

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

(6/4/15 7:41pm)

The filing is not official until stamped by the Town Clerk

Filing Fee paid: \$ 350.00 - 63845 Check # 75-6387

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 *BDR*

Date: 5/20/15

Bruce Ringwall, Pres. of GPR, Inc. as agent

978-772-1590

Print Name
 19 Main Street, Suite 301

Phone #
 bringwall@gpr-inc.com

Address

Email Address

Ayer, MA 01432

Deed Reference: Bk 63845 Page 192

town, State, Zip

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	

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

Signature _____ Date _____

978-287-5807

Phone #

Georgiana Gagnon

giagagnon@comcast.net

Print Name (if different from petitioner)

Email

9 Walden Terrace

Concord, MA 01742

Address (if different from petitioner)

ASSSESSOR MAP & PARCEL NUMBER R18 / 14.0

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

Check box if AQUIFER DISTRICT
 applicable

WATER RESOURCE DISTRICT

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

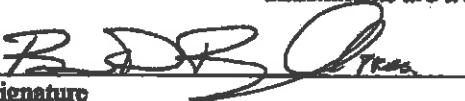
The undersigned hereby petitions the Board of Appeals for the Town of Littleton to grant a Special Permit for the reasons hereinafter set forth and in accordance with the applicable provisions of the Zoning By-law.

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

Zoning Bylaw § 173-7, 25 & 26

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 _____

Bruce Ringwall, Pres. for GPR, Inc.

Print Name as agent for owner.

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

GEORGIANA GAGNON
39 WALDEN TER
CONCORD, MA 01742-3503

6356

53-13/110 MA
28540

May 21, 2015

\$ 350.00

Pay to the
Order of Town of Littleton Three hundred and fifty 00 Dollars

Bank of America

ACH R/T 011000138

For ZBA

10110001381: 000040899324#6356

Harland Clarke

JEWELED ELEGANCE

GEORGIANA GAGNON
39 WALDEN TER
CONCORD, MA 01742-3503

6357

53-13/110 MA
28540

May 21, 2015

Pay to the
Order of Commonwealth of Massachusetts \$ 75.00
Seventy-five 00 Dollars

Bank of America

ACH R/T 011000138

For Recording Fee

10110001381: 000040899324#6357

Harland Clarke

JEWELED ELEGANCE

May 22, 2014

Subject: 547 Great Road, Littleton, MA
Tax Map R-18, Lot #14

To Whom It May Concern:

I hereby authorize Goldsmith, Prest & Ringwall, Inc., 39 Main Street, Suite 301, Ayer, MA, 978.772.1590, to act as my agent in administrative and civil engineering matters pertaining to the proposed Site Development at the subject site. This authorization covers the execution of application forms, presentation of plans and designs, and communication with involved parties.

Respectfully,



Georgiana Gagnon
39 Walden Terrace
Concord, MA 01742

Copy: Goldsmith, Prest & Ringwall, Inc.
file



May 20, 2015

Littleton Zoning Board of Appeals
Shattuck Street Municipal Building
37 Shattuck Street
Littleton, MA 01460

Re: Special Permit for "Other principal uses with externally observable attributes similar to uses permitted above" Section 173-26 A.
Nature and Justification for
Soaring Hawk Meditation Center, 547 Great Road, Littleton

Dear Board Members:

On behalf of our client, Georgiana (Gia) Gagnon, we respectfully submit a request for Special Permit to allow the use of the above referenced property for function uses as well as the previously permitted wellness and meditation uses. The applicant has previously obtained Site Plan approval from the Planning Board for modifications to the site for parking, accessible access and drainage improvements as well as a Special Permit to allow modifications to the structure within 150 feet of the property line and Zoning District line. These approvals from the Planning Board are for the use of the structure and property for wellness visits under an office type use.

The subject property is located approximately 2,800± feet north of the interchange number 31 off of Interstate 495, at the intersection of Beaver Brook and Old Great Road, designated Parcel 14 on Assessor's Map R-18. Previously, the 3± acre parcel was used as a residential structure with associate driveway having site access off of the dead end portion of the Old Great Road layout. The subject property has historically been used as an accessory business / home occupation. The property is zoned Industrial A, with its northern and western property boundaries being the zoning district limit abutting the Residential District. Also, while the limit of the mapped Zone II aquifer protection area stops on the abutting property to the east and is not located on the subject property, the entire parcel is within the Aquifer and Water Resource Overlay District, with the overlay districts limit running down the centerline of the Beaver Brook Road right of way.

On behalf of Gia Gagnon and the Soaring Hawk Meditation Center, GPR is also filing a Site Plan Modification and Special Permit applications with the Planning Board and will be filing with the Littleton Board of Health and MA DEP for the use of composting toilets. Gia purchased the property in June 2014. Her intentions for Soaring Hawk are to create a beautiful and peaceful place for contemplation and celebration while preserving the unique character of the existing house and yard. The property has a rich tradition and history. The

Goldsmith, Prest & Ringwall, Inc.

land is sacred to the Native Americans and needs to be respected. The house was constructed and renovated several times over the years dating from 1758 and 1861. It is featured on the cover of The Poorhouses of Massachusetts by Heli Meitsner. Many people passed through its doors seeking assistance when it acted as the Littleton Poor Farm. Gia intends to honor their lives through her use of the property.

As mentioned above the property has been approved for wellness, mindfulness practices and meditation under the office uses of Section 173-26A. Gia would like to expand on those uses with complimentary uses of dance, music and weddings. GPR respectfully requests the Zoning Board of Appeals to grant a Special Permit under 173-7 for the use under 173-26A "Other principal uses with externally observable attributes similar to uses permitted above." Use of the property for functions rentals on Friday evenings, weddings on Saturdays, dance classes, contra dance and open mic on Wednesday and Friday evenings appear to be uses similar to other permitted uses. While the Zoning Bylaw does not have a specific use category "Motel, hotel, conference center" is a permitted use within the IA District. These types of facilities often hold functions including rental of spaces for various activities, weddings, dances and the like. Any food to be served on the property will be prepared off site and brought to the events by a catering company. The serving of food is similar to a restaurant which is an allowed use in the IA District. Churches and other religious facilities hold weddings and dances and is also an allowed use in the IA District.

The larger weddings (greater than 100 to 120 but less than 180) would be offered a screen and landscaped portion of the yard for the temporary (single event) installation of a tent. The tent would be set up and removed for each event and would be in a designated area indicated on the site plan. Parking for larger events would be on adjacent property along Great Road within the IA District through an agreement recorded at the Registry of Deeds.

Gia intends to renovate the structure by replacing the garage barn portion of the building with a thirty-two foot by forty-two foot barn for ceremonies, music and dancing. She has prepared a series of House Guidelines which include no outdoor amplified music, acoustic outdoor music must cease by 10 pm (8 pm Sunday – Thursday), maximum number of people for an outdoor event limited to 180, sit down events should be no more than 120, house and grounds to be non smoking to name a few.

As part of the filing with the Planning Board the applicant is proposing to create 30 parking spaces on site in a manner that is non-intrusive to the site and the abutting properties. A drainage system in accordance with the Littleton Stormwater Management Regulations including low impact best management practices. Gia will be removing the invasive plant material on the property, protecting plants from old gardens and incorporating them into the landscape plan. They plan the revival of the original Kitchen Garden, the creation of cutting gardens and new pathways and setting walls.

On behalf of the owner / applicant, Georgiana Gagnon, GPR suggests the additional proposed uses of the property are similar to uses permitted within the IA District and therefore are in harmony with the general purpose and intent of the Bylaw. We look forward to discussing the proposed use with the Board at your next available meeting.

Sincerely,
Goldsmith, Prest & Ringwall, Inc.


Bruce Ringwall, Pres.

QUITCLAIM DEED

CHLOE SACHS, of

Boston, MA

in consideration of Less than ONE HUNDRED AND NO/100 (\$100.00)

grant to KEVIN D. MCPHERSON,

of 547 Great Road, Littleton, Middlesex County, Massachusetts



2009 00061886

Bk: 52588 Pg: 384 Doc: DEED
Page: 1 of 2 04/14/2009 11:18 AM

With Quitclaim Covenants

All my right, title and interest in and to a certain parcel of land with the buildings thereon, situated at 547 Great Road, Littleton, Massachusetts, more particularly bounded and described as set forth on the attached Exhibit "A".

Being the same premises conveyed to Grantor by deed recorded with Middlesex South District Registry of Deeds in Book 43473, Page 527.

Executed as a sealed instrument this 30th day of March, 2009.

CHLOE SACHS

CHLOE SACHS

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Date: March 30, 2009

On this day, before me, the undersigned notary public, personally appeared CHLOE SACHS, proved to me through satisfactory evidence of identification which was a valid driver's 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,

Patricia M. O'Neill
Notary Public:
My Commission Expires: 7/30/10

Return
Gould Law
PO 752
Littleton
01460

EXHIBIT A

The land Littleton, Middlesex County, Massachusetts with the buildings and improvements thereon, situated on the northeasterly side of Great Road and shown as Lot 1 on a plan entitled "Plan of Land in Littleton, Mass. Owned by Theodore and Barbara C. Eliades" recorded with the Middlesex County, South District Registry of Deeds in Book 12886, Page 16, and more particularly bounded and described as follows:

SOUTHWESTERLY	by Great Road as shown on said plan, three distances measuring respectively, 172 feet, 154.99 feet and 65.71 and;
NORTHWESTERLY	by Beaver Brook Road, as shown on said plan, 329.59 feet;
NORtheasterLY	by Lot 2, as shown on said plan, 374.34 feet;
SOUTHEASTERLY	by said Lot 2, as shown on said plan, 155.69 feet.

Said Lot 1 containing 3.0479 acres of land, according to said plan.

Subject to the following:

1. Flowsage rights to Beaver Brook and to such right of way, if any there may be, to gain access to the land located Northeasterly thereof as shown in a deed recorded with the Middlesex County South District Registry of Deeds in Book 4687, Page 231.
2. Affidavit recorded with Middlesex County South District Registry of Deeds in Book 12944, Page 397.
3. A taking for the purpose of relocating and repair of Beaver Brook Road as shown in a document recorded with Middlesex County South District Registry of Deeds in Book 7989, Page 274.

REGISTRY OF DEEDS
SOUTHERN DISTRICT
ATTEST:

Agnes C. Prime

REGISTER



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

Date: January 6, 2015

Re: Certified List of Abutters for Planning Board (300 feet - public hearings, special permits)

Applicant: Ashley Peters Name of Firm: GPR, INC.
Mailing Address 39 Main Street, Suite 301, Ayer, MA 01432

Subject Parcel Location: 547 Great Road

Subject Owner: Georgiana Gagnon

Subject Parcel ID: R18 140

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) 20 including the subject parcels + 1 Applicant Requesting Abutter's List.

Certified by:

Lorraine Freitas, Assistant Assessor

Loc: GREAT RD Parcel ID #: R18 12 A

LUC: 803

LINGHAM PATRICIA W

526 GREAT RD

LITTLETON MA 01460

Loc: 538 GREAT RD Parcel ID #: R18 12 B

LUC: 101

LINGHAM III ROBERT M

LINGHAM SHARON L

538 GREAT RD

LITTLETON MA 01460

Loc: 542 GREAT RD Parcel ID #: R18 13 0

LUC: 101

BOWERS ANDREW T

542 GREAT ROAD

LITTLETON MA 01460

Loc: 540 GREAT RD Parcel ID #: R18 13 1

LUC: 101

PALMER DWIGHT E

627 MARSHALL STREET

ALTAMONTE SPRINGS FL 32701-6805

Loc: 547 GREAT RD Parcel ID #: R18 14 0

LUC: 104

GAGNON GEORGIANA B

547 GREAT RD

LITTLETON MA 01460

Loc: 535 GREAT RD Parcel ID #: R18 14 10

LUC: 440

MARVID CRABYL LLC

90 CARROL ST

PORLTAND ME 04102

Loc: 527 GREAT RD Parcel ID #: R18 14 5

LUC: 404

CLADDAGH ENTERPRISE LLC

34 LOWELL ROAD

WESTFORD MA 01886

Loc: 545 GREAT RD Parcel ID #: R18 14 6

LUC: 400

MINARIK ELECTRIC COMPANY

545 GREAT RD

LITTLETON MA 01460

Loc: 7 BEAVER BROOK RD Parcel ID #: R18 14 7

LUC: 400

BURK PETER C

10619 RESTORATION TERRACE

BRADENTON FL 34212-6205

Loc: 537 GREAT RD Parcel ID #: R18 14 9

LUC: 400

FOSTER MARC C TR OF FFD TRUST

C/O FFD TRUST

P O BOX 1544

ARLINGTON MA 02474-0023

Loc: 17 OLD GREAT RD Parcel ID #: R19 5 1

LUC: 101

STEDMAN GEORGE H

STEDMAN JUSTINE A

17 OLD GREAT ROAD

LITTLETON MA 01460

Loc: 15 OLD GREAT RD Parcel ID #: R19 5 12

LUC: 101

CURRY PAUL W

BERMEL MARY L

15 OLD GREAT ROAD

LITTLETON MA 01460

Loc: 11 OLD GREAT RD Parcel ID #: R19 5 2

LUC: 101

TERELLA MICHAEL C

TERELLA KAREN M

11 OLD GREAT RD

LITTLETON MA 01460

Loc: 2 BEAVER BROOK RD Parcel ID #: R19 5 3

LUC: 101

SULLIVAN BARRY L

SULLIVAN SUSAN M

2 BEAVER BROOK RD

LITTLETON MA 01460

Loc: 6 BEAVER BROOK RD Parcel ID #: R19 5 4
LUC: 101

FIELD JOHN F
FIELD KHRISTINE M
6 BEAVER BROOK RD

LITTLETON MA 01460

Loc: 4 BEAVER BROOK RD Parcel ID #: R19 5 4A
LUC: 101

REIDY TRYPHENA
REIDY STEPHEN A
4 BEAVER BROOK RD

LITTLETON MA 01460

Loc: 8 BEAVER BROOK RD Parcel ID #: R19 5 5
LUC: 959

TOWARD INDEPENDENT LIVING AND
LEARNING INC
20 EASTBROOK RD, SUITE 201

DEDHAM MA 02050

Loc: 10 BEAVER BROOK RD Parcel ID #: R19 5 6
LUC: 101

LYON DONALD J
LYON JOANN
10 BEAVER BROOK RD

LITTLETON MA 01460

Loc: 654 GREAT RD Parcel ID #: R20 76 0
LUC: 101

DAVIS RICHARD C
DAVIS JEANNE A
554 GREAT RD

LITTLETON MA 01460

Loc: 548 GREAT RD Parcel ID #: R20 8 0
LUC: 101

HILL DEBRA
(A/K/A DEBRA DUMONT HILL)
PO BOX 428

LITTLETON MA 01460-0428

Applicant Requesting Abutter's List

Ashley Peters
GPR. Inc.
39 Main Street, Suite 301
Ayer, MA 01432

Michelle Cobleigh

From: Matthew King
Sent: Tuesday, June 09, 2015 3:22 PM
To: Michelle Cobleigh; Maren Toohill; Scott Wodzinski; Jim Clyde; Amy Green; jgarreff@nashoba.org; Keith Dunn
Subject: RE: 547 Great Road

Categories: Red Category

I see some parking but I do not believe it will be enough for the Conference / Wedding Center so I am concerned about that. If they can work out parking I'm all for this type of facility.

Matthew J King

Matthew J. King
Chief of Police
Littleton Police Department
500 Great Road
Littleton, MA 01460
978-540-2300
mking@littletonpd.com

From: Michelle Cobleigh
Sent: Tuesday, June 09, 2015 2:57 PM
To: Maren Toohill; Scott Wodzinski; Matthew King; Jim Clyde; Amy Green; jgarreff@nashoba.org; Keith Dunn
Subject: 547 Great Road

Attached is a filing submitted with the Zoning Bd of Appeals. The hearing is scheduled for June 18 at 7:30 p.m. If you have any comments, please send back by June 15.

Shelly

Michelle Cobleigh

From: Scott Wodzinski
Sent: Tuesday, June 09, 2015 3:34 PM
To: Michelle Cobleigh; Maren Toohill; Matthew King; Jim Clyde; Amy Green; jgarreff@nashoba.org; Keith Dunn
Subject: RE: 547 Great Road

Categories: Red Category

Definitely does not look like enough parking, and they will need to add sprinklers for the place of assembly if over 100.

Scott Wodzinski
Fire Chief/Emergency Management Director
Littleton Fire Department
20 Foster St
Littleton, MA 01460
978-540-2302

From: Michelle Cobleigh
Sent: Tuesday, June 09, 2015 2:57 PM
To: Maren Toohill; Scott Wodzinski; Matthew King; Jim Clyde; Amy Green; jgarreff@nashoba.org; Keith Dunn
Subject: 547 Great Road

Attached is a filing submitted with the Zoning Bd of Appeals. The hearing is scheduled for June 18 at 7:30 p.m. If you have any comments, please send back by June 15.

Shelly

Michelle Cobleigh

From: James Garreffii [JGarreffii@nashoba.org]
Sent: Thursday, June 11, 2015 8:25 AM
To: Maren Toohill
Cc: Michelle Cobleigh
Subject: 5-11 Goldsmith & 547 Great

Categories: Red Category

Maren,

I have reviewed the above mentioned proposals and have the following comments.

5-11 Goldsmith St.

- 1.) Though this office has witnessed soil testing at the property, the applicant has not yet submitted plans for a sewage disposal system for the proposed use.
- 2.) The site presents challenges for locating a sewage disposal system and this office would recommend additional treatment of the wastewater before it is discharged to the ground.
- 3.) Approval of the sewage disposal system would require variances from the Littleton Board of Health.

547 Great Rd.

- 1.) This office would need to review the plans and issue a permit for the use of the composting toilets for this site.
- 2.) Based on the plans presented no food preparation can occur on site; catering only.
- 3.) A variance to the Littleton Board of Health regulations would be needed.

Jim

Michelle Cobleigh

From: Amy Green
Sent: Thursday, June 11, 2015 11:30 AM
To: Michelle Cobleigh; Maren Toohill; Scott Wodzinski; Matthew King; Jim Clyde;
jgarreff@nashoba.org; Keith Dunn
Subject: RE: 547 Great Road

Categories: Red Category

Based on MassGIS, there don't appear to be any wetland issues, but the area is mapped by the Natural Heritage and Endangered Species Program

Amy Green
Conservation Coordinator
Littleton Conservation Commission
37 Shattuck Road
PO Box 1305
Littleton, MA 01460

(978) 540-2428

From: Michelle Cobleigh
Sent: Tuesday, June 09, 2015 2:57 PM
To: Maren Toohill; Scott Wodzinski; Matthew King; Jim Clyde; Amy Green; jgarreff@nashoba.org; Keith Dunn
Subject: 547 Great Road

Attached is a filing submitted with the Zoning Bd of Appeals. The hearing is scheduled for June 18 at 7:30 p.m. If you have any comments, please send back by June 15.

Shelly

Michelle Cobleigh

From: Keith Dunn
Sent: Thursday, June 11, 2015 11:35 AM
To: Michelle Cobleigh
Cc: Maren Toohill
Subject: RE: 547 Great Road

Categories: Red Category

Shelly and Maren,

The new access road is required to be 20' wide per NFPA 1 18.2(new since January 1st) I have spoken with Bruce from GPR and he is going to submit a revision showing all weather shoulders to proposed pavement that will meet this requirement. Otherwise no issues

Keith

From: Michelle Cobleigh
Sent: Tuesday, June 09, 2015 2:57 PM
To: Maren Toohill; Scott Wodzinski; Matthew King; Jim Clyde; Amy Green; jgarreff@nashoba.org; Keith Dunn
Subject: 547 Great Road

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Shelly