



**OFFICE OF THE
BOARD OF APPEALS**

Littleton, Massachusetts 01460

received
12/19/16
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Petitioner: SHARON TAVILLA

Case No: 879A

Date Filed: September 23, 2016

The Littleton Board of Appeals conducted a public hearing on October 20, 2016, at 8:00 P.M. at the Shattuck Street Municipal Building, Shattuck Street, Littleton, for a Special permit pursuant to Section 173-10B (1), to allow change or extension of a pre-existing non-conforming structure to allow a deck replacement at the dwelling at 30 Juniper Road, Littleton, Ma. Notice of the hearing was given by publication in the Littleton Independent, a newspaper circulated in Littleton, on October 8 and 13, 2016, and by mail to all abutters and parties in interest. Present and voting: Sherrill R. Gould, Chairman, Rod Stewart, Jeff Yates, and Cheryl Hollinger, Members and Marc Saucier, Alternate.

The Petitioner presented a plan to replace the deck at the rear of her house with a new deck. The home is on Juniper Road, in a residential area near the lake where lots are typically less than the current zoning requirement of 1 acre minimum. This lot is 3,200 square feet, with the existing septic system occupying approximately ½ of the lot. The applicant seeks to replace a failing deck in the same location, however, with the stairs relocated outside the deck perimeter into the required setback. The stair encroachment was once allowed by right but now requires a special permit. The existing deck is 15.5 feet from the left side lot line, the new deck and stairs would be 10.2 feet from the left side lot line, but would still be less than the house setback violation which is at 8.5 feet.

The Zoning Officer opined that the reconstruction of the failing deck is allowed by Section 173-10(B)(5) as a Special Permit.

Abutters appeared or submitted letters in favor of the petition.

FINDINGS: The Board found that the proposal to replace the existing deck and to locate the stairs where proposed would not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

DECISION: The Board voted unanimously to GRANT a Special Permit to reconstruct a deck at 30 Juniper Road, approximately as shown on the site plans submitted with the petition and the plot plan of R. Wilson, dated March 2, 2015.

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: _____

[Signature] 12/15/16

ALAN BELL, CLERK



OFFICE OF THE BOARD OF APPEALS

Littleton, Massachusetts 01460

Date: December 15, 2013

Book: 64805, Page 165.

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