

**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

*Received*  
*RF 9.8.16*

The filing is not official until stamped by the Town Clerk

Filing Fee paid: \$ 900 Check # 2546

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.

*Deborah A. Richards*  
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 Kevin Q Baker Date: 8/17/16

Print Name Kevin Baker

Address 210 Hartwell Ave

Littleton, MA 01460

Town, State, Zip

Phone # 617-461-7021

Email Address Kevinbaker30@gmail.com

Deed Reference: Bk \_\_\_\_\_ Page \_\_\_\_\_

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

Signature Kevin Q Baker Date 8/17/16 Phone # 617-461-7021

Print Name (if different from petitioner) Kevin Baker for BB Credit Inc Email Kevinbaker30@gmail.com

Address (if different from petitioner) \_\_\_\_\_

ASSESSOR MAP & PARCEL NUMBER U17 353

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

- Check box if applicable
- ☐ AQUIFER DISTRICT
  - ☐ WATER RESOURCE DISTRICT

**FILING FEES**

|                      |                                   |
|----------------------|-----------------------------------|
| Residential Property | \$200 to Town of Littleton        |
| Commercial Property  | \$350 to Town of Littleton        |
| Comprehensive Permit | \$1000 + \$100/unit over 10 units |

**ADDITIONAL FEES (all applications)**

|   |
|---|
| \$75 to Comm of Mass-recording fee                        |
| \$25 to Town of Littleton-auditor list                    |
| Legal Notice publication fee due prior to opening hearing |

\$300 Town of Littleton

ZBA Case No. 876A Site address 60 Dahlia Drive

*Sept 15*  
*7/12/16*

# 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? 173-31, 173-10 B(2)

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.

Kevin E. Baker  
Signature

Kevin E. Baker  
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.

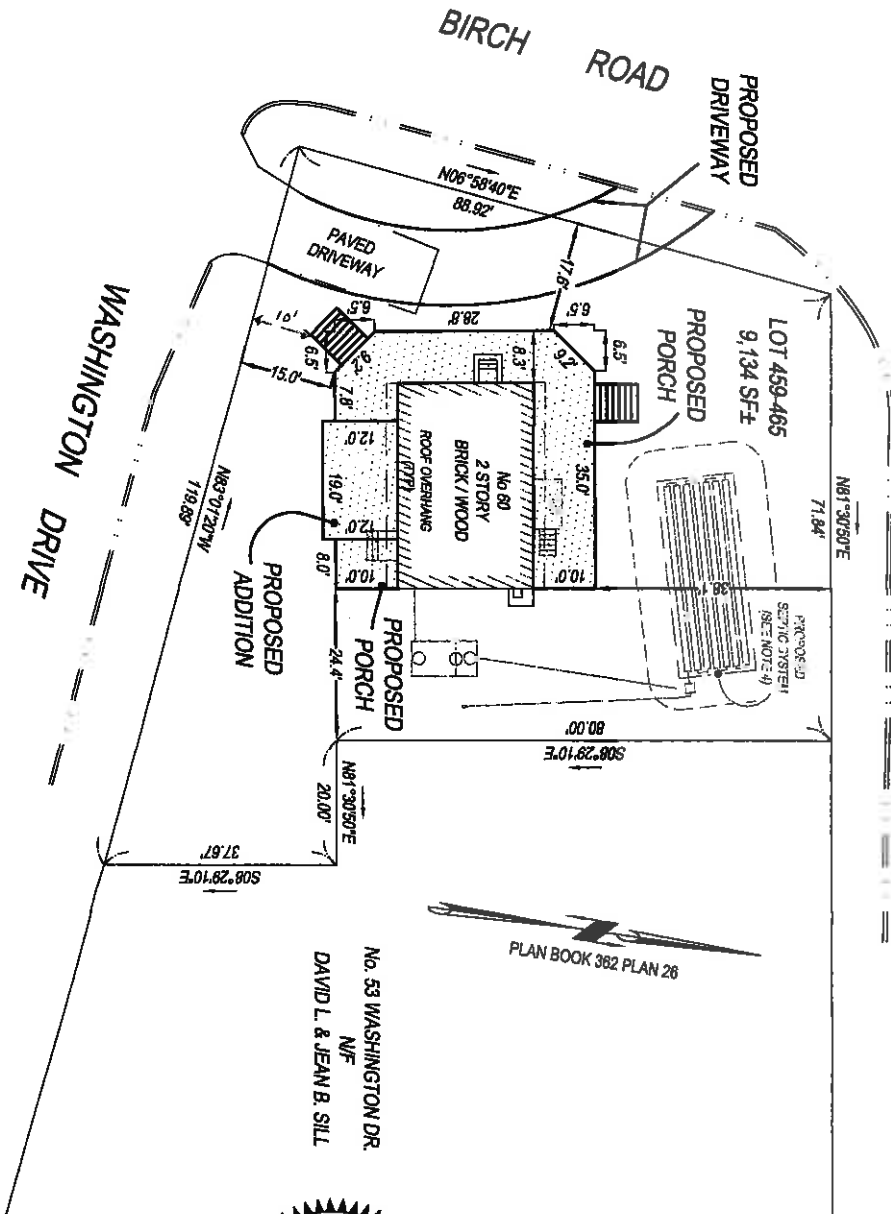
**Necessary Exhibits**— provide 14 copies of the following with the completed application:

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

# DAHLIA DRIVE



PLAN BOOK 362 PLAN 26

No. 53 WASHINGTON DR.  
N/F  
DAVID L. & JEAN B. SILL



## NOTES:

- 1.) THIS PLAN WAS PREPARED FROM AN INSTRUMENT SURVEY PERFORMED ON DECEMBER 7, 2015.
- 2.) SUBSURFACE AND ABOVE GROUND UTILITIES WERE NOT INCLUDED AS PART OF THIS SURVEY, THEY WERE NOT RESEARCHED NOR SHOWN HEREON.
- 3.) A TITLE EXAMINATION WAS NOT PROVIDED FOR THIS SURVEY, AS SUCH OTHER MATTERS OF RECORD MAY EXIST AND NOT BE SHOWN HEREON.
- 4.) SEE "SEWAGE DISPOSAL SYSTEM PLAN" PREPARED BY CIVIL SOLUTIONS INC. DATED JANUARY 11, 2016 FOR PROPOSED SEPTIC SYSTEMS LOCATION.

## RECORD OWNERS:

THOMAS G. & SANDRA C.  
WIGHTMAN  
60 DAHLIA DRIVE  
LITTLETON, MA

## REFERENCES:

DEED BOOK 12520 PAGE 670  
PLAN BOOK 362 PLAN 26

## PLOT PLAN

IN  
LITTLETON, MA

60 DAHLIA DRIVE  
PREPARED FOR  
KEVIN BAKER

## SUMMIT SURVEYING INC.

BY  
285 LITTLETON ROAD, SUITE 2, WESTFORD, MA  
WWW.SUMMITSURVEYINGINC.COM  
TEL 978-692-7109  
JULY 6, 2016  
16-0134



Middlesex South Registry of Deeds  
Electronically Recorded Document

This is the first page of the document - Do not remove

---

Recording Information

|  |                 |
|--|-----------------|
| Document Number                        | : 111988        |
| Document Type                          | : DEED          |
| Recorded Date                          | : July 06, 2016 |
| Recorded Time                          | : 03:02:20 PM   |
| Recorded Book and Page                 | : 67574 / 78    |
| Number of Pages(including cover sheet) | : 4             |
| Receipt Number                         | : 1962967       |
| Recording Fee (including excise)       | : \$125.00      |

\*\*\*\*\*  
MASSACHUSETTS EXCISE TAX  
Southern Middlesex District ROD # 001  
Date: 07/06/2016 03:02 PM  
Ctrl# Doc# 00111988  
Fee: \$.00 Cons: \$1.00  
\*\*\*\*\*

**Middlesex South Registry of Deeds**  
**Maria C. Curtatone, Register**  
208 Cambridge Street  
Cambridge, MA 02141  
617-679-6300  
[www.middlesexsouthregistry.com](http://www.middlesexsouthregistry.com)

## QUITCLAIM DEED

We, **THOMAS G. WIGHTMAN** and **SANDRA C. WIGHTMAN**, Husband and Wife, of  
Grafton, New Hampshire

for consideration paid and in full consideration of **LESS THAN ONE HUNDRED AND 00/100**  
**(\$100.00) DOLLARS**

grant to **SANDRA C. WIGHTMAN**, as **Trustee** of the **WIGHTMAN FAMILY TRUST**  
under Declaration of Trust dated June 15, 2013, a Certificate of which is recorded herewith, of  
60 Dahlia Drive, Littleton, Middlesex County, Massachusetts,

*with Quitclaim Covenants*

The land consisting of five (5) certain parcels of land, together with the buildings thereon,  
situated in Littleton, Middlesex County, Massachusetts, being shown as Lots 459, 460, 461, 462  
and 463 on a plan entitled "Map A of Long Lake, Town of Littleton, Massachusetts", recorded  
with Middlesex South District Registry of Deeds, Book of Plans 362, Plan 26, together bounded  
and described as follows:

Beginning at a point on the southerly side of Dahlia Drive at Birch Road, thence running:

|                  |  |
|------------------|--|
| <b>EASTERLY</b>  | by said Dahlia Drive, seventy-one and 84/100 (71.84) feet to Lot 514,<br>as shown on said plan; thence turning and running |
| <b>SOUTHERLY</b> | by said Lot 514 to Lot 464, eighty (80) feet, as shown on said plan;<br>thence turning and running                         |
| <b>WESTERLY</b>  | by said Lot 464 to Lot 463, twenty-five (25) feet, as shown on said<br>plan; thence turning and running                    |
| <b>SOUTHERLY</b> | again by said Lot 464 to Washington Drive, as shown on said plan;<br>thence turning and running                            |

**NORTHWESTERLY** by said Washington Drive seventy-three and 26/100 (73.26) feet to said Birch Road; thence turning and running  
**NORTHERLY** by said Birch Road, eighty-eight and 92/100 (88.92) feet to the point of beginning.

This conveyance is made subject to the restrictions imposed in deed from Warren Smadbeck to Leslie A. Hager, dated March 7, 1927, recorded with said Registry of Deeds, Book 5387, Page 312; also subject to and with the benefit of the right to maintain poles, wires and water mains in the streets and ways as shown on said plan to be used in common by the owners of the lots on said plan.

The undersigned hereby release any and all Rights of Homestead which have been declared in the property or have been granted as a matter of law and further states that there are no other persons entitled to protection under the Homestead Act.

Being the same premises conveyed to Grantors by Deed dated September 13, 1973 and recorded in with the Middlesex South District Registry of Deeds in Book 12520, Page 671.

Also, the land consisting of two (2) parcels of land situated in Littleton, Middlesex County, Massachusetts, being shown as Lots 464 and 465 on a plan entitled "Map A of Long Lake, Town of Littleton, Massachusetts", recorded with Middlesex South District Registry of Deeds, Book of Plans 362, Plan 26, bounded and described as follows:

**NORTHERLY** by Lot 514 and a portion of Lot 462;  
**EASTERLY** by Lot 466;  
**SOUTHERLY** by Washington Drive; and  
**WESTERLY** by Lot 463, all as shown on said plan.

The undersigned hereby release any and all Rights of Homestead which have been declared in the property or have been granted as a matter of law and further states that there are no other persons entitled to protection under the Homestead Act.

Being the same premises conveyed to Grantors by Deed dated September 13, 1973 and recorded with the Middlesex South District Registry of Deeds in Book 12520, Page 670.

Executed as a sealed instrument this 15<sup>th</sup> day of June, 2013.

  
THOMAS G. WIGHTMAN

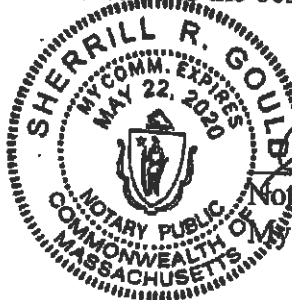
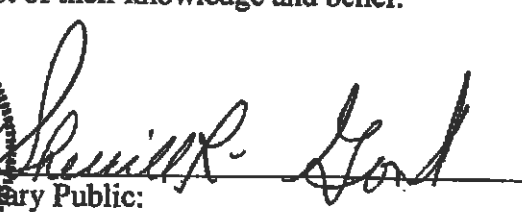
  
SANDRA C. WIGHTMAN

**COMMONWEALTH OF MASSACHUSETTS**

MIDDLESEX, ss.

June 15, 2013

On this day, before me, the undersigned Notary Public, personally appeared the above-named **THOMAS G. WIGHTMAN** and **SANDRA C. WIGHTMAN**, who proved to me through satisfactory evidence of identification, which was the presentation of a driver's license, to be the persons whose names are signed on the preceding document, and acknowledged to me that they signed it voluntarily for its stated purpose and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of their knowledge and belief.

   
Notary Public:  
My Commission Expires:

To Whom it May Concern,

I hereby petition to the Board of Appeals to allow a set of steps that encroach on the Washington Street property line for egress and access to the dwelling at 60 Dahlia Drive. Owing to circumstances related to the shape and topography of the land and existing structure the steps must be located in the position shown on the attached plot plan so as to make the dwelling accessible and avoid substantial hardship.

The lot is a pre-existing nonconforming lot for lot size 9,134 s.f., the existing dwelling meets the zoning setbacks for front, side and rear setbacks. The proposed steps require a variance as the setback to Washington Street will be 10 ft as shown on the attached plan.

















TOWN OF LITTLETON  
BOARD OF ASSESSORS  
P.O. BOX 1305  
LITTLETON, MA 01460  
(978) 540-2410 FAX: (978) 952-2321

Date: September 1, 2016

Re: **Certified List of Abutters for Board of Appeals (300 feet - public hearings, special permits  
And/or for Variances)**

Applicant Kevin Baker Name of Firm: N/A  
Mailing Address 210 Hartwell Ave Littleton, MA 01460

Subject Parcel Location: ~~210 Hartwell Ave~~ 60 Dahlia  
Subject Owner Kevin Baker  
Subject Map & Parcel No: U17 353 0

M.G.L. Chapter 40A, Section 11. "In all cases where notice of a public hearing is required notice shall be given by publication in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than fourteen days before the day of the hearing and by posting such notice in a conspicuous place in the city or town hall for a period of not less than fourteen days before the day of such hearing. In all cases where notice to individuals or specific boards or other agencies is required, notice shall be sent by mail, postage prepaid. "Parties in interest" as used in this chapter shall mean the petitioner, abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within three hundred feet of the property line of the petitioner as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town, the planning board of the city or town, and the planning board of every abutting city or town. The assessors maintaining any applicable tax list shall certify to the permit granting authority or special permit granting authority the names and addresses of parties in interest and such certification shall be conclusive for all purposes. The permit granting authority or special permit granting authority may accept a waiver of notice from or an affidavit of actual notice to any party in interest or, in his stead, any successor owner of record who may not have received a notice by mail, and may order special notice to any such person, giving not less than five nor more than ten additional days to reply." .....

I hereby certify the attached list of abutter(s) as stated in the M.G.L. Chapter 40A, Section 11.

Number of Abutter(s) 36, including the subject parcel(s) + 0 Applicant Requesting Abutter's List.

**\*\*APPLICANT AND OWNER OF SUBJECT PARCEL ARE THE SAME\*\***

Certified by:

  
Celia Jornet, Assistant Assessor

32 DOGWOOD RD U17 110 0  
LAVIGNE JANET E  
LAVIGNE MARC R  
66 HARTWELL AVE  
LITTLETON, MA 01460

29 CEDAR RD U17 113 0  
KINNEY IV THOMAS B  
GALBALLY-KINNEY KRISTIN L  
29 CEDAR RD  
LITTLETON, MA 01460

49 ASPEN RD U17 27 0  
LITTLETON TOWN OF

~~P.O. BOX 1305~~  
LITTLETON, MA 01460

60 DAHLIA DR U17 353 0  
BB CUBED INC  
210 HARTWELL AVE  
LITTLETON, MA 01460

0 BIRCH RD U17 37 0  
LITTLETON TOWN OF  
~~P.O. BOX 1305~~  
LITTLETON, MA 01460

41 BIRCH RD U17 379 0  
FTB HOMES LLC  
PO BOX 216  
LITTLETON, MA 01460

34 BIRCH RD U17 39 0  
MARSHALL JOHN R  
MARSHALL SARAH E S  
34 BIRCH ROAD  
LITTLETON, MA 01460

0 BIRCH RD U17 422 0  
CONNORS DARLENE F  
47 KNIGHT ROAD EXT  
FRAMINGHAM, MA 01701-3739

61 ASPEN RD U17 427 0  
RIORDAN CHRISTINA E  
61 ASPEN ROAD  
LITTLETON, MA 01460

42 BIRCH RD U17 439 0  
GIBNEY FREDRIC + ANGELA M TRS  
THE GIBNEY LIVING TRUST  
42 BIRCH RD  
LITTLETON, MA 01460

36 DOGWOOD RD U17 111 0  
ARMSTRONG ROBERT L  
ARMSTRONG DONNA M  
36 DOGWOOD RD  
LITTLETON, MA 01460

0 ASPEN RD U17 19 0  
LITTLETON TOWN OF

~~P.O. BOX 1305~~  
LITTLETON, MA 01460

52 DAHLIA DR U17 350 0  
ERIKSSON MATTIAS B  
ERIKSSON LAURA B  
52 DAHLIA DR  
LITTLETON, MA 01460

47 WASHINGTON DR U17 357 0  
BRIGANTI ROBERT A  
SCOTT ELLEN M  
47 WASHINGTON DR  
LITTLETON, MA 01460

56 ORCHID DR U17 377 0  
GRANT SHELTON I  
GRANT LINDA M  
56 ORCHID DR  
LITTLETON, MA 01460

61 DAHLIA DR U17 380 0  
MICHAELS ANGUS J  
61 DAHLIA DR  
LITTLETON, MA 01460

36 BIRCH RD U17 40 0  
MCCROSKY GAIL  
36 BIRCH RD  
LITTLETON, MA 01460

40 BIRCH RD U17 425 0  
SHOULTS PETER M  
GAGNE-SHOULTS DENISE M  
40 BIRCH RD  
LITTLETON, MA 01460

0 ASPEN RD U17 431 0  
HERON MARJORIE A  
BUTTERWORTH THERESA A  
PO BOX 333  
NUTTINGS LAKE, MA 01865-0333

0 BIRCH RD U17 442 0  
FREUND FREDERICK J  
FREUND JUNE G  
45 BIRCH RD  
LITTLETON, MA 01460

35 CEDAR RD U17 112 0  
SMITH CLARENCE O  
SMITH MARIE J  
35 CEDAR RD  
LITTLETON, MA 01460

0 ASPEN RD U17 24 0  
MCCROSKY GAIL

36 BIRCH ROAD  
LITTLETON, MA 01460

53 WASHINGTON DR U17 351 0  
SILL DAVID L  
SILL JEAN B  
53 WASHINGTON DR  
LITTLETON, MA 01460

45 WASHINGTON DR U17 359 0  
CICCARELLI SHAFIYA  
45 WASHINGTON DR  
LITTLETON, MA 01460

53 DAHLIA DR U17 378 0  
MUCHATA RICHARD F  
MUCHATA MARY  
53 DAHLIA DR  
LITTLETON, MA 01460

49 DAHLIA DR U17 384 0  
SMITH BRIAN E  
SMITH ALISON N WELLMAN  
49 DAHLIA DR  
LITTLETON, MA 01460

0 WASHINGTON DR U17 41 0  
MCCROSKY GAIL  
36 BIRCH ROAD  
LITTLETON, MA 01460

0 ORCHID DR U17 426 0  
SHOULTS PETER M  
GAGNE-SHOULTS DENISE M  
40 BIRCH ROAD  
LITTLETON, MA 01460

0 ASPEN RD U17 432 0  
RIORDAN CHRISTINA E  
61 ASPEN ROAD  
LITTLETON, MA 01460

57 ORCHID DR U17 444 0  
SQUIRES EMILY M  
57 ORCHID DR  
LITTLETON, MA 01460

28 CEDAR RD U17 81 0

LITTLETON TOWN OF  
LIGHT + WATER DEPARTMENT  
PO BOX 1305  
LITTLETON, MA 01460

E/S BIRCH RD U17 85 0

LITTLETON TOWN OF  
LIGHT + WATER DEPARTMENT  
PO BOX 1305  
LITTLETON, MA 01460

34 CEDAR RD U17 83 0

SURETTE DEVAN F  
SURETTE KENNETH  
34 CEDAR RD  
LITTLETON, MA 01460

35 BIRCH RD U17 86 0

PEREGRINO SUZANNE J  
35 BIRCH RD  
LITTLETON, MA 01460

39 BIRCH RD U17 84 0

AXTMAN RICHARD L  
AXTMAN SHERYL A  
39 BIRCH RD  
LITTLETON, MA 01460

E/S BIRCH RD U17 87 0

LITTLETON TOWN OF  
LIGHT + WATER DEPARTMENT  
PO BOX 1305  
LITTLETON, MA 01460



**LEGAL NOTICE  
NOTICE OF HEARING**

The Littleton Board of Appeals will conduct a public hearing on Thursday September 15, 2016 at the Littleton Town Offices, 37 Shattuck Street, Room 103 to consider the following petition:

7:40 p.m. Case #876A – The petitioner Kevin Baker request for a variance pursuant to Section 173-10(B)1 Non-conforming uses and structures and 173-31Intensity of Use for a set of steps at 60 Dahlia Drive.

**LITTLETON BOARDS OF APPEALS**

Alan Bell, Clerk  
Littleton Independent September 1 and 8, 2016

**LEGAL NOTICE  
NOTICE OF HEARING**

The Littleton Board of Appeals will conduct a public hearing on Thursday September 15, 2016 at the Littleton Town Offices, 37 Shattuck Street, Room 103 to consider the following petition:

7:40 p.m. Case #876A – The petitioner Kevin Baker request for a variance pursuant to Section 173-10(B)1 Non-conforming uses and structures and 173-31Intensity of Use for a set of steps at 60 Dahlia Drive.

**LITTLETON BOARDS OF APPEALS**

Alan Bell, Clerk  
Littleton Independent September 1 and 8, 2016

**LEGAL NOTICE  
NOTICE OF HEARING**

The Littleton Board of Appeals will conduct a public hearing on Thursday September 15, 2016 at the Littleton Town Offices, 37 Shattuck Street, Room 103 to consider the following petition:

7:40 p.m. Case #876A – The petitioner Kevin Baker request for a variance pursuant to Section 173-10(B)1 Non-conforming uses and structures and 173-31Intensity of Use for a set of steps at 60 Dahlia Drive.

**LITTLETON BOARDS OF APPEALS**

Alan Bell, Clerk  
Littleton Independent September 1 and 8, 2016

**LEGAL NOTICE  
NOTICE OF HEARING**

The Littleton Board of Appeals will conduct a public hearing on Thursday September 15, 2016 at the Littleton Town Offices, 37 Shattuck Street, Room 103 to consider the following petition:

7:40 p.m. Case #876A – The petitioner Kevin Baker request for a variance pursuant to Section 173-10(B)1 Non-conforming uses and structures and 173-31Intensity of Use for a set of steps at 60 Dahlia Drive.

**LITTLETON BOARDS OF APPEALS**

Alan Bell, Clerk  
Littleton Independent September 1 and 8, 2016