

**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
5-7-75

The filing is not official until stamped by the Town Clerk

Filing Fee paid: \$ 200 + 75 Check # 129

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.

H. Lord

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 _____ **Date:** _____
Matthew LaPenta and Eliza Woodbury (978) 952-6269
Print Name _____ **Phone #** _____
10 Dogwood Road mattlapenta@yahoo.com
Address _____ **Email Address** _____
Littleton, MA 01460
Town, State, Zip _____ **Deed Reference: Bk** 44319 **Page** 573

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

Signature _____ **Date** _____ **Phone #** _____
Print Name (if different from petitioner) _____ **Email** _____
Address (if different from petitioner) _____

ASSESSOR MAP & PARCEL NUMBER map 15, parcel 103

ZONING DISTRICT: ☒ 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-shutter 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

Administrative Official _____ Date of order / decision _____

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

MGL c.40A § _____ Zoning Bylaw § _____ Code of Littleton § _____

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

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. Non Conforming uses and structures

B. (1) Change, extension or alteration

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.*

3. 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

Special Permit 40B

Under MGL c. 40B

See supplemental instructions: Littleton Zoning Board of Appeals Rules for the Issuance of a Comprehensive Permit under M.G.L.c40B



Existing street view, 10 Dogwood Road, Littleton, MA

**Zoning Board of Appeals Application
Petition for Special Permit 40A**

10 Dogwood Road, Littleton, MA 01460

Statement

April 21, 2015

A second floor addition and first floor renovations to the house are proposed as shown in the attached drawings.

The existing land and single family residential structure at 10 Dogwood road are nonconforming in respect to several requirements in the Intensity of Use Schedule for the Residence R district, as noted below.

	Schedule requirement	Existing	Proposed
Minimum lot area (sf)	40,000	14,000	14,000
Minimum lot frontage (ft)	150'	60'	60'
Minimum Street Setback (ft)	30'	23.8' to deck	23.8' to deck
Minimum Side Setback (ft)	15'	13.6' at South side	13.6' at South side

As per Section 173-10.A:

- (1) The proposed changes, with the exception of the existing nonconformity, comply with the current Zoning Bylaw;
- (2) The proposed changes do not prevent compliance with any other applicable laws or regulations;
- (3) There is no change in use of the structure; and
- (4) The proposed changes do not intensify the existing nonconformity.

As per Section 173-10.B (1) we believe that the proposed structure shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

List of additional attachments to Special Permit application:

Land survey drawing for 10 Dogwood Rd., 1 page, 11x17

Copy of latest recorded deed, 2 pgs. 8.5x11

Photo of existing front of 10 Dogwood Rd., 1 page, 8.5x11

Architectural drawings of proposed and existing house, 14 pages, 11x17

QUITCLAIM DEED

WE, IAN J. RAUM and JOANNA C. RAUM, also known as JOANNA C. SCHULTZ, As Tenants by the Entirety, of 10 Dogwood Road, Littleton, Middlesex County, Massachusetts

In consideration of Two Hundred Ninety-Nine Thousand Nine Hundred Dollars (\$299,900.00)

Grants to Matthew ^{P.}LaPenta and Eliza ^{J.}Woodbury, husband and wife, tenants by the entirety, of 32 Andrew Street, # 2, Cambridge, Middlesex County, Massachusetts

with Quitclaim Covenants

Parcel One

The Land with the Buildings thereon, situated in Littleton, Middlesex County, Massachusetts, and being shown as Lots 1387, 1388, 1389 on a plan entitled "Map A, Long Lake, Town of Littleton, Middlesex County, Massachusetts", recorded with Middlesex South District Deeds, in Plan Book 362, Plan 26, bounded and described as follows:

EASTERLY	by Dogwood Road, 60 feet;
NORTHERLY	by Lot 1386 on said plan, 100 feet;
WESTERLY	by Lots 1362, 1363 and 1364, 60 feet; and
SOUTHERLY	by Lot 1390 on said plan, 100 feet.

Containing 6,000 square feet of land, according to said plan.

Being the same premises conveyed to Grantors by deed dated January 21, 2000 and recorded with Middlesex South District Registry of Deeds in Book 31104, Page 402.

Parcel Two

Lots 1362, 1363, 1364, and 1365 which are shown on a plan of Warren Smadbeck recorded with Middlesex South District Deeds in Plan Book 362, Plan No. 16 and containing about one fifth or an acre.

Being the same premises conveyed to Ian J. Raum and Joanna C. Raum dated October 12, 2001 and recorded at the Middlesex South District Registry of Deeds at Book 33856, Page 376.

The property is conveyed subject to a Deed Restriction dated August 8, 2003 and recorded with the Middlesex South District Registry of Deeds in Book 40374, Page 625.



2004 00315806
Bk: 44319 Pg: 573 Doc: DEED
Page: 1 of 2 12/17/2004 12:01 PM

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 12/17/2004 12:01 PM
Ctrl# 044297 13021 Doc# 00315806
Fee: \$1,368.00 Cons: \$299,900.00

10 Dogwood Road, Littleton, MA