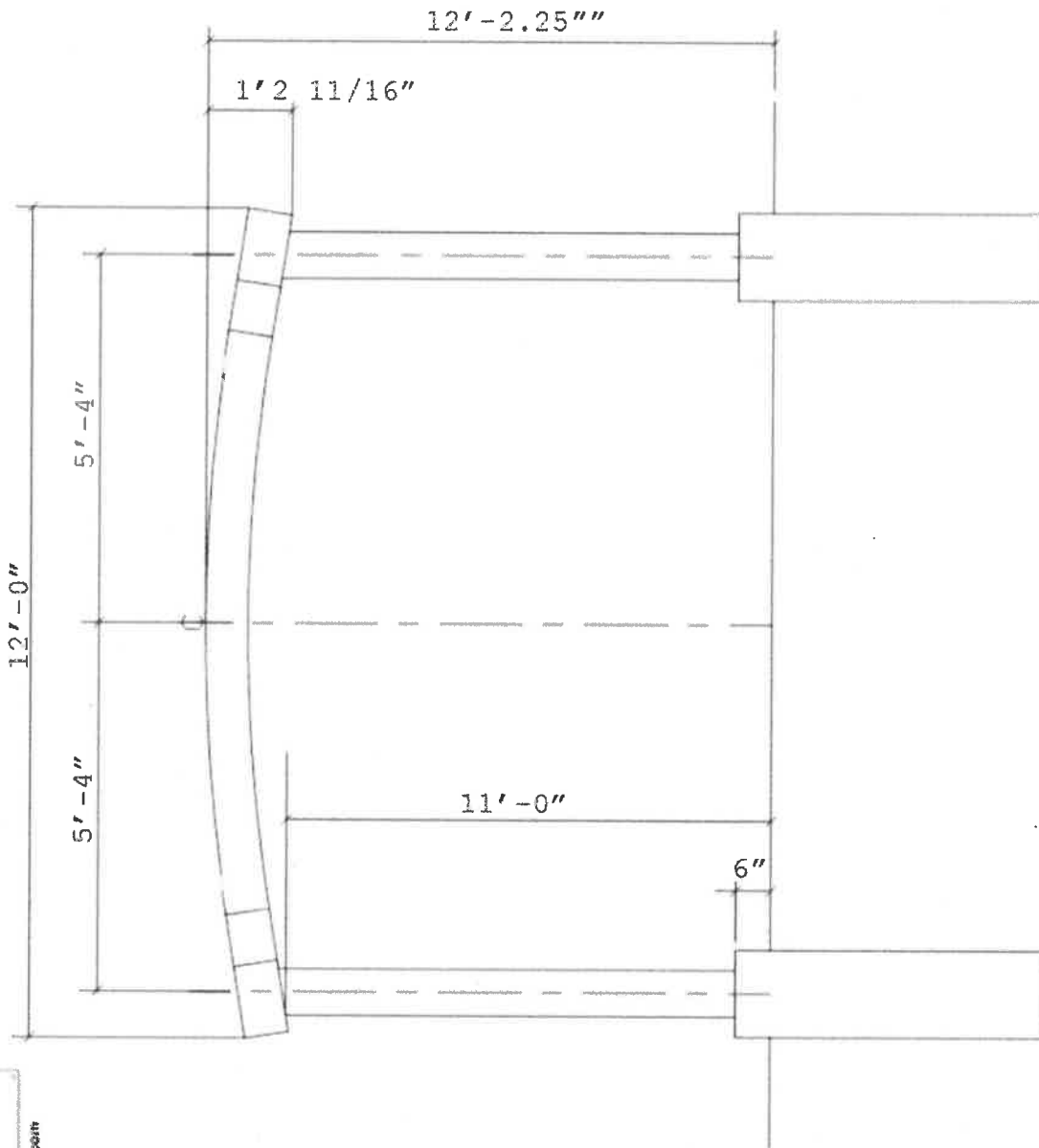
Proposed location of carport along the side of the house:



Images of the carport to be constructed:







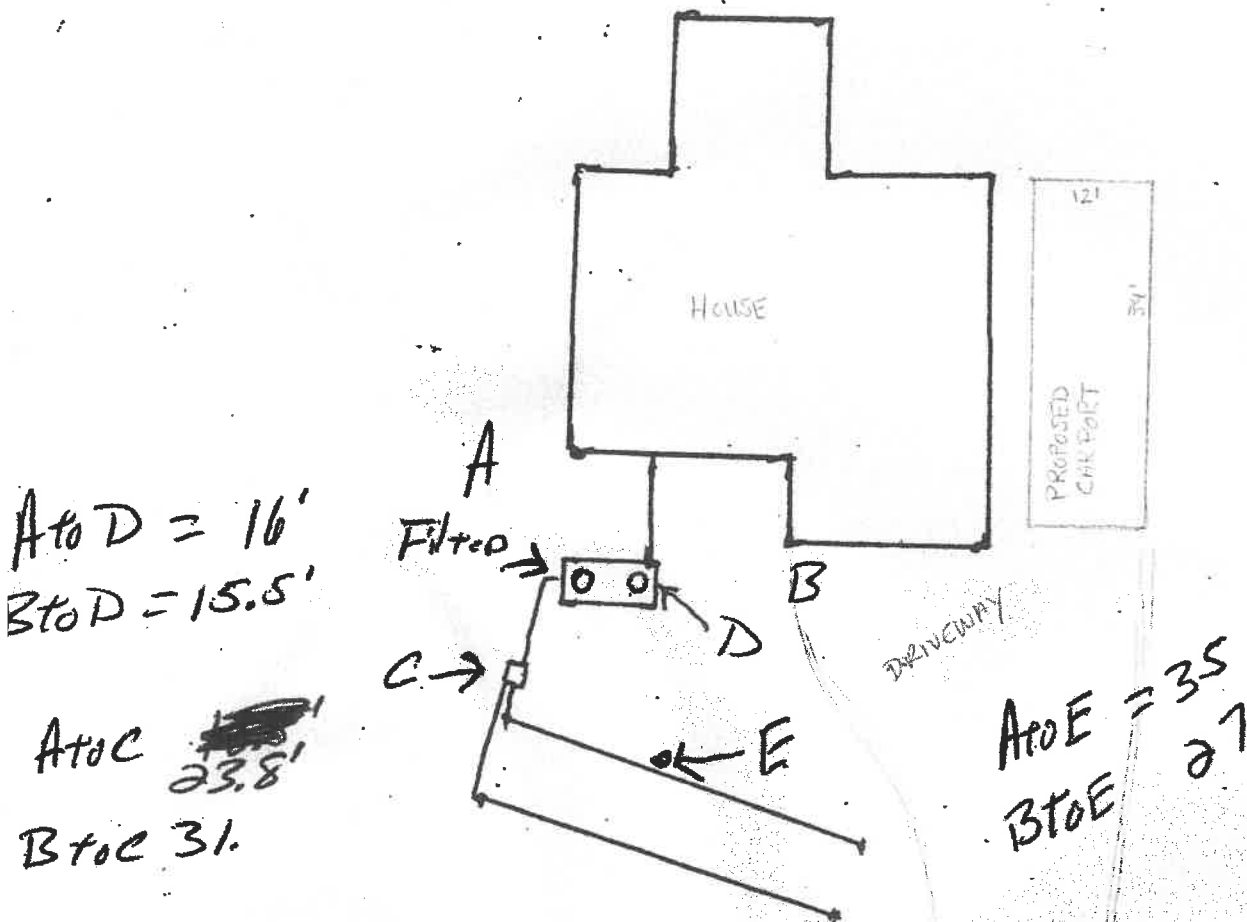
The structure is prefabricated by Steel Master Buildings and arrives with instructions and all hardware needed for installation. It will be installed on 10 concrete footings, minimum 4' deep, 12" diameter.

ROOF: 30% GRADE 8 OR ASTM A36 OR BQ
 PIAK PANEL STEEL THICKNESS = 0.03"
 ROOF PANEL STEEL THICKNESS = 0.03"
 RAILS & POSTS STEEL THICKNESS = 0.075" ALUM

PAVING: 30% GRADE 8 OR ASTM A36 OR BQ
 STRUCTURAL QUALITY ASTM SPECIFICATION A702-10
 50% ALUMINUM ZINC ALLOY (HOT DIP COATING)
 ASTM A702 GRADE 40A
 50 KSI MINIMUM YIELD
 65 KSI MINIMUM TENSILE
 OTHER W/ 100% ZINC COATING 50
 ASTM A36 100% ZINC COATING

ANCHOR DESIGN DATA IN ACCORDANCE
 WITH AISI 1008
 ROOF LIVE LOAD (PSF) = 25
 R_y GROUND SNOW LOAD (PSF) = 50
 L_r EXPOSURE FACTOR = 1.0
 L₁ DENSITY FACTOR = 1.2
 I_r IMPORTANCE FACTOR (CONV) = 1.8
 CATEGORY 1 / AGRICULTURAL BUILDING
 P_{net} COMBINED WIND PRESSURE (PSF) = -7.1 20
 V BASIC WIND SPEED (MPH) = 115
 R_h VELOCITY PRESSURE (EXPOSURE = 0) 500
 WIND EXPOSURE FACTOR = 0
 DESIGN WIND CATEGORY = B

INSTALLER'S AS-BUILT AND CERTIFICATION



SKETCH (to include the well and or water line location and the driveway location)

I Joseph Carey CERTIFY THAT ON 12 20 12 INSTALLED
 (Date)
 THE ABOVE SEPTIC SYSTEM FOR FTB Homes AT 34 Mitawanahe Trail
 (Owner's name) (Street name)
 IN THE TOWN OF Littleton, ALSO KNOWN AS LOT _____, IN ACCORDANCE
 WITH TITLE 5, 310 CMR 15.000, THE APPROVED PLAN(S) BY R. Wilson
 (Eng)
111930H.DWB AND THE BOARD OF HEALTH REQUIREMENTS
 (Plan #) (Revised)
Joseph Carey 1-3-13
 INSTALLER'S SIGNATURE & DATE
093
 LICENSE NUMBER