



OFFICE OF THE  
**LITTLETON BOARD OF APPEALS**  
LITTLETON, MASSACHUSETTS 01460

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12/11/2018  
7:30 AM  
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Petitioner: ERNIE MERRILL  
Case No: 909A  
Date Filed: October 15, 2018

The Littleton Board of Appeals conducted a public hearing on November 15, 2018 at 7:30 P.M. at the Shattuck Street Municipal Building, 37 Shattuck Street, Littleton, for a Variance or Special permit pursuant to Section 173-53, to allow a detached garage exceeding 30% of the floor area of the home at 109 Matawanakee Trail, Littleton, Ma. Notice of the hearing was given by publication in the Littleton Independent, a newspaper circulated in Littleton, on October 26, and November 2, 2018, and by mail to all abutters and parties in interest. Present and voting: Sherrill R. Gould, Chairman, Jeff Yates, Cheryl Hollinger, Rod Stewart, and Alan Bell, Members. Present and not voting were alternates, John Sewell, Jillian Shaw and Kathleen O'Connor.

The Petitioner requested permission to erect a 40' x 30' detached garage structure on his lot with one street level visible from the street, and a walk out basement level leading out to the lake behind, containing approximately 2,400 square feet in total. The total square footage of the home is 4,742 square feet. The lot is approximately 1.6 acres and both the existing structure and proposed garage conform to dimensional setback requirements. The Petitioner described that his lot is a lake lot and due to the placement of the house and septic system, as well as proximity to wetlands, there is only one location for the garage. Petitioner enjoys many of the lake attractions and has watercraft, trailers, and other seasonal yard items as well as his own vehicles which consist of oversized pickup truck, so an oversized garage is necessary to protect his property. There are currently items stored under tarps and there are two unsightly sheds which are proposed to be demolished when the garage structure is completed. The Bylaw restricts accessory structures to 30% of the floor area or 50% of the land area of a lot. The proposed garage would have three 10' x 10' garage doors on the street side and two 10' x 14' doors on the lake side.

Several abutters appeared in favor of the petition. Several abutters submitted letters supporting the petition. The Zoning Enforcement officer had no negative comment. One abutter submitted a letter expressing concerns about the scale of the structure and the preservation of the lake.

**FINDINGS:** The Board found that the lot was unique in its topography and size with existing conditions limiting placement of the garage and that the proposed structure would not be substantially more detrimental to the neighborhood or derogate from the intent and purpose of the Bylaw.

**DECISION:** The Board voted unanimously to GRANT a Variance to construct the garage substantially as proposed in the materials submitted with the application, with one story at grade level to the street and a full basement level facing the lake on condition that

- a. Front facing garage doors not exceed 8' x 10';
- b. The two existing sheds would be removed and no other sheds would be placed forward of the house; and

c. The roof pitch not exceed the roof pitch of the existing dwelling.

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: 12/10/18

Book: 64867, Page 76.

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