



Office of the
LITTLETON BOARD OF APPEALS

Petitioner: Roger D. Kanniard
Property Address: 3 Lincoln Drive
Case No: 887A
Date Filed: 8 /9/2017

The Littleton Board of Appeals (the "Board") conducted a public hearing on August 17, 2017 at the Littleton Town Offices, 37 Shattuck Street, Littleton, MA on the petition of Roger D. Kanniard for a Variance pursuant to the Town of Littleton Zoning Bylaws Section 173-10(1) Non-conforming Uses and Section 173-31 Intensity of Use Schedule to allow construction of a landing and steps at the front entrance of the proposed new residence previously approved by Special Permit (Case 875A). Notice of the hearing was given by publication in the Lowell Sun, a newspaper circulated in Littleton, on August 3 and 10, 2017 and by mail to all abutters and parties in interest. Present and voting were Sherill Gould, Chair, Jeffrey Yates, Vice Chair, Alan Bell, Cheryl Cowley and Rod Stewart, Members and, Kathleen O'Connor, John Sewell, and Jillian Shaw, Alternates.

Documents submitted with the application include:

Front Elevation, Plans, Section "28' x 34' Cape Cod Style Home", Rev. 6/1/2017
Narrative in support of "3 Lincoln Drive Egress Variance" dated 8/15/2017 by Roger Kanniard
Layout Plan showing proposed house with front landing and steps

The petitioner, representing the homeowner, presented a plan showing the house to be built. The soils and high water table of the property, and its configuration, dictate the grading and location of the new septic system such that the first floor will be at a level that will require a landing and steps at the front entry consisting of eight risers to the existing grade. These steps will encroach on the 20.4' front setback approved by Special Permit (Case 875A). The structure of the house will be set back an additional 2' (22.4') from the plan shown at the time of the granting of the Special Permit. The landing and steps will project approximately 10' from the front of the structure. The petitioner requested a variance to allow a setback of 12' to allow for the construction of the entry steps shown.

No abutters or other interested parties were present.

FINDINGS: The Board made the following findings:

1. The Board found that the new septic system designed to accommodate the soils, water table and configuration of the property dictated a first floor elevation that will require a landing and steps at the front entry that will encroach on the previously granted front setback variance.

2. The Board found that the steps as proposed are appropriate and no significant nuisance, hazard or congestion will be created and that there will be no substantial harm to the neighborhood or derogation from the intent of the bylaw.

DECISION: The Board voted unanimously to GRANT, under Section 173-10(1) and Section 173-31 of the Town of Littleton Zoning Bylaws, a Variance to construct a landing and steps as presented within the front setback not to project beyond 12' from the front property line.

Appeals, if any, shall be made pursuant to M.G.L. C. 40A, Section 17 and shall be filed within twenty (20) days after the date of filing of this Decision in the office of the Town Clerk.

The Variance 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 Variance are not exercised within one (1) year from the date of granting it shall elapse in accordance with the provisions of M.G.L. C. 40A Section 10.

Signed: _____



Alan Bell, Clerk

Date: _____

8/29/2017

Book: 14597, Page: 645

I hereby certify 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: _____

Print name

Town Clerk, Littleton, Massachusetts

Date: _____