

20 Washington Dr

ZBA Case No.: #847A

**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  
2/3/15 NSPm

The filing is not official until stamped by the Town Clerk

Filing Fee paid: \$ 200

Check # 2200

75 Comm'y Mass 2201

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.

Debbie Richards 2/3/15

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

Matthew Field

Date: 1/30/15

Print Name

Matthew Field

978-337-6375

Phone # mfield@ownnewengland.com

Email Address

Address

442 King Street

Deed Reference: Bk 63082 Page 558-60

Town, State, Zip

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

Signature

Matthew Field agent  
Date 2/3/15

Phone #

Print Name (if different from petitioner)

Email

Address (if different from petitioner)

ASSESSOR MAP & PARCEL NUMBER U17 298

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-abutter list
Legal Notice publication fee due prior to opening hearing

# Appeal

Under MGL c. 40A § 8

The undersigned hereby appeals a written order or decision of the Building Commissioner / Zoning Officer or other administrative official alleged to be in violation of the provisions of MGL c. 40A or the Zoning By-laws to the Board of Appeals for the Town of Littleton.

1. From what Town Official or Board is the appeal being sought?

*Mandatory: Attach copies of written order or decision under appeal!*

Date of order / decision \_\_\_\_\_

Administrative Official \_\_\_\_\_

2. Which statute or Zoning Bylaw do you rely for your appeal?

MGL c.40A § \_\_\_\_\_

Zoning Bylaw § \_\_\_\_\_

*You may also consider whether you qualify for relief under any other authority of the Board to grant a Special Permit or Variance.*

Code of Littleton § \_\_\_\_\_

3. I hereby certify that I have read the Board of Appeals Instructions for Appellants and that the statements within my appeal and attachments are true and accurate to the best of my knowledge and belief.

Signature \_\_\_\_\_

Print name \_\_\_\_\_

# Special Permit 40A

Under MGL c. 40A § 9

The undersigned hereby petitions the Board of Appeals for the Town of Littleton to grant a Special Permit for the reasons hereinafter set forth and in accordance with the applicable provisions of the Zoning By-law.

1. Special Permits are expressly permitted in the Zoning Bylaws. Which Zoning Bylaw section do you rely for your appeal?

Zoning Bylaw § 173-10(B)

*173-10(B)*

2. Why are you applying for a Special Permit? Attach a written statement that specifically describes existing conditions and your objectives, along with necessary exhibits as listed in the filing instructions. *You may also consider whether you qualify for relief under any other authority of the Board to grant a variance.*

*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.*

John agent

Print Name \_\_\_\_\_

Matthew Field

# Special Permit 40B

Under MGL c. 40B

*All instructions: Littleton Zoning Board of Appeals Rules for the Issuance of a Comprehensive Permit under*

# 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? 173-10B.1

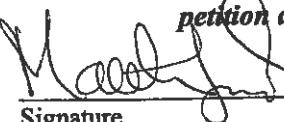
2. Why are you seeking relief from a literal enforcement of this Zoning Bylaw?

*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

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

February 3, 2015

To: Zoning Board of Appeals

Petitioner: Thomas Bailey

108 East Main St, # 9

Ayer, MA 01432

I, Thomas Bailey, appoint Matthew & Michael Field as my agent for the purpose of the special permit for 20 Washington Drive, Littleton.

Sincerely,

A handwritten signature in blue ink, appearing to read "Thomas Bailey".

Thomas C. Bailey

## Field Development

442 King Street, Littleton, MA 01460

978-486-3800

February 3, 2015

To: Zoning Board of Appeals

Petitioner: Field Development

Matthew & Michael Field

442 King Street

Littleton, MA 01460

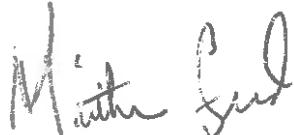
Development is requesting a special permit pursuant to the town of Littleton zoning by-law section 173-10B (1) to reconstruct a single family dwelling on a pre-existing non-conforming lot at 20 Washington Drive, See plans attached. The notice was given by Publication in the Littleton Independent. Submitted with application was:

Plan titled subsurface sewage disposal site plan for 20 Washington Drive

Architectural plans

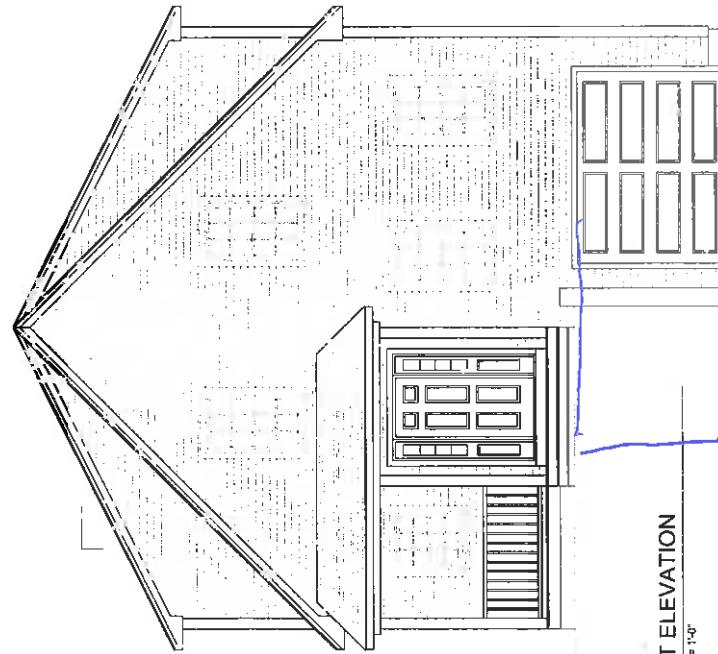
Floor plans and elevations

There was a pre-existing home on the site with a failed septic system. The lot is a pre-existing, non-conforming reduced frontage 60' depth is 100' total area 6,000 sq. ft. The existing home had a left side to lot in 11' the proposed 15' conforming the right side was conforming and the proposed is also conforming 15'. The rear of the existing was 16' proposed is 53' conforming. We are requesting the frontage to be 12'. We will have a two car garage with a two car driveway off of Washington Drive. This is the last house to be constructed on Washington Drive. We are making this request to keep in line with the new and existing homes on Washington Drive. We were requested to install the septic's are in the rear to keep in compliance with Title 5 as well as drainage requested by both the DEP and conservation commission.



20 WASHINGTON DR.  
FIELD DEVELOPMENT  
LITTLETON, MA

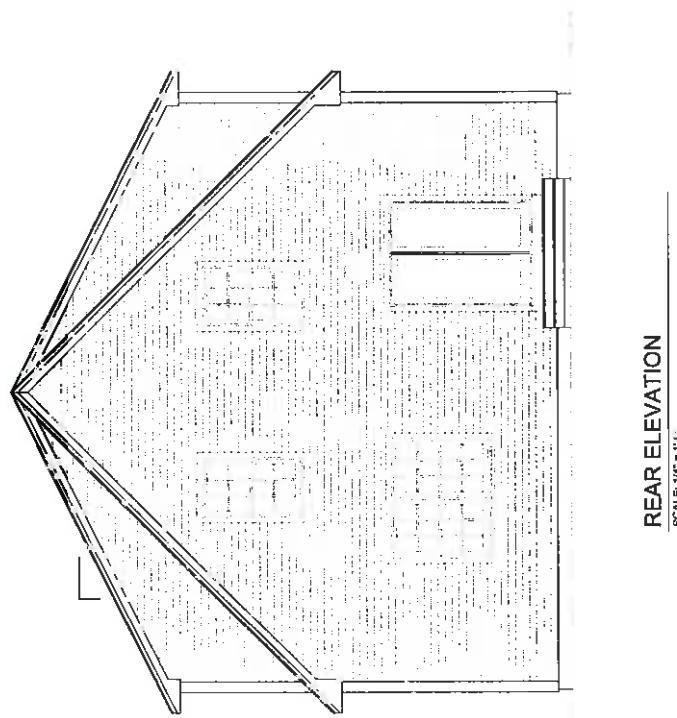
DATE: 1-21-15



FRONT ELEVATION

SCALE: 1/8" = 1'-0"

2 car garage

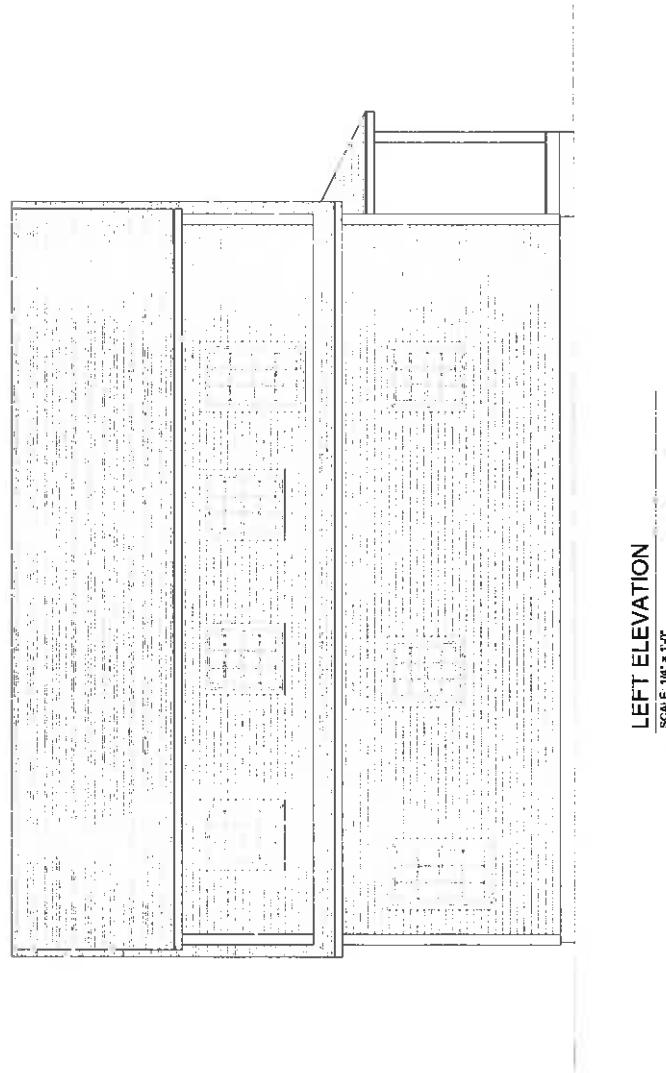


REAR ELEVATION

SCALE: 1/8" = 1'-0"

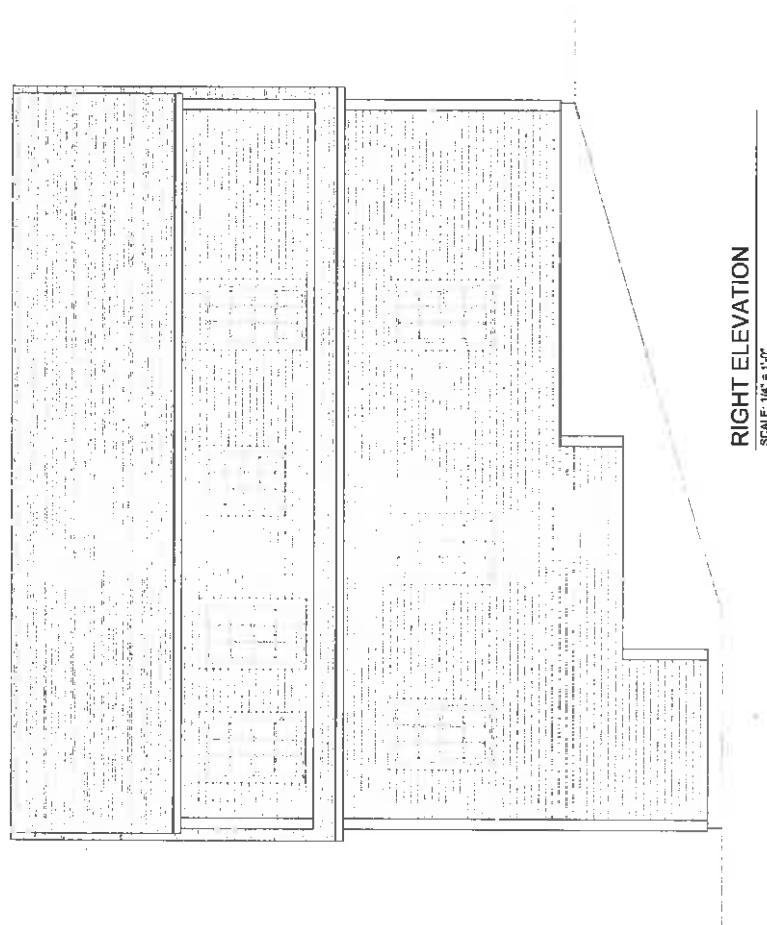
20 WASHINGTON DR.  
FIELD DEVELOPMENT  
LITTLETON, MA

DATE: 1-21-15



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DATE: 1-21-15

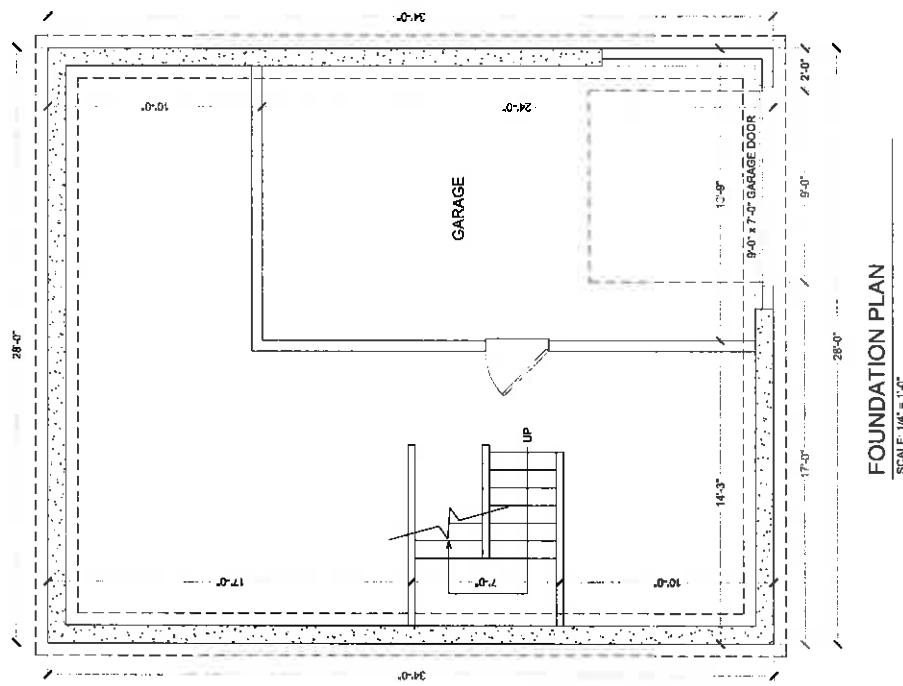


**RIGHT ELEVATION**

SCALE:  $1/4'' = 1'-0''$

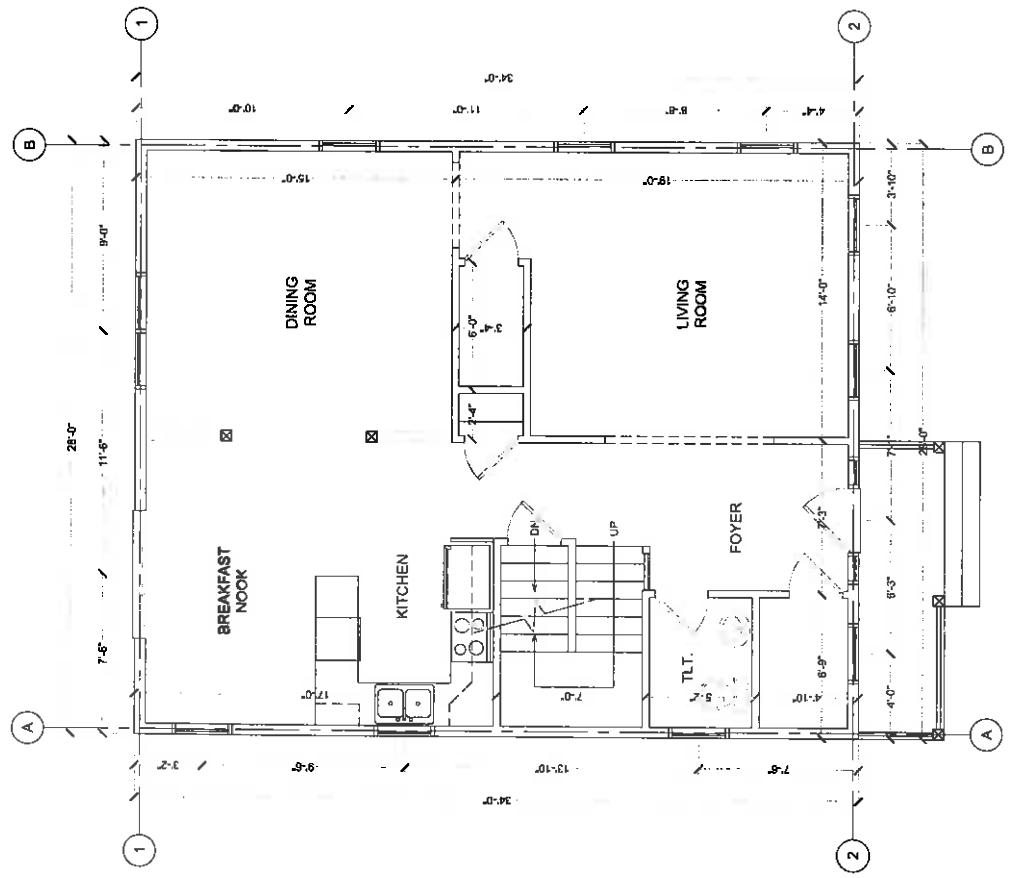
20 WASHINGTON DR.  
FIELD DEVELOPMENT  
LITTLETON, MA

DATE: 1-21-15

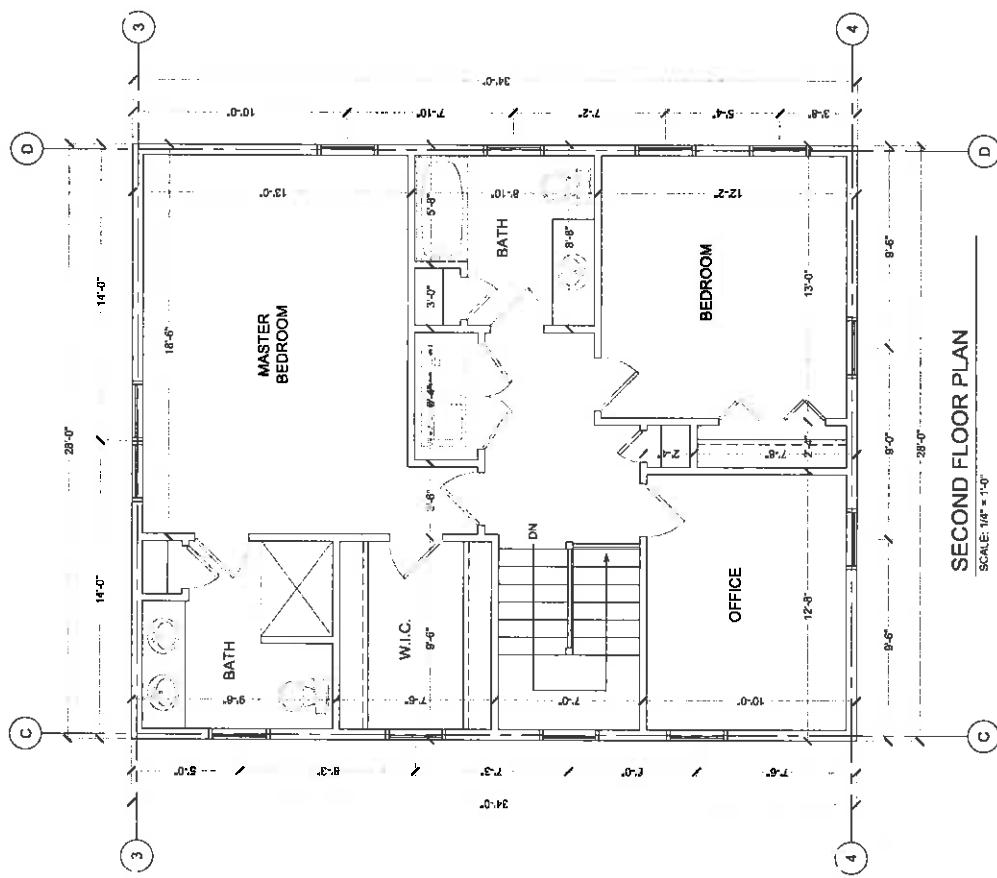


FOUNDATION PLAN

SCALE: 1/4" = 1'-0"



**FIRST FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



# Middlesex South Registry of Deeds

## Electronically Recorded Document

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

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### Recording Information

Document Number	:	258261
Document Type	:	DEED
Recorded Date	:	December 19, 2013
Recorded Time	:	09:07:24 AM
Recorded Book and Page	:	63082 / 558
Number of Pages (including cover sheet)	:	3
Receipt Number	:	1655279
Recording Fee (including excise)	:	\$581.00

\*\*\*\*\*  
**MASSACHUSETTS EXCISE TAX**  
Southern Middlesex District ROD # 001  
Date: 12/19/2013 09:07 AM  
Ctrl# 198472 22382 Doc# 00258261  
Fee: \$456.00 Cons: \$100.000.00  
\*\*\*\*\*

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

**QUITCLAIM DEED**

I, Janice Miley, of South Yarmouth, Barnstable County, Massachusetts, for consideration paid, and in full consideration of One Hundred and 00/100ths (\$100,000.00) Dollars hereby grant to Thomas Courtlandt Bailey, of 442 King Street, Littleton, Middlesex County, Massachusetts

**WITH QUITCLAIM COVENANTS**

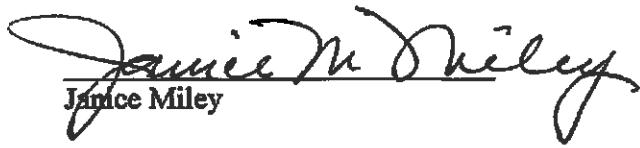
The land in Littleton, Middlesex County, together with the buildings thereon, known as 20 Washington Drive and being Lots #1551, 1552 and 1553 formerly owned by Mary A. Landville and being the premises conveyed to Gladys Mooney by deed of Nils E. Nelson, dated May 1, 1952 and recorded with Middlesex South District Registry of Deeds in Book 7984, Page 111. See also Plan recorded in Plan Book 362, Plan 26.

For Grantor's title, see deed dated November 28, 2005 and recorded with said Registry of Deeds in Book 46658, Page 438.

**{REMAINDER OF PAGE INTENTIONALLY LEFT BLANK}**

LOCUS: 40 Washington Drive, Littleton, MA

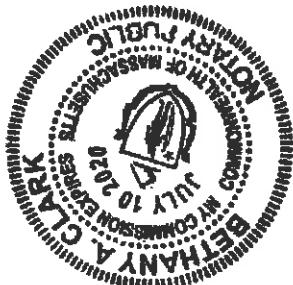
Executed as a sealed instrument this 11 day of December, 2013.

  
Janice Miley

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss:

On this 11 day of December, 2013, before me, the undersigned notary public, personally appeared Janice Miley, proved to me through satisfactory evidence of identification, which was MA Drivers License to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.



  
Notary Public:  
My Commission Expires: 7/10/20

