

OFFICE OF THE
LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

Board Use Only Case # 797A Filing Date 9/30/11

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 16 Middlesex Drive Please print

B. Assessors' Map and Parcel # U15 - 114

 Zoning District Aquifer District Water Resource District

C. Deed Reference BOOK 23813, page 475

2. LITTLETON ZONING BYLAW SECTION(S):

A. Variance

B. Special Permit 173-10

C. Appeal

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

Modification to permit # 181A allowing
a 3' offset to the lot lines instead of previously
approved 7'

4. PETITIONER(S) PATRICIA S. GODDARD & John R. Legge

Owner Tenant Licensee Agreed Purchaser Agent Other

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

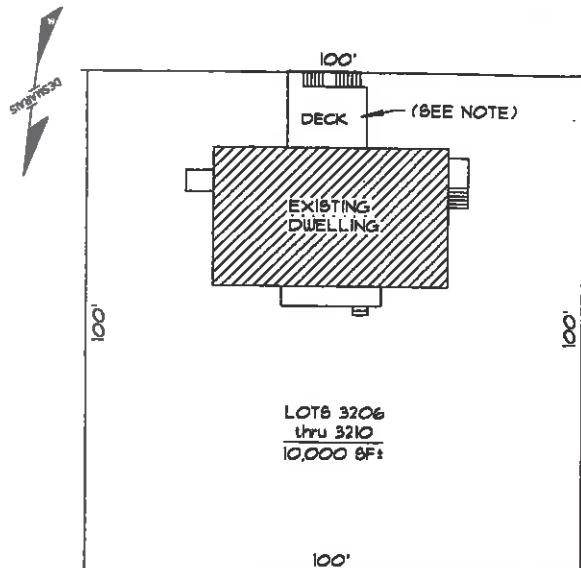
Patricia S. Goddard 9/28/11
Signature Date

16 Middlesex Drive, Littleton, MA 01460 Cell 978-501-5625
Mailing Address Telephone #

Town Clerk Use ONLY

Filing Fee Paid \$ 75.00 CK 1300 Date 9/30/11 9:30 AM
200.00 CK 1299

Mortgage Inspection Plan



MIDDLESEX DRIVE

NOTE : RAISED WOOD DECK (SHOWN) DOES NOT MEET OFFSET REQUIREMENTS. NO BUILDING PERMIT ON RECORD. CERTIFICATION IS MADE TO EXISTING DWELLING ONLY.

FOR MORTGAGE PURPOSES ONLY

Not to be used for Building Permits, Zoning Variances and Special Permits.

DESMARAIS ASSOCIATES, INC.

Professional Land Surveyors



DAVID B. DESMARais, LSIT
RAYMOND F. DESMARais, PLs
568 Rogers Street, Lowell, MA 01852
Office (978) 459-9860 Fax (978) 937-0690
www.desmaraisplc.com

I hereby certify that the dwelling shown on this plan is not located within a special flood hazard area as shown on Federal Emergency Management Agency / Federal Insurance Administration Maps.

Community Number 250200

Identification Date JUNE 13, 1983

David B. Desmarais
DAVID B. DESMARais, LSIT

A. JUSTIN McCARTHY, P.C.

Setbacks shown on this plan are for the determination of zoning requirements only.

NOTE:
This is a topo survey based on the location of survey markers of others and is not intended to be a property line survey. This plan was drawn for mortgage purposes only. Not to be recorded.

scale: 1"=30'

date: 5-9-06

Based on my knowledge, information, and belief, I certify that the building is located approximately as shown and conforms to the zoning laws dimensional requirements regarding setbacks from streets and lot lines in the city/town of

LITTLETON (SEE NOTE) when constructed.

BY Raymond F. Desmarais
RAYMOND F. DESMARais, PLs

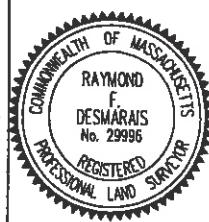
MIDDLESEX County

Deed Reference

Book 23813 Page 475

Plan Reference

Book 362 Plan 27



FILE NO. 06-156

8c 47415 Pg. 463 Doc: DEED
Page: 1 of 2 05/09/2006 09:04 AM

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 08/08/2008 09:04 AM
Cost 072500 18516 Doc# 00083019
Fee: \$1,402.44 Conn: \$911,500.00

QUITCLAIM DEED

WE, CHERYL A. BOLTON, formerly known as Cheryl Ann Dee, and BRUCE W. BOLTON of Littleton, Middlesex County, Massachusetts

in consideration of THREE HUNDRED ELEVEN THOUSAND, FIVE HUNDRED and 00/100 (\$311,500.00) DOLLARS

grant to PATRICIA GODDARD, an individual, of 16 MIDDLESEX DRIVE, LITTLETON - MA

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with Quitclaim Covenants

The land with the buildings thereon situated on Middlesex Drive, Littleton, Middlesex County, Massachusetts, shown as Lots 3206, 3207 and 3208 on a plan entitled "Map "B"" Long Lake, Town of Littleton, Massachusetts, duly recorded in Middlesex South District Registry of Deeds, Book of Plans 362, Plan 27, and bounded:

NORTHEASTERLY by said Middlesex Drive, sixty (60) feet;
SOUTHEASTERLY by Lot 3209, one hundred (100) feet;
SOUTHWESTERLY by Lots 3151 to 3153 inclusive, sixty (60) feet;
And
NORTHWESTERLY by Lot 3205, one hundred (100) feet.

All as shown on said plan and containing, according to said plan, 6,000 square feet.

Also the land in Littleton shown as Lots 3209 and 3210 on said plan entitled "Map 'B'", to which plan reference is hereby made for a more complete description of said lots.

For title to the Grantors, see deed of CHERYL ANN DEE, dated October 22, 1993 and recorded with said Deeds, Book 23813, Page 475.

A. JUSTIN McCARTHY, P.C.
Attorney at Law
285 Littleton Road
Westford, MA 01886

POXURY

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GOLDSMITH

MIDDLESEX

BRY

Owns Lots
115, 114 (House),
and 102 (Lot)

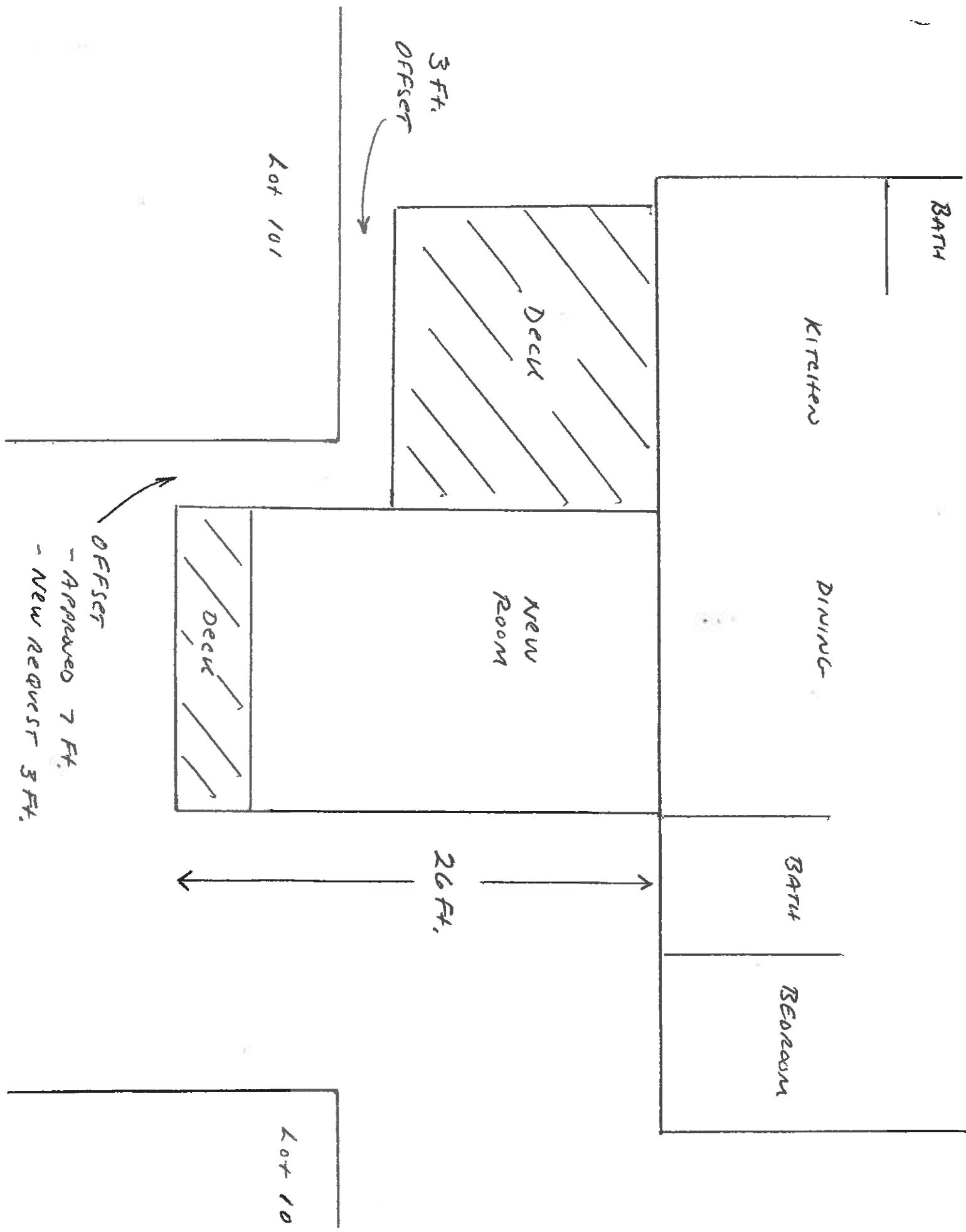
SUFFOLK DRIVE

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WESTCHESTER DRIVE

IPSWICH DRIVE

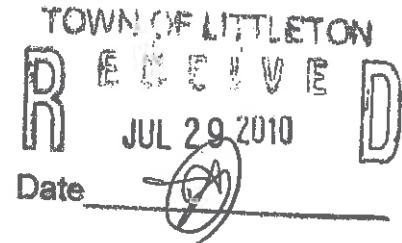
NEWTON





OFFICE OF THE BOARD OF APPEALS

Littleton, Massachusetts 01460



Petitioner: PATRICIA S. GODDARD and JOHN R. LEGER
Case No:781A
Date Filed: June 24, 2010

The Littleton Board of Appeals conducted a public hearing on July 15, 2010 at 7:30 P.M. at the Shattuck Street Municipal Building, Shattuck Street, Littleton, for a variance/special permit from Section 173-10 to allow for an change, extension or alteration of a preexisting non-conforming dwelling at 16 Middlesex Drive, Littleton, Massachusetts. Notice of the hearing was given by publication in the Lowell Sun, a newspaper published in Lowell and circulated in Littleton, on June 30, and July 7, 2010, and by mail to all abutters and parties in interest. Present and voting: Sherrill R. Gould, Chairman, William Farnsworth, John Cantino, Jeff Yates and Cheryl Hollinger, Members. Present and not voting were alternates Rod Stewart and Alan Bell, Alternate

The Petitioners, Patricia Goddard and John Leger, presented a petition accompanied by sketch plans showing their lots and the proposed addition to their home on Middlesex Drive. They own 3 lots, two acquired with the house, originally, and one behind, acquired later. The plot plan when they originally acquired the house shows the house and deck to be non-conforming in the following respects. The lot is less than the required 40,000 square feet and has only 100' of frontage instead of the required 150'. The rear deck sits on the property line, failing to meet the offset requirements of 15'. By acquiring the additional lot in the rear, a portion of the deck became more conforming but there still existed a setback violation on the southwesterly corner of the deck. The Petitioners proposed to build an enclosed addition in the location of the existing deck, expanding it to approximately 16' x 16' and then replacing the deck at the westerly side of the new addition. The proposal was to have the new addition conform to the rear setback requirements but there still would be sideline setback violations; and the new deck would be placed right on the rear lot line in common with Lot 101 on the Assessor's maps, at its southwest corner, continuing the existing non-conformity, but moving it slightly to the west. The Petitioner presented a rationale for having the placement of the deck convenient to the new addition, and the existing kitchen and dining areas of the house. The lots affected in the rear are both undersized lots owned by the Town of Littleton. No abutters appeared in opposition.

FINDINGS: The Board found that the Applicant satisfied the requirements for a special permit in that the proposed addition would not be more detrimental to the neighborhood than the existing nonconforming use, but requested of the Petitioner that they create some setback and not place the deck directly on the lot line.

DECISION: The Board voted unanimously to GRANT a Special Permit pursuant to Section 173-10 (B) (1) to allow the addition of a room and a deck at the rear of the house at 16 Middlesex Drive upon the following conditions:



OFFICE OF THE BOARD OF APPEALS

Littleton, Massachusetts 01460

1. The addition will not extend greater than 24' in a southerly direction from the house;
2. The addition is to be no closer than 7' to the lot lines in the side and rear;
3. The deck is to be no closer than 3' from the rear lot line of the Petitioners' lot and the lot line of Lot 101 on the Assessor's map.

Appeals, if any, shall be made pursuant to G.L. 40A, Section 17 and shall be filed within twenty days after the date of filing of this Decision in the office of the Town Clerk.

This Variance/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, Sections 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 Variance/Special Permit are not exercised within two (2) years from the date of granting it shall lapse in accordance with the provisions of M.G.L.Ch. 40A Section 10 or Section 9.

Signed: Jeff Yates
Jeff Yates, Clerk, Zoning Board of Appeals

Date: 29 JULY 2010

Book: 23813

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