

received  
4/29/2019  
Randy Crow  
Town Clerk

Petitioner: Integrity Building & Design, Inc., for Owner, Dustin Neild  
Case No: 919A  
Address: 17 Lakeshore Drive  
Date Filed: February 15, 2019

The Littleton Board of Appeals conducted a public hearing on April 18, 2019, continued from March 21, 2019, at the Shattuck Street Municipal Building, Shattuck Street, Littleton, for a Special Permit pursuant to Section 173-10B, or a Variance from Section 173-31, to allow change or extension of a pre-existing non-conforming structure to allow an existing garage to be replaced with a two story garage with living space above at 17 Lakeshore Drive, Littleton, Ma. Notice of the hearing was given by publication in the Littleton Independent, a newspaper circulated in Littleton, on February 22, 2019 and March 1, 2019, and by mail to all abutters and parties in interest. Present and voting: Cheryl Hollinger, Jeff Yates and Rod Stewart, Members and John Sewell and Marc Saucier, alternates. Present and not voting was Member Alan Bell.

The Owner and his builder representative presented a request to improve their home and increase their living space by adding a second story above a newly construction garage in place of the existing garage to 17 Lakeshore Drive. The house is non-conforming in that it has a lot size of 10,197 s.f. instead of the required 1 acre, frontage of 123.29' instead of 150' and a reduced front setback, but that is consistent with the abutting properties pursuant to the zoning bylaw. The variance requested would not increase the non-conforming footprint of the house but would add height to the existing non-conformity. The hardship for adding space to this property is that the septic system is 10' from the garage and the house has only a crawl space basement for storage.

During the first presentation, abutters objected to the added height of the structure claiming it would impede their already limited view of the lake from the home they recently purchased. The parties agreed to continue the hearing to try to fashion a compromise solution. During the second hearing the applicant presented 3 different designs, each substantially lowering the height of the proposed addition as a concession to the abutters and of the 3 designs, the abutter agreed that one in particular was preferable. The building inspector had no objection to the petition.

FINDINGS: The Board found that the Petitioner's application and presentation satisfied the requirements for hardship in that the lot was small, and the location potential for added living space in the structure was limited. The Board found and that the requested relief would not be substantially more detrimental to the neighborhood, especially in light of the abutters support.

DECISION: The Board voted unanimously to GRANT a Variance for a two story garage to replace the existing garage on approximately the same footprint, with living space above, and a height no greater than 23', substantially as shown on Petitioner's Plan B presented with the Petition.

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.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Book: 42297, Page 131.

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