



**OFFICE OF THE
BOARD OF APPEALS**

Littleton, Massachusetts 01460

received
12/19/2016
8:00 AM

Petitioner: BB CUBED, INC.

Case No: 876A

Date Filed: August 20, 2016

The Littleton Board of Appeals conducted a public hearing on September 15, 2016 at 8:30 P.M., at the Shattuck Street Municipal Building, Shattuck Street, Littleton, for a Variance pursuant to Section 173-31, to allow front steps into the house to encroach into the setback at 60 Dahlia Drive, Littleton, Ma. Notice of the hearing was given by publication in the Littleton Independent, a newspaper circulated in Littleton, on September 1, and 8, 2016, and by mail to all abutters and parties in interest. Present and voting: Sherrill R. Gould, Chairman, Rod Stewart, and Jeff Yates, Members and Marc Saucier, Alternate.

The Petitioner, represented by Kevin Baker, requested a variance to install front steps in the side setback at 60 Dahlia Drive. Dahlia Drive is a residential area near the lake where lots are typically less than the current zoning requirement of 1 acre minimum. This lot is a corner lot on three streets. The zoning bylaw allows for the setbacks on the secondary streets to be reduced to 15 feet. The house is newly constructed but due to the elevations of the yard, and the right of way setbacks for the three streets, the front deck stair access would encroach into the setback reducing the 15 feet to 10 feet. The Petitioner explained that visually the house sits on the lot in such a way that the stairs are not imposing on the setback or on any abutting properties.

The Zoning Officer opined that the reduction in setback to 15 feet is allowed by the building code, and that prior versions of the code did not consider stair entry encroachments in measuring setbacks, but under the current building code, that change has occurred.

No Abutters appeared in opposition.

FINDINGS: The Board found that the Applicant satisfied the conditions for a variance since the site was unusual in its corner location with three streets and the grade changes from the street to the foundation. The Board found that the stair encroachment would not substantially derogate from the intent of the bylaw or be a detriment to the public good.

DECISION: The Board voted unanimously to GRANT a Variance to allow the front stairs at 60 Dahlia Drive to encroach into the setback but no closer than 10 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.



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Signed: _____

Alan Bell 12/16/16

ALAN BELL, CLERK

Date: December 16, 2016

Book: _____ 37574, Page 84.

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