

**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

9/4/2014 135pm

The filing is not official until stamped by the Town Clerk

Filing Fee paid: \$ 800.00 Check # 1957
75.00 1958

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.

Dee Cairy
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 John E. Croteau

Print Name

P.O. Box 1496

Address

Pepperell, MA 01463

Town, State, Zip

Date: 8/13/14

978-265-5852

Phone #

john.croteau.88@gmail.com

Email Address

Deed Reference: Bk 51284 Page 423

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

Signature

Date 8/13/14

Phone #

978-265-5852

Email

Print Name (if different from petitioner)

Address (if different from petitioner)

ASSESSOR MAP & PARCEL NUMBER U17-135

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

10 Emerson Drive

ZBA Case 837A

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.

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

Zoning Bylaw § 173-31 173-10 B(1)

.. 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.*

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

John E. Grotzau

Special Permit 40B

Under MGL c. 40B

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

August 13, 2014

Town of Littleton
Board of Appeals
37 Shattuck St.
PO Box 1305
Littleton, MA 01460

To the members of the board,

I am the new owner of a residential home at 10 Emerson Drive and am in the process of renovating the property. This is an existing non-conforming lot size of 6,000 sf. The existing house meets set backs, but the detached garage is 2' from the side and 9' from the rear. I have hired an architect to assist me with the new design of the property. Included in the design is a deck (8' x 14') coming from the kitchen into the backyard. This deck provides easier and safer access to the fenced in backyard which will allow access to the backyard without having to walk around the house and open the gate to access the backyard. I have the deck located on the side of the house with the steps leading down into the backyard. I did not propose to have the deck located directly in the backyard because it would then be located directly on the existing leaching field. Because of the shape of the lot and the location of the house and backyard, I am asking for a special permit to locate the deck within the 15' setback on the east side of the house.

I have included a scaled drawing of the property which shows the location of the deck in relationship to the house and boundaries.

Thank you for your assistance in this matter.

Sincerely,

John E. Croteau

John E. Croteau

75' MAXIMUM ELEVATION = 94.00

21

110

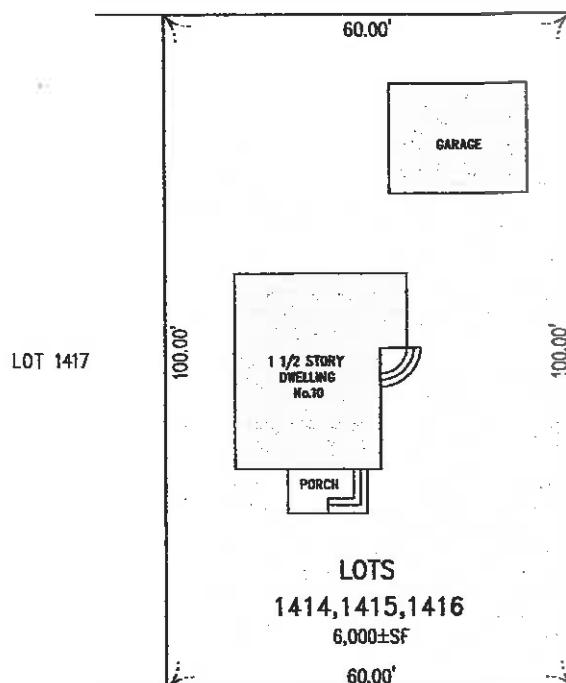
SCHEDULE OF FEES

TOP OF FOUNDATION	100 ft
OUT OF FOUNDATION	86.87
IN SEPTIC TANK	96.37
OUT SEPTIC TANK	96.12
IN DISTRIBUTION BOX	
OUT DISTRIBUTION BOX	

EMERSON DRIVE



LOT 1424



See Surveyor's

MORTGAGE LENDERUSE ONLY**plotplans.com**

DESLAURIERS
CONSTRUCTION & ASSOCIATES, INC.
101 CONSTITUTION BLVD, SUITE D
FRAMINGHAM, MA 01702
(508)287-8800 FAX:(508)528-4011

**MORTGAGE INSPECTION PLAN**ADDRESS: **10 EMERSON DRIVE, LITTLETON, MA**

LENGTH:

ATTORNEY: **KIMBERLY J. ROGERS, ESQUIRE**OWNER: **ALICE GUERRA**APPLICANT: **JOHN CROTEAU**DATE: **5/30/2014** SCALE: **1"=20'** COUNTY: **MIDDLESEX****FLOOD HAZARD INFO:**ZONE: **X** DATED: **5/4/2010**COMMUNITY PANEL: **250200 0236E**

THE LOCATION OF THE DWELLING SHOWN
DOES NOT FALL WITHIN A SPECIAL
FLOOD HAZARD ZONE, EXCEPT AS MAY
BE INDICATED.

USED BOOK: **51284** PAGE: **423**
PLAN EDITION: **362** PAGE: **26** LOT(S): **1414-1416**
PLAN NUMBER: **6004** PAGE: **6**

REGISTERED LAND CERTIFICATE OF TITLE:
REGISTRATION BOOK: **6004** PAGE: **6**
PLAN NUMBER: **6004** PAGE: **6** LOT(S): **6004**

THERE ARE NO DEEDED EASEMENTS IN
THE ABOVE REFERENCED DEED OR
ENCROACHMENTS WITH RESPECT TO
DWELLING SITUATED ON THIS LOT
EXCEPT AS STATED ON THE DEED OF
RECORD SHOWN.

THE LOCATION OF THE DWELLING AS
SHOWN HEREON EITHER WAS IN
COMPLIANCE WITH THE LOCAL ZONING
BY-LAWS IN EFFECT WHEN
CONSTRUCTED (WITH RESPECT TO
STRUCTURAL SETBACK REQUIREMENTS
ONLY), OR IS EXEMPT FROM VIOLATION
ENFORCEMENT ACTION UNDER MASS. G.L.
TITLE VI, CHAPTER 40A, SECTION 7.

ASSESSORS MAP: **U17-135**
BLOCK: **6004** LOT: **6004**

GENERAL NOTES: (1) THE DECLARATIONS MADE ABOVE ARE ON THE BASIS OF MY KNOWLEDGE, INFORMATION, AND BELIEF AS THE RESULT OF A MORTGAGE INSPECTION TAPE SURVEY, AND THE STATEMENT ATTACHED WAS MADE TO THE NORMAL STANDARDS OF CARE OF REGISTERED LAND SURVEYORS PRACTICING IN MASSACHUSETTS. (2) DECLARATIONS ARE MADE TO THE ABOVE NAMED CLIENT ONLY AS OF THIS DATE. (3) THIS PLAN WAS NOT MADE FOR RECORDING PURPOSES, FOR USE IN PREPARING DEED DESCRIPTIONS OR FOR CONSTRUCTION. (4) VERIFICATIONS OF PROPERTY LINE DIMENSIONS, BUILDING OFFSETS, FENCES, OR LOT CONFIGURATION MAY BE ACCOMPLISHED BY AN ACCURATE INSTRUMENT SURVEY. (5) NO RESPONSIBILITY IS ASSUMED HEREIN TO THE LAND OWNER OR OCCUPANT.

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QUITCLAIM DEED

I, **ALICE F. GUERRA**, a single woman, of

for consideration paid and in full consideration of TWO HUNDRED THOUSAND AND 00/100 (\$200,000.00) DOLLARS PAID

grant to **JOHN E. CROTEAU**, a married man, *Individually*, now of 10 Emerson Drive, Littleton, Massachusetts, 01460,

with QUITCLAIM COVENANTS,

Three certain lots of land, together with the buildings thereon, situated in Littleton, Middlesex County, Massachusetts, and being shown as Lots 1414, 1415 and 1416, as shown on "Map A of Long Lake, Town of Littleton, Mass." recorded with Middlesex South District Registry of Deeds, Plan Book 362, Plan 26, and together being bounded and described as follows:

WESTERLY by Dogwood Road, one hundred (100) feet;

NORTHERLY by Emerson Drive, sixty (60) feet;

EASTERLY by Lot 1417, as shown on said plan, one hundred (100) feet;

SOUTHERLY by Lot 1424, as shown on said plan, sixty (60) feet.

Containing six thousand (6000) square feet of land, and being any or all of said measurements or contents more or less.

This conveyance is made subject to and with the benefit of all restrictions and easements of record, so far as the same are now in force and applicable; and also subject to a taking by the Town of Littleton in connection with the laying out of Emerson Drive as a public way under the provisions of an instrument dated February 21, 1950, recorded with said Deeds, Book 7557, Page 514, to municipal liens and assessments which may be thereon.

The Grantor hereby releases any and all Rights of Homestead which have been declared in the property or have been granted as a matter of law.

For Grantor's title see deed filed with the Middlesex South District Registry of Deeds, Book 51284, Page 423.

Executed as a sealed instrument this 28 day of May, 2014.

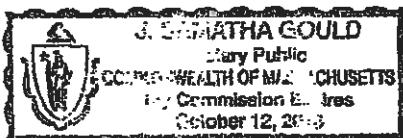
Alice F. Guerra
ALICE F. GUERRA

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS:

Date: May 28, 2014

On this day before me, the undersigned Notary Public in and for the County and State aforesaid, do hereby certify that Alice F. Guerra, known personally to me or proved by proof of identification which was the presentation of a driver's license, to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed, sealed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth.



Notary Public: J. Sarah Gould
My Commission Expires:

10/12/18



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

Date: September 10, 2014

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

Applicant John Croteau Name of Firm: Mailing Address P.O. Box 1496, Pepperell
MA 01463

Subject Parcel Location: 10 Emerson Rd, Littleton, MA 01460

Subject Owner: John Croteau

Subject Parcel No: U17 135 0

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

Certified by:

Anita Harding
Anita Harding, Assistant Assessor