



Office of the
LITTLETON BOARD OF APPEALS
Littleton, Massachusetts 01460

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Petitioner: Matthew Field
Property Address: 18 Washington Drive
Case No: 831A
Date Filed: April 14, 2014

The Littleton Board of Appeals (the "Board") conducted a public hearing on May 22, 2014 at Shattuck Street Municipal Building, 37 Shattuck Street, Littleton, MA on the petition of Matthew Field for a Special Permit pursuant to the Town of Littleton Zoning Bylaws Section 173-10B(1) to build a single-family dwelling on a conforming lot at 18 Washington Drive. Notice of the hearing was given by publication in the Littleton Independent, a newspaper circulated in Littleton, on May 8 & 15, 2014 and by mail to all abutters and parties in interest. Present and voting were Chair William Farnsworth, John Cantino, Jeff Yates, Cheryl Hollinger, Members and Rod Stewart, Alternate. Present but not voting was Alan Bell, Alternate.

Submitted with the Application was:

- Quitclaim Deed, Bk. 63078, Pg. 477
- Plans titled "Subsurface Sewage Disposal Design Site Plan, 18 Washington Drive Littleton Massachusetts" dated Revision 4, 1/10/14, S1, 1 of 2, prepared by Markey & Rubin Civil Engineering, Acton, Massachusetts.
- Architectural Plans titled "Field House 1", dated 12-4-2013, floor plans and elevations.

Mr. Matthew Field presented the petition and stated that there is a pre-existing house which is to be demolished and a new house to be built closer to the road. The lot and existing house are nonconforming. The house is on a lot of 10,000 square feet and frontage of 100.00 feet. The existing house is approximately 13 feet from the right property line as shown on the site plan. The proposal is to demolish the existing house and build a new house toward the front of the property, closer to the road. The proposed house will be approximately 18 feet from the front property line. All other setbacks will be met. Mr. Field states that the house is being relocated to meet the requirements of the Board of Health and Conservation Commission.

Roland Bernier, Building Commissioner / Zoning Officer, submitted a memo dated May 21, 2014 in which he states that the applicant is "requesting a Special Permit to allow reduced setback from the frontage property line." Mr. Bernier further outlined the facts of the proposed plan.

There were two abutters who were in opposition, stating that their concern was primarily in regards to water runoff from the site onto their property and that the proposed house was much larger than the existing house.

FINDINGS: The Board made the following findings:

1. The property is in the Residential zoning district.

2. The lot area is non-conforming: 40,000 square feet required, 10,000 square feet actual.
3. The lot frontage is non-conforming: 150 feet required, 100.00 feet actual.
4. The front setback will be non-conforming: 30 feet required, 18 feet proposed.
5. The side setback is non-conforming: 15 feet required, 13 feet actual at the right side, proposed location will be conforming.
6. The proposed house will not increase the non-conformities.
7. The proposed house is not substantially more detrimental to the neighborhood than the existing structure.

DECISION: The Board voted unanimously to GRANT, under Section 173-10B(1) of the Town of Littleton Zoning Bylaws, a Special Permit to construct a house at 18 Washington Drive as generally shown on the plans submitted with this application.

Appeals, if any, shall be made pursuant to M.G.L. C. 40A, Section 17 and shall be filed within twenty (20) days after the date of filing of this Decision in the office of the Town Clerk.

The Special Permit shall not take effect until a copy of the Decision bearing the certificate of the Town Clerk is recorded with the Middlesex District Registry of Deeds in accordance with the provisions of M.G.L. C. 40A, Section 11 and 15 stating that twenty (20) days have elapsed after the Decision has been filed in the office of the Town Clerk and no appeal has been filed, or if such appeal has been filed it has been dismissed or denied.

If the rights authorized by this Special Permit are not exercised within two (2) years from the date of granting it shall elapse in accordance with the provisions of M.G.L. C. 40A Section 10.

Signed: Jeff Yates Jeff Yates, Clerk

Date: 20 May 2014

Book: 63078, Page: 477

I hereby signify that twenty (20) days have elapsed since the filing of the above Decision by the Board of Appeals and that no appeal concerning said decision has been filed or that any appeal that has been filed has been dismissed or denied.

True Copy Attest: _____ Date: _____

Town Clerk, Littleton, Massachusetts