



Office of the  
LITTLETON BOARD OF APPEALS

Received  
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3:15pm

Petitioner: ANDREW STRUTH  
Case No: 881A  
Date Filed: December 19, 2016

The Littleton Board of Appeals conducted a public hearing on January 19, 2017 at 7:30 P.M. at the Shattuck Street Municipal Building, 37 Shattuck Street, Littleton, for a Special permit pursuant to Section 173-10B (1), or a Variance from Section 173-31, to allow change or extension of a pre-existing non-conforming structure to allow a garage addition at 37 Baldwin Hill Road, Littleton, Ma, within the additional street setback. Notice of the hearing was given by publication in the Littleton Independent, a newspaper circulated in Littleton, on January 5 and 12, 2017, and by mail to all abutters and parties in interest. Present and voting: Sherrill R. Gould, Chairman, Alan Bell, Jeff Yates, and Rod Stewart, Members and Marc Saucier, Alternate.

The Petitioner and his contractor presented a proposal to construct a garage on a nonconforming property. The lot is undersized and the Petitioner explained that a garage is necessary to house equipment, store items and have a mudroom entry for his small home. The proposal presented was for a garage 28' x 32' with a 5' setback to Lochslea Road, the additional street. The lot is bounded on three sides by public roads, Baldwin Hill Road, Lochslea Road and Edsel Road. The lot contains only 15,930 square feet of area and 109' of frontage. It conforms otherwise. Reduced frontage setback to Lochslea Road, the additional street, of 15' is allowed by statute. The proposal would provide a setback of only 5'. The Board requested a reduction in the size of the garage to lessen the nonconformity to 10'. The rationale was that a detached garage would be allowed to be 10' from a side setback, so the petitioner should have no less than that. After discussion and polling, a compromise was reached at an 8' setback. The Petitioner agreed. No abutters appeared in opposition to the petition.

**FINDINGS:** The Board found that the lot was unique and that not having a functional garage would create a hardship in having no location for automobiles, yard equipment and other necessary household items. The garage would not be substantially more detrimental to the neighborhood than the existing nonconforming structure and would not derogate from the intent and purpose of the zoning Bylaw.

**DECISION:** The Board voted 4 to 1 to GRANT a Variance to construct a garage approximately as shown on the site plan submitted with the petition, provided that the additional street setback to Lochslea Road would be not less than 8 feet.

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: May 1, 2017

Book: 17594. Page 589.

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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