



OFFICE OF THE
LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

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Petitioner: Helen Hamm
Property Address: 19 Dahlia Drive
Case No: 819A
Date Filed: January 29, 2013

The Littleton Board of Appeals (the "Board") conducted a public hearing on February 14, 2013 at Shattuck Street Municipal Building, 37 Shattuck Street, Littleton, MA on the petition of Helen Hamm for a Special Permit pursuant to the Town of Littleton Zoning Bylaws Section 173-10B(1) to build a second floor addition above a nonconforming structure at 19 Dahlia Drive. Notice of the hearing was given by publication in the Littleton Independent, a newspaper circulated in Littleton, on January 31 and February 7, 2013 and by mail to all abutters and parties in interest. Present and voting were Sherrill Gould, Chair, William Farnsworth, John Cantino, Jeff Yates, and Cheryl Hollinger, Members. Present but not voting were Rod Stewart, Marc Saucier and Alan Bell, Alternates.

Submitted with the Application was:

- Exhibit "A", Deed, Book 12303, Page 116
- Certified List of Abutters by Anita Harding, Assistant Assessor, dated January 30, 2013
- Plan titled "Plot Plan of Land in Littleton, Mass. Owner: Gerald and Helen Hamm, 19 Dahlia Drive, Littleton, MA 01460" dated January 24, 2013, Sheet No. 1 of 1, prepared by R. Wilson & Associates, Inc.
- Plan titled "Septic System Design for 19 Dahlia Drive in Littleton, Mass" dated August 31, 2012, Sheet 1 of 1, prepared by R. Wilson & Associates, Inc.
- Design plans; Floor Plans, Elevations and Sections, 5 pages by Giattino Design with last revision date of 12/21/12.
- Listing of "Existing non-conformities" for Hamm, 19 Dahlia Drive

Mr. Sean Keenan presented the petition for Mrs. Helen Hamm. Mr. Keenan will be the contractor to build the addition. Mrs. Helen Hamm was present. Mr. Keenan stated that the existing house was a preexisting, nonconforming structure because it is located on a lot of 10,000 +/- square feet, frontage of 100 feet, front setback at 17.2 feet and side setback at 10 feet. The proposed second story addition requires a Special Permit from the Zoning Board of Appeals. The addition is above the existing non-conforming structure and will not change the distance to the front, side or back yard. The proposed addition will be inside the existing footprint.

There were no persons or correspondences in opposition.

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 is non-conforming: 30 feet required, 17.2 feet actual.
5. The side (right) setback is non-conforming: 15 feet required, 10.0 feet actual.
6. The proposed second floor addition will be within the existing building footprint.
7. The proposed second floor addition will not be substantially more detrimental to the neighborhood than the existing use.

DECISION: The Board voted unanimously to GRANT, under Section 173-10B(1) of the Town of Littleton Zoning Bylaws, a Special Permit to 19 Dahlia Drive to construct a second floor addition as substantially as shown on the "Plot Plan of Land" dated January 24, 2013 and the Design Plans by Giattino Design dated 12/21/12 as submitted with this petition.

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: 1 March 2013

Book: 12303, Page: 116

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