

**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
5/30/2014 2:14pm

The filing is not official until stamped by the Town Clerk

Filing Fee paid: \$ 200.00 / 75.00 Check # 124 / 125

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.

Walter Crowe 5/30/2014
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 Andranik Movsisyan
Print Name Andranik Movsisyan
Address 1 Paddock Way
Littleton MA 01460
Town, State, Zip

Date: 5-16-14
978 476 9212
Phone # andmov@yahoo.com
Email Address
Deed Reference: Bk 61908 Page 116

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 W11 60-3

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-auditor list
* Legal Notice publication fee due prior to opening hearing

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? _____
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 _____

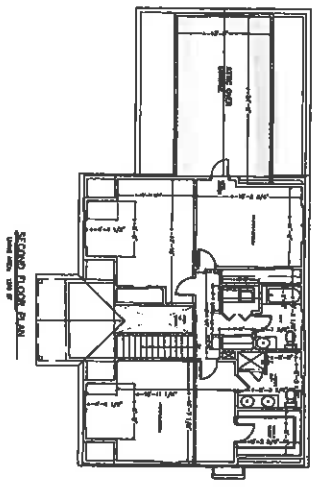
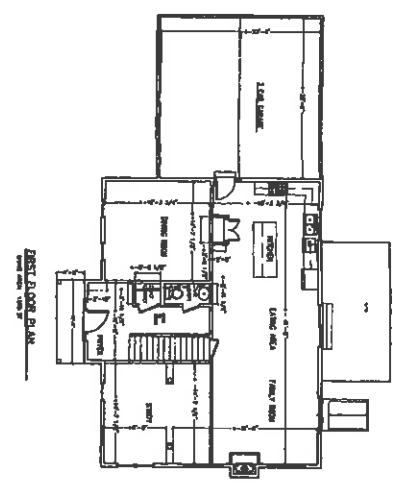
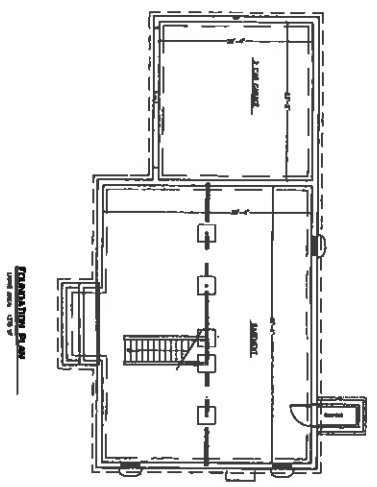
Filing Instructions

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

PLAN NO. 317-33
 DATE 3-20-13



UNIT 2
 1ST FLR. 1,375 SQ. FT
 2ND FLR. 1,216 SQ. FT
 BASEMENT 1,375 SQ. FT
 GARAGE 576 SQ. FT
 TOTAL 4542 SQ. FT

GRAPHIC SCALE
 1" = 5' 10' 20'
 1/8" = 1'-0"

I HEREBY CERTIFY THAT THE FLOOR PLANS OF THE BUILDING SHOWN FULLY AND ACCURATELY DEPICT THE LAYOUT, LOCATION, UNIT NUMBER, DIMENSIONS, APPROPRIATE AREA, MAIN ENTRANCE, AND IMMEDIATE COMMON AREA TO WHICH IT HAS ACCESS, AS BUILT.
 CERTIFICATION IS INTENDED TO MEET THE REQUIREMENTS OF THE REGISTRY OF DEEDS AND IS NOT A CERTIFICATION TO THE TITLE OR OWNERSHIP OF THE BUILDING SHOWN HEREON.
 I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS.
 JUNE E. GROVER
 30539

A-1

WESTCHESTER CO. INC. - CAPE II HOUSE	
LOT 2 UNIT 2-6 TADISA STREET	
FLOOR PLANS	

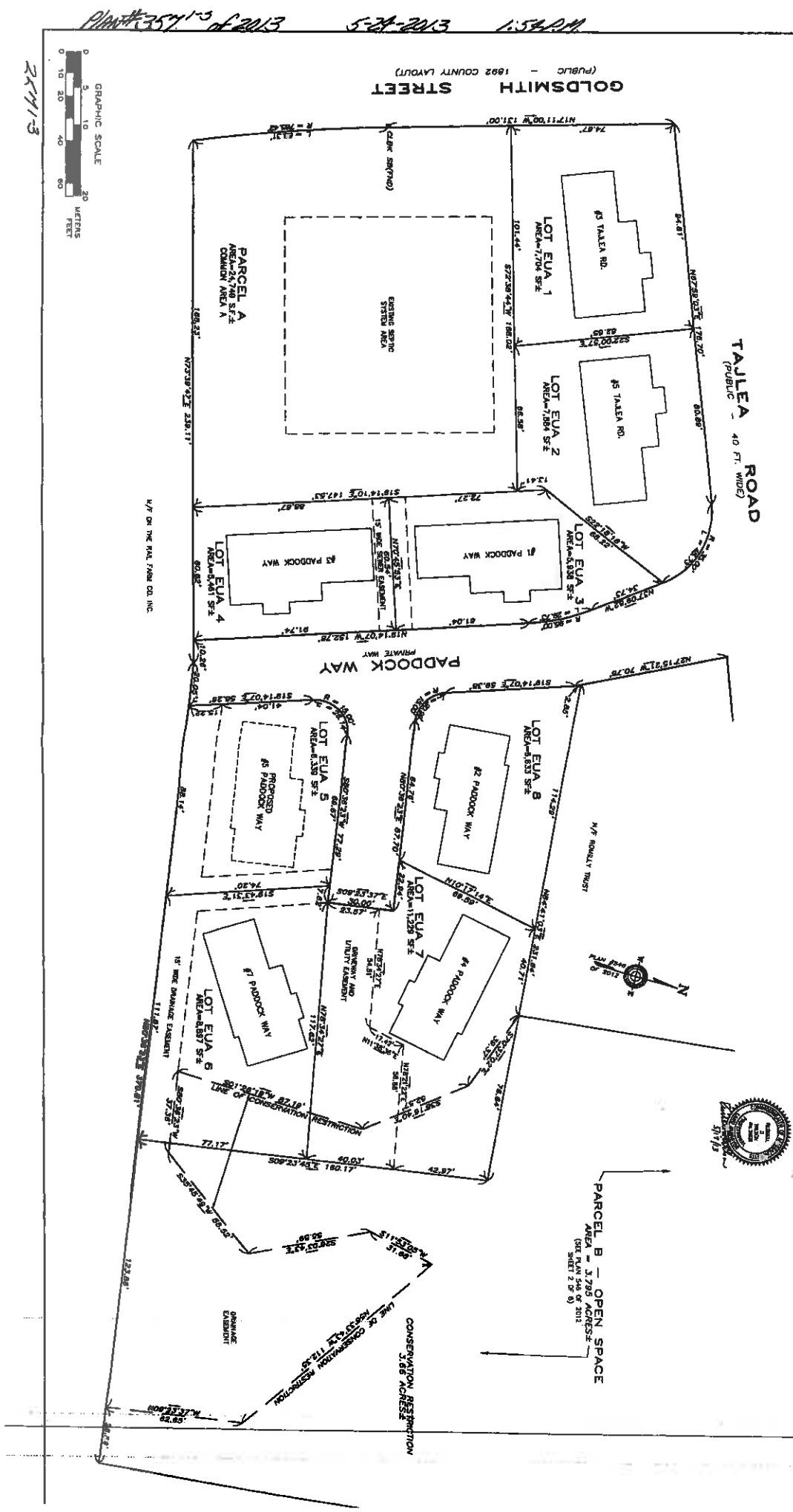


CONCORD LUMBER CORPORATION	
LITTLETON LUMBER	
ARCHITECTURAL DEPARTMENT	
PA. 2ND 1922	2000 WAT 0 LITTLETON, PA. 15110
412-444-0000	412-444-0000

NO.	REVISIONS

GENERAL NOTES:
1. THE PARAPHASE OF THIS PLAN IS TO SHOW THE LOCATION OF THE BUILDINGS CONSTRUCTED OR UNDER CONSTRUCTION WITHIN THEIR EXCLUSIVE USE AREAS (EUA) PROMINENT TO A.E.C. #1848.
2. THESE LOCATIONS HAVE BEEN DETERMINED BY AN ON THE GROUND SURVEY.
3. #3 PARADOCK WAY IS PROPOSED AND MAY BE SUBJECT TO CHANGE.

SHOWING EXCLUSIVE USE AREAS
 IN
 LITTLETON, MASS.
 "THE HOMES AT KIMLOCH FARMS"
 OLIVER KIMLOCH FARMS, L.C. 01460
 GOLDSMITH STREET, LITTLETON, MA 01460
 SCALE: 1" = 20 FEET
 DATE: MAY 17, 2001
 R. WILSON ASSOCIATES
 675 GERRARD AVENUE AND CIVIL ENGINEERS
 100 RIVER ST. LITTLETON, MA 01460
 PHONE: 978-466-0203 FAX: 978-466-0606
 TEL. NO. 1801 DWS NO. 10019P SHEET NO. 1 OF





FROM THE OFFICE OF THE
BUILDING COMMISSIONER
37 SHATTUCK STREET, P.O. BOX 1305

5-19-14

Mario Fuentes
69 Blomingdale Street #1
Chelsea, MA 02150

Re: Building Permit Application

107 - 14

@

1 PADDOCK WAY

Dear Applicant,

Your application for a Building Permit has been reviewed. The following information does not conform to the requirements of 780 CMR and/or pertinent laws under the building official's jurisdiction.

- 1). workers comp affidavit or copy of policy
- 2). finishing space is beyond that allowed by the 40B special permit...seek Zoning Board of Appeal approval

Your application is rejected until such time the above noted information is resubmitted in compliance with 780 CMR and all laws and ordinances applicable thereto to the satisfaction of the building official. (§111.1 MSBC)

Sincerely,

ROLAND J. BERNIER
Building Commissioner

PROPERTY OWNERSHIP / AUTHORIZED AGENT

mobile: 910 411 1111

Owner of Record

Andranik Movsisyan

Name (Print)

Andranik

Signature

978 476 9212

Telephone

1 Paddock Way 01460

Address

andmov@yahoo.com.

E-mail Address if available

Authorized Agent

Name (Print)

Signature

Telephone

Address

E-mail Address if available

SITE / SCOPE OF WORK

Description of Work

Finish room over the garage to be
a play room

PROJECT INFORMATION

☒ **Heating Fuel**

- ☐ Gas
- ☐ Oil
- ☐ Coal
- ☐ Electricity
- ☐ Solar
- ☐ Other

☒ **Method of Delivery**

- ☐ Hot Water
- ☐ Steam
- ☐ Forced Hot Air
- ☐ Passive

☒ **Debris Disposal**

As a condition of this permit application for the demolition, repair, alteration of a building or structure, MGL C40, S54 requires that resulting therefrom shall be disposed of in a properly licensed facility as defined by MGL C111, S150A. Containers 6 yard
quire permit from Littleton Fire Department

I verify that the debris will be disposed of by

(name of hauler or location of facility)

☒ **Water Supply**

- ☐ Public water (Water connection receipt attached)
- ☐ Private Well (BOH approved well test attached)

☒ **Railroad Right of Way**

Land formally owned by any railroad company cannot be used without written consent from the Secretary of the Executive Office of

- ☐ Attached consent form (MGL C40, S54A)

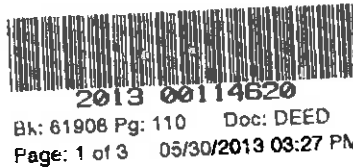
NOTE:

A "REQUEST FOR DETERMINATION" is required for all undeveloped lots that are 40,000 square feet in area in district R and 15,000 square feet in district

COST OF IMPROVEMENT

Cost of Improvement shall represent the estimated cost of the full and fair cash value of the completed project, not including the cost of a septic system or well.

\$ 5000.00



103

CONDOMINIUM UNIT DEED

KIMLOCH FARM, LLC, a Massachusetts limited liability company with a business address of 390 Goodrich Street, Lunenburg, Massachusetts 01462. Grantor,

For consideration paid and in full consideration of the sum of Four Hundred Ninety Nine Thousand and 00/100 Dollars (\$499,900.00), grants to,

Andranik Movsisyan and Gayana Babayan, Husband and Wife as Tenants by the Entirety, now of 1 Paddock Way, Littleton, Massachusetts

with QUITCLAIM COVENANTS.

the Condominium Unit known as Unit 3 (hereinafter called the "Subject Unit"), in the Condominium known as The Homes at Kimloch Farm Condominium, a Condominium (hereinafter called the "Condominium") established pursuant to M.G.L. Chapter 183A by Master Deed (hereinafter called the "Master Deed"), dated May 24, 2013, recorded in the Middlesex South District Registry of Deeds (the "Registry") at Book 61870, Page 226, as may be amended of record.

The post office address of the Condominium Unit is 1 Paddock Way, Littleton, Massachusetts 01461. This Condominium Unit Deed (this "Unit Deed"), the Subject Unit, and the Condominium are subject to the provisions of Chapter 183A.

The Subject Unit is shown on the Master Plans of the Condominium, filed with the Registry with the Master Deed as set forth above, to which is attached the verified statement of a registered engineer/architect in the form required by Chapter 183A. See also floor plans recorded with said Master Deed as Plan 357 of 2013.

The Subject Unit is hereby conveyed together with:

1. An undivided 50% interest in the common areas and facilities of the Condominium described in the Master Deed appertaining to the Subject Unit; and

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 05/30/2013 03:27 PM
Ctrl# 185864 10369 Doc# 00114620
Fee: \$2,280.00 Cons: \$499,900.00

Property Address: 1 Paddock Way, Littleton, MA 01461

2. The right to use the Limited Common Areas and/or Exclusive Use Areas set forth in the Master Deed, if any.

The Subject Unit is hereby conveyed subject to:

1. The provisions of the Master Deed and Master Plans of the Condominium recorded simultaneously with and as part of the Master Deed, and the provisions of the Declaration of Trust, the By-Laws and Rules and Regulations thereto, as the same may be further amended from time to time by instruments recorded with said Deeds, which provisions, together with any amendments thereto, shall constitute covenants running with the land and shall bind any person having at any time any interest or estate in the Subject Unit; and

2. Easements, rights, obligations, provisions, agreements, restrictions, zoning regulations, public utility and telephone easements in favor of the Declarant of the Master Deed, and all other matters set further or referred to in the Master Deed; and

3. Provisions of the Master Deed, the Declaration of Trust and By-Laws creating or reserving certain easements and rights in favor of the Grantor, specifically including, but not limited to the Declarant's rights as set further in the Master Deed, including without limitation easements and rights to construct additional Buildings and other structures and improvements, and to add same to the Condominium from time to time by unilateral amendment to the Master Deed; and

4. The provisions of Chapter 183A.

The Subject Unit is intended to be used solely for residential purposes subject to the restrictions and provisions of Article VII of the Master Deed. The Subject Unit shall not be used or maintained in a manner inconsistent with the provisions of the Master Deed, or of this Unit Deed, or the Declaration of Trust, the By-Laws and rules and regulations thereto, as in the same may from time to time be amended.

Meaning and intending to convey a portion of the property conveyed to the Grantor herein by deed recorded with the Middlesex South District Registry of Deeds in Book 59734, Page 497.

The above described conveyance does not constitute all, or substantially all, of the assets of the Grantor.

EXECUTED as an instrument under seal this 30th day of May, 2013.

KIMLOCH FARM, LLC


William D. Chisholm, Manager

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss:

May 30, 2013

On this 30th day of May, 2013, before me, the undersigned notary public, personally appeared William D. Chisholm, proved to me through satisfactory evidence of identification, which was a MA Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Manager of Kimloch Farm, LLC a Massachusetts limited liability company.


Official signature and seal of notary.

My Commission Expires:

9/6/13 K. Vasken Sabagian



TOWN OF LITTLETON
BOARD OF ASSESSORS

P.O. BOX 1305
LITTLETON, MA 01460
(978) 540-2410
FAX: (978) 952-2321

Date: June 3, 2014, 2014

Re: **Certified List of Abutters for Board of Appeals (300 feet - public hearings, special permits
And/or for Variances)**

Applicant Andranik Movsisyan Name of Firm: Not applicable
Mailing Address 1 Paddock Way, Littleton, MA 01460

Subject Parcel Location: 1 Paddock Way
Subject Owner: Andranik Movsisyan & Gayana Babayan
Subject Parcel No: U11-60-3

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) 32 including the subject parcels + NA Applicant Requesting Abutter's List.

Certified by:

Anita Harding
Anita Harding, Assistant Assessor

Loc: 111 GOLDSMITH ST Parcel ID #: U11 37 0
LUC: 101

GIBBONS LEO D
GIBBONS CLAIRE M
111 GOLDSMITH ST

LITTLETON MA 01460

Loc: 109 GOLDSMITH ST Parcel ID #: U11 38 0
LUC: 101

TAYLOR RICHARD W
TAYLOR SHERRY S
109 GOLDSMITH ST

LITTLETON MA 01460

Loc: 15 TAJLEA ST Parcel ID #: U11 43 0
LUC: 101

DOHERTY KEVIN
DOHERTY DIANE F
5 MAPLE LN

NORTHBOROUGH MA 01532-2023

Loc: 11 TAJLEA ST Parcel ID #: U11 44 0
LUC: 101

MASON WILLIAM J TRUSTEE FOR
AUSTIN REAL ESTATE TRUST
11 TAJLEA RD

LITTLETON MA 01460

Loc: 9 TAJLEA ST Parcel ID #: U11 45 0
LUC: 101

PARKINSON MARK
PARKINSON ELIZABETH
9 TAJLEA RD

LITTLETON MA 01460

Loc: 4 TAJLEA ST Parcel ID #: U11 47 0
LUC: 101

HOWARD LISALEE

4 TAJLEA RD

LITTLETON MA 01460

Loc: 6 TAJLEA ST Parcel ID #: U11 48 0
LUC: 101

JOHNSON RENEE A
CONNERS DAVID P
6 TAJLEA RD

LITTLETON MA 01460

Loc: 5 KIMLOCH ST Parcel ID #: U11 49 0
LUC: 101

LAWRENCE JANET E

5 KIMLOCK ST P.O. BOX 1061

LITTLETON MA 01460

Loc: 3 KIMLOCH ST Parcel ID #: U11 50 0
LUC: 101

CRUZ MICHAEL A
COUSINEAU SHARI J
3 KIMLOCH STREET

LITTLETON MA 01460

Loc: 106 GOLDSMITH ST Parcel ID #: U11 51 0
LUC: 101

REGAN JAMES M
REGAN MARY
106 GOLDSMITH ST

LITTLETON MA 01460

Loc: 110 GOLDSMITH ST Parcel ID #: U11 52 0
LUC: 101

RUSSO ANDREW M

110 GOLDSMITH ST

LITTLETON MA 01460

Loc: 120 GOLDSMITH ST Parcel ID #: U11 53 0
LUC: 031

GOLDSMITH GROUP LLC

7 PADDOCK WY

LITTLETON MA 01460

Loc: 120 UNIT 1 GOLDSMITH ST Parcel ID #: U11 53 1
LUC: 102

BROWN RANDOLPH J

120 GOLDSMITH ST UNIT 1

LITTLETON MA 01460

Loc: 120 UNIT 2 GOLDSMITH ST Parcel ID #: U11 53 2
LUC: 102

PICARDI PAUL

120 GOLDSMITH ST UNIT 2

LITTLETON MA 01460

Loc: 120 UNIT 3 GOLDSMITH ST Parcel ID #: U11 53 3
LUC: 102

WILLIAMS DIANE M

120 GOLDSMITH ST UNIT 3

LITTLETON MA 01460

Loc: 120 UNIT 4 GOLDSMITH ST Parcel ID #: U11 53 4
LUC: 102

QUILL CATHERINE

120 GOLDSMITH ST UNIT 4

LITTLETON MA 01460

Loc: 120 UNIT 5 GOLDSMITH ST Parcel ID #: U11 53 5
LUC: 102

WILLIAMS DIANE M

120 GOLDSMITH ST UNIT 5

LITTLETON MA 01460

Loc: 120 UNIT 6 GOLDSMITH ST Parcel ID #: U11 53 6
LUC: 102

BYRNE FRANK W

BYRNE MARITA

120 GOLDSMITH ST, UNIT 6

LITTLETON MA 01460

Loc: 120 UNIT 7 GOLDSMITH ST Parcel ID #: U11 53 7
LUC: 102

ON THE RAIL FARM CO INC

C/O W D CHISHOLM

390 GOODRICH ST

LUNENBURG MA 01462

Loc: 120 UNIT 8 GOLDSMITH ST Parcel ID #: U11 53 8
LUC: 102

GORDON BEVERLY ANN

PO BOX 1271

LITTLETON MA 01460

Loc: 116 GOLDSMITH ST Parcel ID #: U11 60 0
LUC: 132

KIMLOCH FARM LLC

C/O W D CHISHOLM

390 GOODRICH STREET

LUNENBURG MA 01462

Loc: 3 TAJLEA ST Parcel ID #: U11 60 1
LUC: 102

HOLLAND DAVID FRANK

HOLLAND JEANNE HANSEN

3 TAJLEA ST., UNIT 1

LITTLETON MA 01460

Loc: 5 TAJLEA ST Parcel ID #: U11 60 2
LUC: 102

RAMALINGAM SREERAM

MAHADEVAN APARNA

5 TAJLEA ST

LITTLETON MA 01460

Loc: 1 PADDOCK WY Parcel ID #: U11 60 3
LUC: 102

MOVSISYAN ANDRANIK

BABAYAN GAYANA

1 PADDOCK WAY

LITTLETON MA 01460

Loc: 3 PADDOCK WY Parcel ID #: U11 60 4
LUC: 102

ZHANG YONGLONG

3 PADDOCK WAY

LITTLETON MA 01460

Loc: 5 PADDOCK WY Parcel ID #: U11 60 5
LUC: 102

MAYNARD TINA

5 PADDOCK WAY

LITTLETON MA 01460

Loc: 7 PADDOCK WY Parcel ID #: U11 60 6
LUC: 102

HARDY CORY P

SHEPTOFF JEAN C

7 PADDOCK WAY

LITTLETON MA 01460

Loc: 4 PADDOCK WY Parcel ID #: U11 60 7
LUC: 102

RIEDEN JACK E

4 PADDOCK WAY

LITTLETON MA 01460

Loc: 2 Paddock Wy Parcel ID #: U11 60 8

LUC: 102

NGUYEN HAM THE
NGUYEN HANG THI THU
2 Paddock Way

LITTLETON MA 01460

Loc: OFF KIMLOCH ST Parcel ID #: U11 60 9

LUC: 132

KIMLOCH FARM LLC
C/O W D CHISHOLM
390 GOODRICH STREET

LUNENBURG MA 01462

Loc: 3 GEORGE ST Parcel ID #: U11 8 0

LUC: 101

PETKEWICH KATHERINE ANN

3 GEORGE ST

LITTLETON MA 01460

Loc: 119 GOLDSMITH ST Parcel ID #: U11 9 0

LUC: 101

MCGRATH PAUL T
MCGRATH PHYLLIS I
119 GOLDSMITH ST

LITTLETON MA 01460