



OFFICE OF THE
LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

received

6/4/09 (83)

Petitioner: Maurice and Sally Foley, 59 Harwood Ave.
Case No.: 761A
Date Filed: April 23, 2009

The Littleton Board of Appeals conducted a public hearing on May 21, 2009, at 7:30 P.M. at the Shattuck Street Municipal Building on the petition of Maurice and Sally Field for a Special Permit to expand their pre-existing nonconforming home at 59 Harwood Avenue, Littleton, Ma. by adding an addition to the rear and east side of the home. Notice of the hearing was given by publication in the Littleton Independent, a newspaper published in Acton and circulated in Littleton on May 7, 2009, and May 14, 2009, and by mail to all abutters and parties in interest. Present and voting: Sherrill Gould, Chairman, John Cantino, and Jeff Yates, Members, Cheryl Hollinger and Marc Saucier, Alternates. Present and not voting was Rod Stewart, Alternate.

Maurice and Sally Foley appeared and presented their request for a special permit to add an addition onto their pre-existing non-conforming home and lot at 59 Harwood Avenue. The petitioner presented plans to add a 6' x 42.5 addition to the rear of their home, with a deck in the rear and a 6' x 14.75' storage area to the easterly side of their home. The houses on both sides of them sit forward of the lot, as does theirs so an addition to the rear would not impact another abutter's view. Their home meets the 30 foot front setback, but the lot contains less than one acre and less than the required frontage. Petitioner's home does not meet the sideline setback on the west side and has slightly less than 15' setback on the east side, with a detached garage on the east side less than ten feet from the lot line. The proposed addition would increase slightly the east side zoning violation but would not increase it more than the currently existing sideline violation of the garage.

The rear addition would not violate the setback. No abutters appeared in opposition.

FINDINGS: The Board found that the proposed addition satisfies the requirements for a Special Permit since it would not be more substantially detrimental to the neighborhood than the existing nonconformity.

DECISION: The Board voted unanimously to GRANT a Special Permit to the applicant for an addition to the rear and side of their home as proposed on the Zanca Land Survey Plan dated April 2, 2009, as submitted with their application.

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 Notice 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: Julia A. Adam Julia A. Adam, Clerk

Date: 6/4/09

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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: _____ Town Clerk, Littleton, Massachusetts