

OFFICE OF THE
LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

Board Use Only Case # 811A Filing Date 5/17/12 8:15pm

The undersigned, having standing in this matter, hereby petitions the Littleton Board of Appeals for a VARIANCE SPECIAL PERMIT and/or ✓ APPEAL (Check all that apply)
as specified below and as provided by the Town of Littleton Zoning Bylaw

1. LOCATION OF THE PROPERTY:

A. Street Address 28 OLD PICKARD LANE Please print

B. Assessors' Map and Parcel # R03-19-22

 Zoning District Aquifer District Water Resource District

C. Deed Reference

2. LITTLETON ZONING BYLAW SECTION(S)

A. Variance

B. Special Permit

C. Appeal 152-1

3. STATE BRIEFLY REASONS FOR THIS PETITION *Use additional sheets, if necessary*

RELOCATION OF POOL FENCE TO PERIMETER OF PROPERTY, WHICH IS GREATER THAN THE 25 FOOT MAXIMUM REQUIRED BY CODE OF LITTLETON # 152-1

4. PETITIONER(S) PARRISH M. GALLIKER AND VALERIE S. MASON

Owner Tenant Licensee Agreed Purchaser Agent Other

NOTE: If petitioner is not the owner, furnish written authorization from owner below.

Parrish M. Galliker Valerie Mason May 14, 2012
Signature 28 OLD PICKARD LANE Date 578 952 2884
Mailing Address Telephone #

Town Clerk Use ONLY

Filing Fee Paid \$ 75.00 CL503
100.00 502

Date May 21 2012
1:50pm

May 15, 2012

To: Littleton Board of Appeals
Re: Request for Variance to Code of Littleton 152-1 Regarding Location of Pool Fence
Requestor: Parrish Galliher and Valerie Mason, #28 Pickard Lane, parcel RO3-19-22

Dear Sirs,

We are requesting a variance to Code of Littleton 152-1 for the installation of a new fence to replace an old perimeter wood fence and chain link pool fence.

Current situation:

Our old perimeter property fence (3 foot high white wood picket fence) is rotted and needs replacing. The swimming pool, located within the yard rimmed by the outer property fence, has its own 4 foot high chain link fence.

Purpose of request for variance:

We would like to replace the old perimeter property fence with a new 5 foot high heavy duty aluminum fence (that conforms to pool fence structural regulations) and remove the existing chain link pool fence. However, the location of the new perimeter aluminum fence will not fully conform to Code 152-1 (distance from pool edge to fence) on the east and north sides of the pool where the new fence will be several hundred feet away from the pool edge. See figures 1-5 and figure 6 below showing plot plan with new fence location drawn in red.

Figure 1: photo taken from north side looking south showing existing chain link fence around pool (to be removed) and outer wood picket fence (to be replaced with 5 foot high aluminum pool fence).

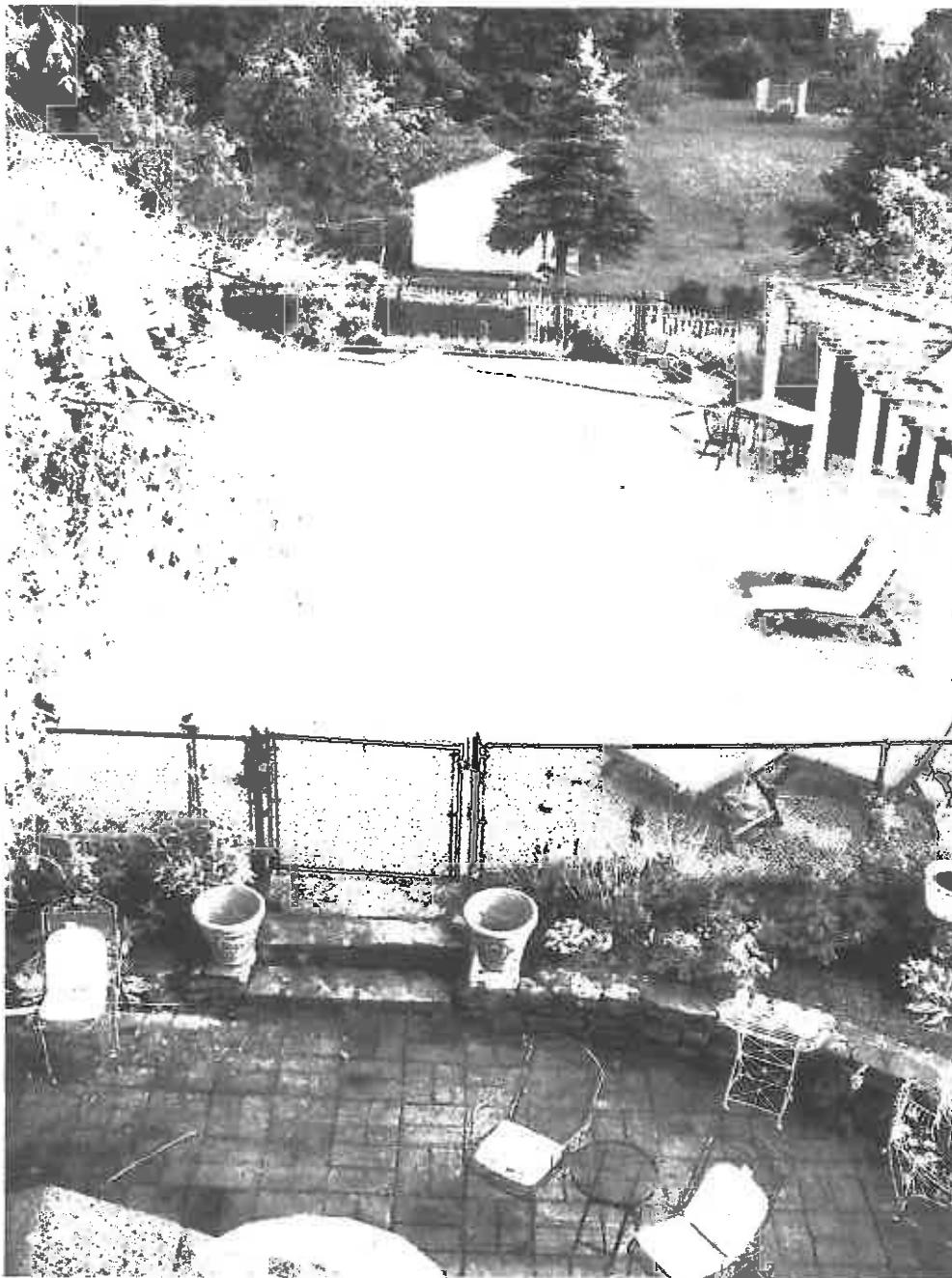


Figure 2 – photo taken from south side looking north towards pool, showing both outer perimeter wood fence (to be replaced) and inner chain link pool fence (to be removed)

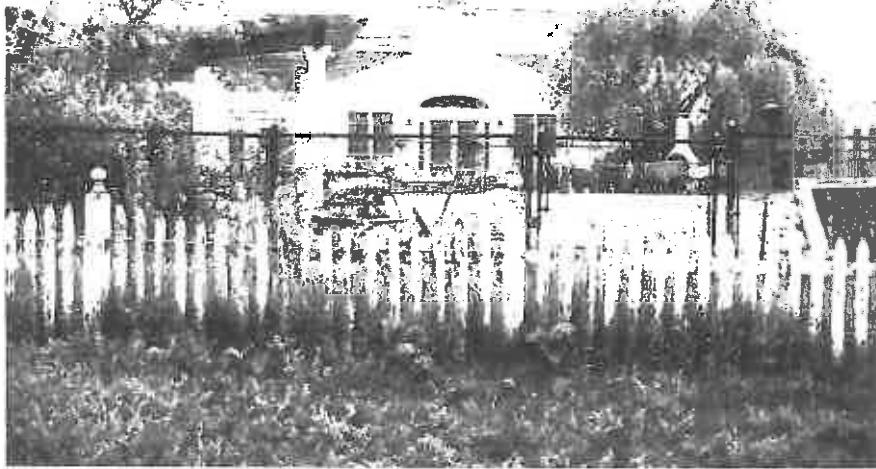


Figure 3: photo taken from east side looking west towards pool:

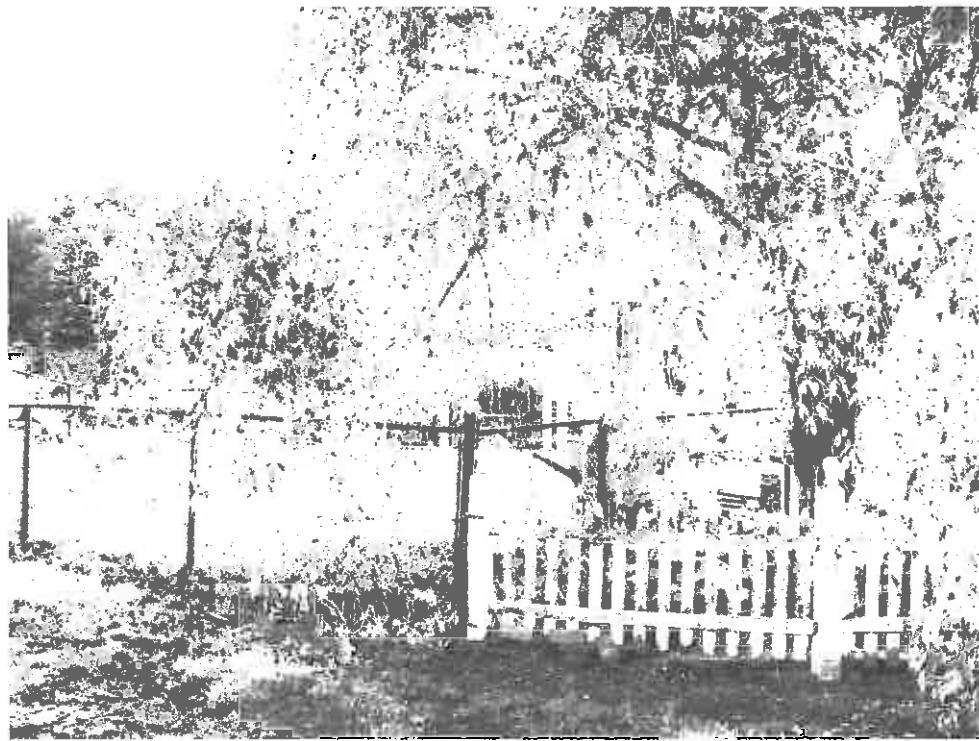
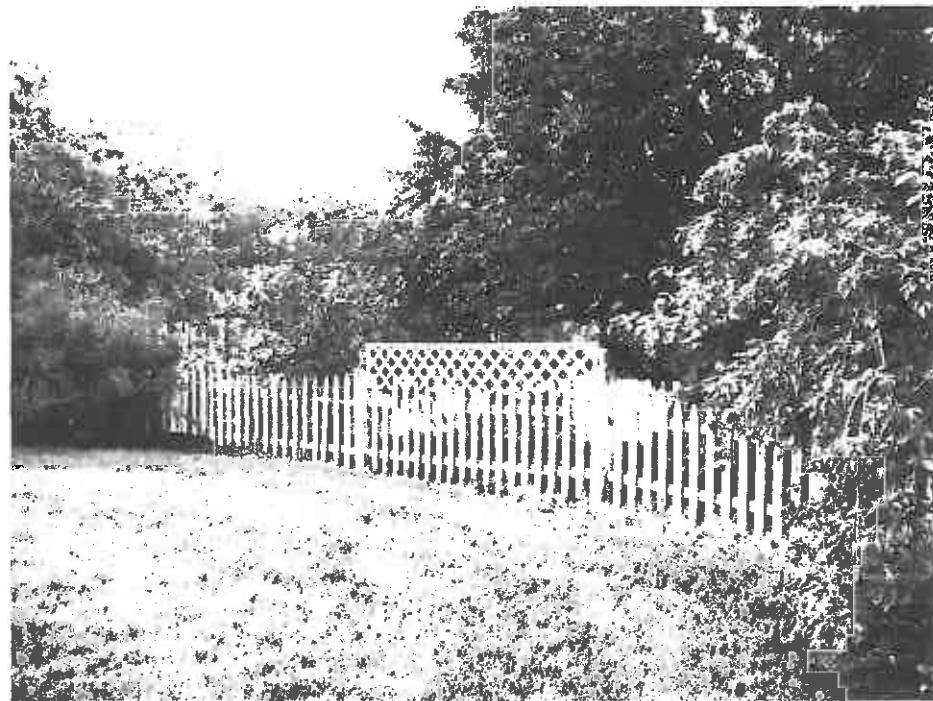


Figure 4: photo taken along the west side of property along Pickard Lane showing wood fence to be replaced with 5 foot high aluminum pool fence (several hundred feet from pool edge)



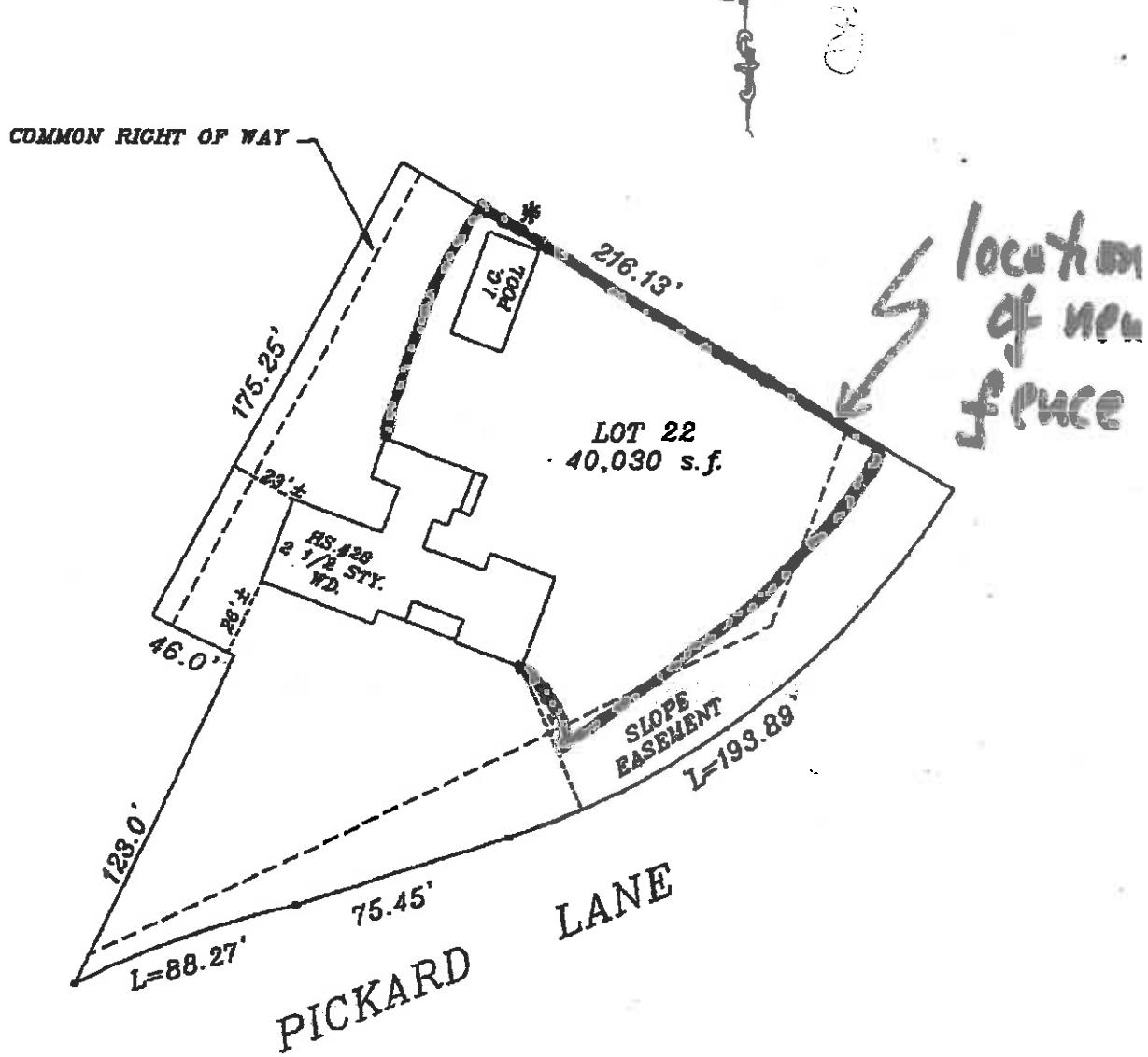
Figure 5: photo taken from north side looking south showing wood fence to be replaced with 5 foot high aluminum pool fence (this side is several hundred feet from pool edge)



MORTG. GOR: PARRISH M.GALLIHER & VALERIE S.MASEN
 LOCATION: 28 OLD PICKARD LANE
 CITY.S STATE: LITTLETON, MA.
 DATE: 4-24-00

DEED REF.
 PLAN REF. 479
 SCALE: 1" = 60'
 JOB #: 20001968

Figure 6 - Plot plan and location of new fence



CERTIFIED TO: DREW MORTGAGE ASSOCIATES INC.

Flood hazard zone has been determined by scale and is not necessarily accurate. Until definitive plans are issued by HUD and/or a vertical control survey is performed, precise elevations cannot be determined.

5019314 MT 2

DEED

COPY

28 OLD PICKARD LA.
LITTLETON

LITTLETON ESTATES LIMITED PARTNERSHIP, a Massachusetts limited partnership, having a principal place of business c/o Orleans and Company, 21 Custom House Street, Boston, Massachusetts 02110, for consideration paid and in full consideration of TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$225,000.00), GRANTS to PARRISH M. GALLIHER AND VALERIE S. MASON of 253 High Street, Acton, Massachusetts, husband and wife as tenants by the entirety, with QUITCLAIM COVENANTS, the land with the buildings thereon, shown as Lot 22 on a plan entitled "Definitive Subdivision Plan Cobb Meadows in Littleton, Mass." dated November 10, 1988, prepared by The BSC Group-Boston, Inc., recorded with the Middlesex South Registry of Deeds on May 8, 1989 as Plan No. 479 of 1989, Recorded with said Deeds in Book 19804, Page 500, 76 R-14 S-5. *Deeds in Book 19804, Page 500, 76 R-14 S-5.*

Said Lot 22 is conveyed subject to the following:

1. Matters shown on a survey entitled "Plan of Land in Littleton, Massachusetts (Middlesex County) for Littleton Limited Partnership," scale 1" = 40', dated April 29, 1988 prepared by The BSC Group-Bedford, Inc., Land Surveyors, recorded with said Deeds on July 7, 1988 as Instrument No. 402 as Plan No. 913 of 1988.

2. Easement to New England Telephone and Telegraph Company dated September 21, 1921 and recorded with said Deeds in Book 4468, Page 347.

3. Taking for the layout of Great Road dated June 11, 1940 and recorded with said Deeds in Book 6403, Page 583.

4. Reservations contained in a deed from Robert C. Cobb to Cobb's Pedigreed Chicks, Inc. dated January 2, 1945 and recorded with said Deeds in Book 6845, Page 71.

5. Provisions of an Order of Conditions issued by the Littleton Conservation Commission recorded with said Deeds in Book 19780, Page 293.

6. Real estate taxes for municipal fiscal year 1990 and succeeding years, which Grantee, by acceptance of this deed, hereby assumes and agrees to pay.

7. Title to and rights of the public and others entitled thereto in and to those portions of the premises lying within the bounds of Great Road and Pickard Road.

8. Provisions of a Master Declaration of Restrictive Covenants dated September 13, 1989 and recorded with said Deeds on September 18, 1989 as Instrument No. 799.

MA 08/8 Pickard done in the month of August
MSD 10/11/89 11:12:16

EXCISE TAX:

MASS.

Lot 22 Cobb Meadows Littleton

9. All other easements, rights and restrictions of record, if any, to the extent the same are in force and applicable.

For Grantor's title, see deed of Cobb, Incorporated dated July 5, 1988, and recorded with said Deeds in Book 19176, Page 493.

Executed as an instrument under seal this 21 day of September, 1989, Massachusetts deed stamps in the amount of \$1,026.00 having been hereto affixed and cancelled.

LITTLETON ESTATES LIMITED
PARTNERSHIP

By: Ronald H. Orleans
Ronald H. Orleans
Managing General Partner

COMMONWEALTH OF MASSACHUSETTS

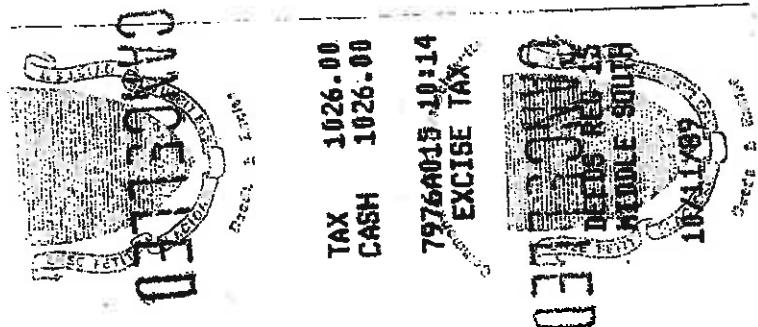
SUFFOLK, ss.

September 21, 1989

Then personally appeared the above-named RONALD H. ORLEANS and acknowledged the foregoing to be his free act and deed as Managing General Partner, and not individually, before me

Maureen N. Collins
Notary Public
My Commission Expires:

re/Orleans01/jrp/GalligherDd
9/21/89





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

Date: May 11, 2012

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

Applicant: Parrish Galliher _____ Name of Firm: _____
Mailing Address: 28 Old Pickard Lane, Littleton, MA 01460

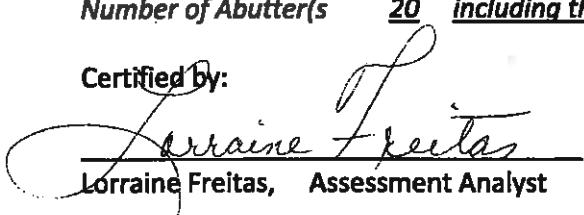
Subject Parcel Location and Parcel ID: 28 Pickard Ln (a/k/a Old Pickard Ln) R03-19-22
Subject Parcel Owner (s): Parrish M. Galliher and Valerie S Mason
28 Pickard Ln, Littleton, MA 01460

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) 20 including the applicant and subject parcel.

Certified by:



Lorraine Freitas, Assessment Analyst

Loc: 26 PICKARD LN Parcel ID #: R01 15 1

LUC: 101

GALLIHER PARRISH M

26 OLD PICKARD LANE

LITTLETON MA 01460

Loc: 3 CRORY LN Parcel ID #: R01 15 17

LUC: 950

LITTLETON CONSERVATION TRUST

P.O. BOX 594

LITTLETON MA 01460

Loc: 1 CRORY LN Parcel ID #: R01 15 2

LUC: 950

LITTLETON CONSERVATION TRUST

P.O. BOX 594

LITTLETON MA 01460

Loc: 14 PICKARD LN Parcel ID #: R01 15 3

LUC: 719

CUPP GERALD M

CUPP LISA A

198 SHADYSIDE AVENUE

CONCORD MA 01742

Loc: 5 CRORY LN Parcel ID #: R01 15 8

LUC: 950

LITTLETON CONSERVATION TRUST

PO BOX 594

LITTLETON MA 01460

Loc: 7 CRORY LN Parcel ID #: R01 15 9

LUC: 932

LITTLETON TOWN OF
CONSERVATION COMMISSION
PO BOX 1305

LITTLETON MA 01460

Loc: 19 MEADOW DR Parcel ID #: R03 19 15

LUC: 101

CANNISTRARO DAVID D
CANNISTRARO GAIL A
19 MEADOW DR

LITTLETON MA 01460

Loc: 21 MEADOW DR Parcel ID #: R03 19 16

LUC: 101

THOMPSON PETER J
THOMPSON MARYA D
21 MEADOW DRIVE

LITTLETON MA 01460

Loc: 23 MEADOW DR Parcel ID #: R03 19 17

LUC: 101

FIRSTENBERG MARK A
FIRSTENBERG ELIZABETH JANE
23 MEADOW DRIVE

LITTLETON MA 01460

Loc: 29 PICKARD LN Parcel ID #: R03 19 18

LUC: 101

PAGE ANTHONY C
PAGE MARY E
29 PICKARD LN

LITTLETON MA 01460

Loc: 31 PICKARD LN Parcel ID #: R03 19 19

LUC: 101

RICKLESS ROBERT S
ARON ELLEN
31 PICKARD LANE

LITTLETON MA 01460

Loc: 32 PICKARD LN Parcel ID #: R03 19 20

LUC: 101

RUSSELL CHRISTOPHER J
RUSSELL YVONNE
32 PICKARD LANE

LITTLETON MA 01460

Loc: 30 PICKARD LN Parcel ID #: R03 19 21

LUC: 101

O'NEIL RAYMOND C
O'NEIL ANNA R
30 PICKARD LANE

LITTLETON MA 01460

Loc: 28 PICKARD LN Parcel ID #: R03 19 22

LUC: 101

GALLIHER PARRISH M
MASON VALERIE S
28 PICKARD LN

LITTLETON MA 01460

Loc: 23 PICKARD LN Parcel ID #: R03 19 23
LUC: 101

MONTEMAGNO MICHAEL E
MONTEMAGNO KRISTIN L
23 PICKARD LANE

LITTLETON MA 01460

Loc: 18 MEADOW DR Parcel ID #: R03 19 24
LUC: 101

MCLAUGHLIN RICHARD M
MCLAUGHLIN SUSAN D
18 MEADOW DRIVE

LITTLETON MA 01460

Loc: 2 CRORY LN Parcel ID #: R03 21 0
LUC: 932

LITTLETON TOWN OF
CONSERVATION COMMISSION
PO BOX 1305

LITTLETON MA 01460

Loc: 4 CRORY LN Parcel ID #: R03 22 0
LUC: 932

LITTLETON TOWN OF
CONSERVATION COMMISSION
PO BOX 1305

LITTLETON MA 01460

Loc: 6 CRORY LN Parcel ID #: R03 23 0
LUC: 932

LITTLETON TOWN OF
CONSERVATION COMMISSION
PO BOX 1305

LITTLETON MA 01460

Loc: 8 CRORY LN Parcel ID #: R03 24 0
LUC: 950

LITTLETON CONSERVATION TRUST

PO BOX 594

LITTLETON MA 01460