



OFFICE OF THE
LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

received
7/26/11 12:00 PM
D

Petitioner: Bob and Donna Armstrong
Property Address: 9 Birch Road
Case No: 793A
Date Filed: June 13, 2011

The Littleton Board of Appeals (the "Board") conducted a public hearing on July 21, 2011 at Shattuck Street Municipal Building, Shattuck Street, Littleton on the petition of Bob and Donna Armstrong for a Special Permit pursuant to the Town of Littleton Zoning Bylaws Section 173-10B(1) for an addition to a nonconforming structure at 9 Birch Road. Notice of the hearing was given by publication in the Lowell Sun, a newspaper circulated in Littleton, on June 30 & July 7, 2011 and by mail to all abutters and parties in interest. Present and voting were Sherrill Gould, Chair, William Farnsworth, Jeff Yates, Cheryl Cowley-Hollinger, Members and Marc Saucier, Alternate. Present but not voting were Rod Stewart and Patrick Joyce, Alternates.

Submitted with the Application was:

- Quitclaim Deed, Bk. 49377, Pg. 531
- Plans titled "ADDITIONS AND ALTERATIONS TO THE ARMSTRONG RESIDENCE 9 BIRCH ROAD LITTLETON, MA" dated 6-1-11, pages A-1, A-2, prepared by PJKA Architect.
- Plan titled "Plot Plan in Littleton, Massachusetts For: Armstrong" dated June 9, 2011 prepared by Stamski and McNary, Inc.

Mr. Bill Galloway, contractor for Bob and Donna Armstrong, presented the petition. Bob Armstrong and his son were present. Mr. Galloway stated that the existing house is a preexisting, nonconforming structure because it is approximately 14 feet from the front property line as shown on the plot plan. The proposal is to construct an addition beside the existing house and not closer to the street than the existing house. The addition will be approximately 40 feet from the side property line.

There were no persons 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, 12,000 square feet actual.
3. The frontage is non-conforming: 150 feet required, 120 feet actual.
4. The front setback is non-conforming: 30 feet required, 14 feet actual.
5. The proposed addition will not increase the non-conformities and will not create any new non-conformity.
6. The proposed addition 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 an addition to the existing house at 9 Birch Road 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: 26 July 2011

Book: 49377, Page: 531

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