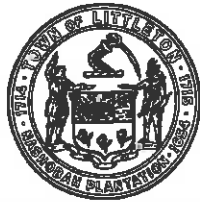


**TOWN OF LITTLETON
BOARD OF APPEALS**

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
10.21.2015

The filing is not official until stamped by the Town Clerk

Filing Fee paid: \$ 300.00 Check # 2574

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 Matthew Field Date: 10/13/15

Matthew Field 978-337-6375

Print Name Phone #

442 King Street mfield@ownnewengland.com

Address Email Address

Littleton MA 01460 Deed Reference: Bk 660/6 Page 237

Town, State, Zip

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 417 394

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

ZBA Case No. 0647A Site address 27 Dahlia Drive

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 § 173-10B(1)

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

Middlesex South Registry of Deeds
Electronically Recorded Document

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

Recording Information

Document Number : 149327
Document Type : DEED
Recorded Date : September 01, 2015
Recorded Time : 02:30:25 PM

Recorded Book and Page : 66016 / 236
Number of Pages(including cover sheet) : 4
Receipt Number : 1855415
Recording Fee (including excise) : \$695.00

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 09/01/2015 02:30 PM
Ctrl# 230016 17420 Doc# 00149327
Fee: \$570.00 Cons: \$125.000.00

Middlesex South Registry of Deeds
Maria C. Curtatone, Register
208 Cambridge Street
Cambridge, MA 02141
617-679-6300
www.cambridgedeeds.com

Property Address: 27 Dahlia Drive, Littleton, MA 01460

Quitclaim Deed

We, Donald B. Fetterholf and Shelia Fetterhoff a/k/a Sheila A. Fetterhoff, husband and wife, of 27 Dahlia Drive, Littleton, MA 01460

For consideration paid and in full consideration of One Hundred and Twenty Five Thousand and 00/100 (\$125,000.00) Dollars

Grant to Matthew P. Field and Michael S. Field, Trustees of the M & M Realty Trust, u/d/t dated June 30, 2011, a certificate of which is recorded with the Middlesex South District Registry of Deeds in Book 57086, Page 36, of 442 King Street, Littleton, MA 01460

With *QUITCLAIM COVENANTS*

PARCEL 1

The land and the building thereon located in Littleton, Middlesex County, Commonwealth of Massachusetts, shown as Lots No. 373-377 on Plan of Land entitled “Map A of Long Lake, Town of Littleton, Middlesex County, Mass.”, which plan is recorded in Middlesex South District Registry of Deeds, Book 362, Plan 26, being more particularly bounded and described as follows:

- WESTERLY: By Grove Road, One Hundred (100) feet;
- NORTHLY: By Lot 372 as shown on said plan, Eighty (80) feet;
- EASTERLY: By Lot 378, as shown on said plan, One Hundred (100) feet;
- SOUTHERLY: by Dahlia Drive, Eighty (80) feet.

Containing 5,200 square feet according to said plan.
Subject to and with the benefit of all easements and restrictions or record insofar as the same are in full force and applicable.

PARCEL 2

The land in Littleton, Middlesex County, Massachusetts, with the building thereon, situated on the northerly side of Dahlia Drive and being shown as Lot 2 on a plan entitled "Plan of Land in Littleton, Mass., prepared for Frederick G. Collman and Collman", dated November 14, 1983, Nelson Engineering Inc.—Civil Engineers, 144 Sudbury Road – Concord, Massachusetts, recorded with the Middlesex South District Registry of Deed as Plan 1388 of 1983, and which plan reference is made for a more particular description.

Lot 2 containing 2,000 sq. feet, more or less, according to said plan.

Being a portion of the premises described in deed John J. Malsbenden et ux to Frederick G. Collman et ux dated January 2, 1979, and recorded with Middlesex South District Registry of Deeds in Book 13619, Page 567.

The Grantors hereby release all rights of Homestead in the property and swear under the pains and penalties of perjury that there are no others entitled to protections under the Homestead Act.

Being the same premises conveyed by Deed of John James Hammond and Phyllis M. Hamond to Donald B. Fetterhoff and Shelia Fetterhoff dated February 23, 1973 and recorded with Middlesex Southern District Registry of Deeds at Book 12364 Page 284 and by Deed of Frederick G. Collman and Jill Collman to Donald B. Fetterhoff and Sheila A. Fetterhoff dated November 16, 1983 and recorded with Middlesex Southern District Registry of Deeds at Book 15343, Page 302.

Executed as a sealed instrument this 1st day of September, 2015.

Donald B. Fetterhoff
Donald B. Fetterhoff

Shelia Fetterhoff ^{aka} Sheila A. Fetterhoff
Shelia Fetterhoff a/k/a Sheila A. Fetterhoff

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

September 1, 2012

Then before me, the undersigned notary public, personally Donald B. Fetterhoff and Shelia Fetterhoff a/k/a Sheila A. Fetterhoff, proven to me through satisfactory evidence of identification, which was license to be the person whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose and further acknowledged the foregoing instrument to be their free act and deed before me.

Sherrill R. Gould
Notary Public
My commission expires



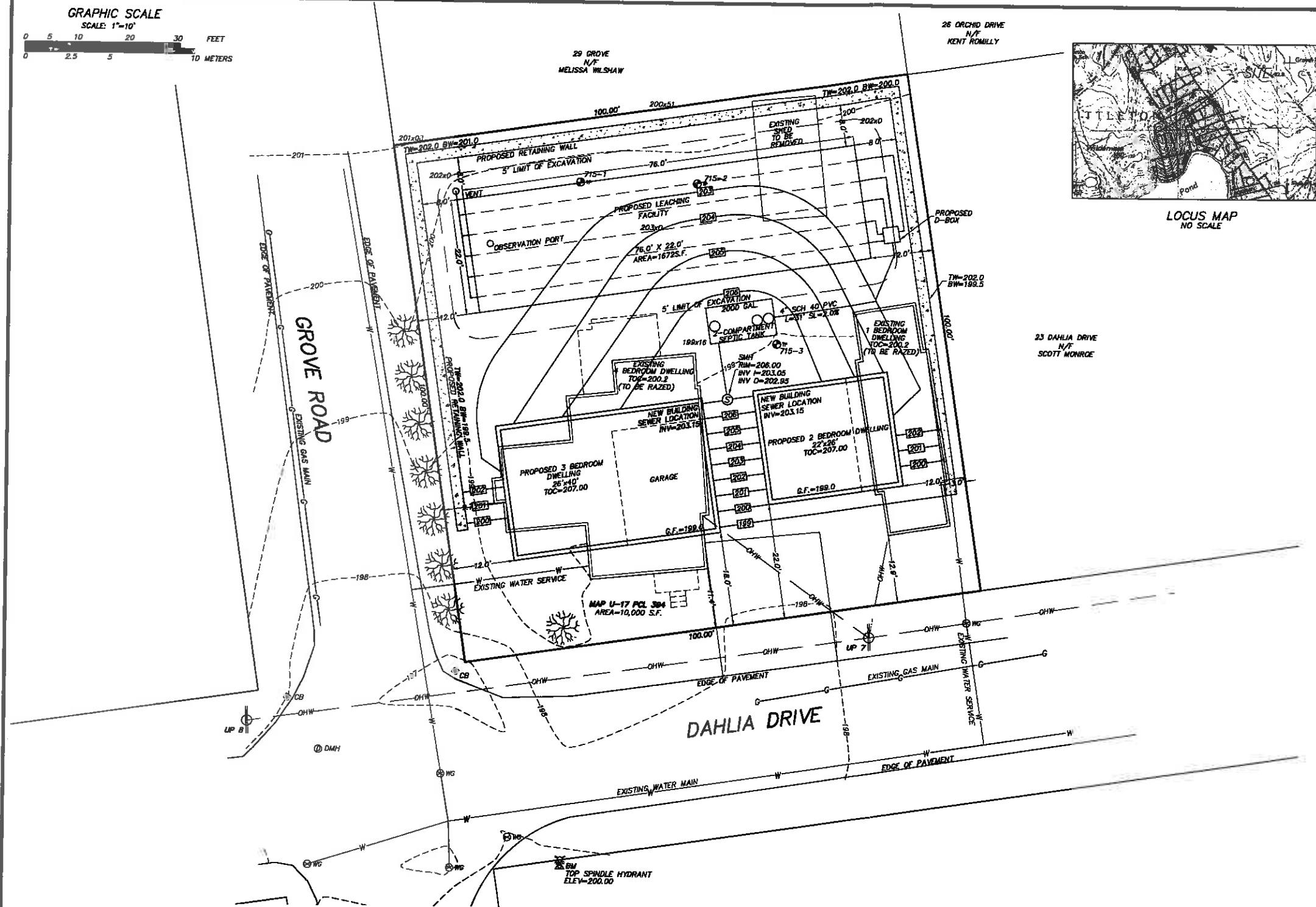
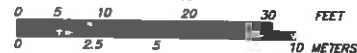
27 Dahlia Drive

The request is for a Special Permit on a pre-existing nonconforming lot. Currently there are two single family dwellings on the lot one is a four bedroom dwelling the other is a one bedroom dwelling. The houses are proposed to be demolished and two new single family dwellings constructed a three bedroom dwelling and a two bedroom dwelling. The system will be upgraded to a new five bedroom system as shown on the site plan

	Required	Existing	Proposed	
Lot size	40,000 s.f.	10,000 s.f.	10,000 s.f.	Nonconforming for lot size, no change
Frontage	150 feet	100 ft	100 ft	Nonconforming for frontage, no change
Front setback	30 feet			
3 bedroom(ex 4 BR)		11.4 ft	18.0 ft	Nonconforming for front setback, no increase or new nonconformity
2 bedroom(ex 1 BR)		12.9 ft	22.0 ft	Nonconforming for front setback, no increase or new nonconformity
Side setback	15 feet			
3 bedroom		12.0 ft(L)	12.0 ft(L)	Nonconforming side setback, no increase or new nonconformity, right side is conforming
2 bedroom		3.0 ft(R)	12.0 ft(R)	Nonconforming side setback, no increase or new nonconformity left side is conforming
Rear	15 feet	conforming	conforming	

GRAPHIC SCALE

SCALE: 1"=10'



EXISTING SYMBOLS LEGEND	
EXISTING SINGLE WHITE LINE	SWL
EXISTING BENCHMARK	BM
EXISTING STONE BOUND	CBDM
EXISTING UNDERGROUND COMM.	C
EXISTING STORM DRAIN	D
EXISTING SANITARY SEWER	S
EXISTING WATER MAIN	W
EXISTING GAS MAIN	G
EXISTING UNDERGROUND ELEC.	E
EXISTING OVERHEAD WRES	OWH
EXISTING 2" CONTOUR	2"
EXISTING 10' CONTOUR	10'
EXISTING STONE WALL	SWL
EXISTING TREE LINE	TL
EXISTING GUARDRAIL	GR
EXISTING WETLAND LINE	WL
EXISTING WETLAND FLAG	WF
EXIST. MEAN ANNUAL HIGH WATER FLAG	MAHW
EXIST. STREAM	ST

PROPOSED SYMBOLS LEGEND	
PROPOSED RETAINING WALL	DMH
PROPOSED DRAIN MANHOLE	TD
PROPOSED TRENCH DRAIN	SC
PROPOSED STORMCEPTOR	SMH
PROPOSED SEWER MANHOLE	CB
PROPOSED CATCH BASIN	UP
PROPOSED UTILITY POLE	NG
PROPOSED HYDRANT	WS
PROPOSED WATER GATE	SS
PROPOSED WATER SERVICE	GS
PROPOSED WELL	GG
PROPOSED SEWER SERVICE	
PROPOSED GAS SERVICE	
PROPOSED GAS GATE	
PROPOSED STORM DRAIN	D
PROPOSED SANITARY SEWER	S
PROPOSED SEWER SERVICE	SS
PROPOSED WATER MAIN	W
PROPOSED WATER SERVICE	WS
PROPOSED GAS MAIN	G
PROPOSED UNDERGROUND ELECTRIC	E
PROPOSED UNDERGROUND COMM.	COM
PROPOSED CONTOUR	33x10
PROPOSED FORCEMAIN	FM
PROPOSED FLARED END	
PROPOSED SPOT GRADE	
PROPOSED HAYBALES	

TITLE V VARIANCE REQUESTS

THE FOLLOWING VARIANCES TO THE STATE ENVIRONMENTAL CODE ARE REQUESTED FOR THIS DESIGN, WHICH ARE REQUESTED IN COMPLIANCE WITH SECTION 310 CMR 15.405 LOCAL UPGRADE APPROVAL:

15.405(1)H. 4' GROUNDWATER SEPARATION. A REDUCTION IN THE REQUIRED 4' OFFSET TO 3' OFFSET TO GROUNDWATER IS REQUESTED FOR THIS DESIGN.

15.405(1)I. PERCOLATION TESTING. A VARIANCE IS REQUESTED TO ALLOW THE USE OF DEP'S POLICY FOR TITLE V ALTERNATIVE TO PERCOLATION TESTING. THE EXISTING SOIL ON SITE IS SATURATED, AND IT IS NOT POSSIBLE TO PERFORM A DEMATERED PERCOLATION ON SITE DUE TO LACK OF AVAILABLE AREA.

15.405(1)K. NUMBER OF DEEP OBSERVATION HOLES. A VARIANCE IS REQUESTED TO ALLOW THE SYSTEM TO BE DESIGNED BASED ON ONE DEEP OBSERVATION HOLE. MULTIPLE HOLES WERE ATTEMPTED IN WHICH ALL HAD EVIDENCE OF OLD SYSTEM COMPONENTS, FILL, OR SEWAGE BREAKOUT.

GENERAL NOTES

- THIS DESIGN PLAN IS INTENDED SOLE FOR THE PURPOSE OF CONSTRUCTION OF THE SEWAGE DISPOSAL SYSTEM ONLY. ADDITIONAL TOWN AND STATE REGULATIONS MAY BE APPLICABLE TO THIS PROJECT INCLUDING BUT NOT LIMITED TO ZONING AND WETLANDS.
- SITE PLAN BASED ON EXISTING CONDITIONS. ALTHOUGH CARE HAS BEEN TAKEN TO DETERMINE SUBSURFACE CONDITIONS, THIS PLAN MAY NOT SHOW ALL UTILITIES, BEDROCK, BURIED DEBRIS OR OTHER SUBSURFACE ITEMS THAT MAY BE ENCOUNTERED DURING EXCAVATION. THE CONTRACTOR SHALL INFORM THE DESIGNING ENGINEER UPON ENCOUNTERING SUCH DISCREPANCIES.
- PROPERTY BOUNDARIES SHOWN ARE THE RESULT OF A SITE PLAN SURVEY, BASED ON MAP A OF LONG LAKE PLAN 26 OF BOOK 362 RECORDED AT MIDDLESEX SOUTH REGISTRY AND SURVEYED BY RUSS WILSON PLS #34628 ON 8/6/15.
- THE SEPTIC TANK SHALL BE PUMPED WHEN THE SLUDGE DEPTH IS WITHIN 12" OF THE BOTTOM OF THE OUTLET TEE, WHEN THE TOP OF THE SCUM LEVEL IS WITH 2" OF THE TOP OF THE OUTLET TEE OR 2" OF THE BOTTOM OF THE OUTLET TEE (310 CMR 15.340) ABOUT EVERY 2 YEARS OR WHEN REQUIRED BY THE LOCAL BOARD OF HEALTH.
- ANY SITE WORK WITHIN 100' OF A WETLAND IS SUBJECT TO REGULATION UNDER THE WETLANDS PROTECTION ACT, AND REQUIRES FILING WITH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE LOCAL CONSERVATION COMMISSION.
- ALL KNOWN DRINKING WATER WELLS WITHIN 200 FEET OF THE PROPOSED SEWAGE DISPOSAL SYSTEM ARE SHOWN OR INDICATED.
- THE PROPOSED SEWAGE DISPOSAL SYSTEM IS NOT DESIGNED FOR THE USE OF A GARBAGE GRINDER.
- THE PROPOSED SEWAGE DISPOSAL SYSTEM IS INTENDED FOR TREATMENT OF SANITARY SEWAGE PRODUCED BY SINGLE FAMILY DWELLING UNITS ONLY. WATER TREATMENT DISCHARGES SUCH AS WATER SOFTENERS SHALL BE DISCHARGED TO A SEPARATE DRYWELL.
- THERE ARE NO WATER SUPPLIES OR TRIBUTARIES THERETO LOCATED WITHIN 400' OF THE PROPOSED SYSTEM (SOURCE DEP WSPA)

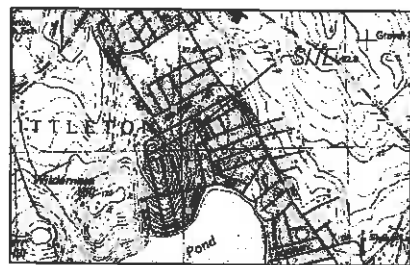
CONSTRUCTION NOTES

- IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTACT DISSE AT LEAST 72 HOURS PRIOR TO EXCAVATION OF PUBLIC OR PRIVATE PROPERTY. 1-888-DIG-SAFE
- EXCAVATION AND CONSTRUCTION PROCEDURES, AND MATERIALS SHALL CONFORM TO THIS PLAN, TITLE 5, AND THE REQUIREMENTS THE BOARD OF HEALTH.
- ANY DEVIATION IN CONSTRUCTION FROM THIS PLAN SHALL VOID ANY CERTIFICATION MADE RELATIVE TO THE SYSTEM UNLESS APPROVED IN WRITING BY THE LOCAL APPROVING AUTHORITY AND THE DESIGNING ENGINEER.
- ALL PRECAST SYSTEM COMPONENTS SHALL BE EITHER WATERTIGHT BY MANUFACTURER'S SPECIFICATION AND WARRANTY, OR MADE WATERTIGHT USING ASPHALT OR SYNTHETIC POLYMER SEALER SPECIFIED BY THE CONCRETE OR SEALER MATERIAL MANUFACTURER.
- PRECAST CONCRETE TANKS SHALL BE SET ON A MINIMUM OF SIX INCHES OF MECHANICALLY COMPACTED CRUSHED STONE.
- DISTRIBUTION BOX OUTLET PIPES SHALL BE LAID LEVEL FOR THE FIRST TWO FEET OUT OF THE DISTRIBUTION BOX.
- DISTRIBUTION BOX SHALL BE SET ON EITHER SIX INCHES OF MECHANICALLY COMPACTED CRUSHED STONE, OR A SIX-INCH THICK CONCRETE PAD WITH AN AREA 1.5 TIMES THE BOTTOM AREA OF THE DISTRIBUTION BOX.
- DISTRIBUTION BOX SHALL BE EQUIPPED WITH A PVC TEE WITH THE USE OF A PUMP CHAMBER, OR WHEN THE SLOPE OF THE INLET LINE IS GREATER THAN BOX.
- SYSTEM SHALL BE VENTED THROUGH THE BUILDING PLUMBING OR AS SHOWN ON THE SYSTEM PROFILE.
- ALL UNSUITABLE MATERIAL ENCOUNTERED IN THE EXCAVATION SHALL BE REMOVED.
- ALL AGGREGATE USED FOR LEACHING STRUCTURES SHALL CONSIST OF DOUBLE WASHED STONE, THE SIZE SPECIFIED, AND FREE FROM IRON, FINES, AND DUST IN PLACE.
- THE 5' LIMIT OF EXCAVATION REQUIRES ALL ORGANIC MATERIAL WITHIN 5 FEET OF THE LEACHING FACILITY BE REMOVED AND REPLACED WITH WELL COMPACTED GRANULAR FILL MEETING THE REQUIREMENTS OF 310 CMR 15.255.
- ALL BACKFILL AND BREAKOUT FILL MUST BE CLEAN AND FREE OF STONES OR BOULDERS GREATER THAN 6" IN SIZE. TAILINGS, CLAY OR SIMILAR MATERIALS ARE PROHIBITED. SYSTEM SHALL BE GRADED TO PREVENT PONDING OF STORMWATER OVER THE LEACHING FACILITY.
- PRIOR TO EXCAVATION, THE SEWAGE DISPOSAL SYSTEM CORNERS SHALL BE STAKED AND FLAGGED BY THE DESIGN ENGINEER OR A PROFESSIONAL LAND SURVEYOR.
- THE BOTTOM AND SIDES OF THE EXCAVATION SHALL BE LEVEL AND SCARIFIED. VEHICULAR TRAFFIC IN THE EXCAVATION SHOULD BE AVOIDED.
- PRIOR TO PLACEMENT OF FILL, THE BOTTOM SURFACE SHALL BE SCARIFIED AND RELATIVELY DRY. THE WATER TABLE IS ABOVE THE ELEVATION OF THE BOTTOM OF THE EXCAVATION, THE EXCAVATION SHALL BE DE-WATERED AS NECESSARY.
- PRIOR TO BACKFILL, ALL SYSTEM COMPONENTS SHALL BE MARKED WITH MAGNETIC MARKING TAPE IN ORDER TO LOCATE THEM ONCE BURIED.

LOCAL REGULATION VARIANCE REQUESTS

THE FOLLOWING VARIANCE TO THE LITTLETON BOARD OF HEALTH REGULATIONS REQUIREMENTS FOR THE SUBSURFACE DISPOSAL OF SANITARY SEWAGE ARE REQUESTED FOR THIS DESIGN:

REGULATION 27. FILL REQUIREMENTS: REQUIRES NO PORTION OF A FILL REQUIREMENT FOR SEWAGE DISPOSAL SYSTEMS SHALL BE WITHIN 10 FEET OF A PROPERTY LINE. A VARIANCE IS REQUESTED TO ALLOW THE CONSTRUCTION OF A RETAINING WALL WITHIN 2 FEET OF THE PROPERTY LINE FOR SYSTEM BREAKOUT GRADING. ADJUTER NOTIFICATION IS REQUESTED FOR THIS VARIANCE UNDER SECTION 23C.



LOCUS MAP
NO SCALE

DATE	REVISION	COMMENT



SUBSURFACE SEWAGE DISPOSAL DESIGN SITE PLAN
27 DAHLIA DRIVE
LITTLETON, MASSACHUSETTS

M+M REALTY
442 KING STREET
LITTLETON, MASSACHUSETTS

Markey & Rubin
CIVIL ENGINEERING
360 MASSACHUSETTS AVE, SUITE 200
ACTON, MASSACHUSETTS 01720
P(978) 263-0430 F(978) 263-0447
www.MarkeyAndRubin.com