



OFFICE OF THE
LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

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7/13/12 11 AM

Petitioner: Richard Helsel
Case No. 812A
Date Filed: June 4, 2012

The Littleton Board of Appeals conducted a public hearing on July 12, 2012 at the Shattuck Street Municipal Building on the petition of Richard Helsel for a special permit to construct a shed, or a variance from the side and rear setback requirements of Section 173-31 to permit an accessory structure on the property at 10 Maplehurst Drive, Littleton, Ma. Notice of the hearing was given by publication in the Littleton Independent, a newspaper published in Acton and circulated in Littleton and the Lowell Sun, a newspaper published in Lowell and circulated in Littleton on June 28, and July 5, 2012, and by mail to all abutters and parties in interest. Present and voting: Sherrill R. Gould, Chairman, William Farnsworth, Jeff Yates, and John Cantino, Members; and Marc Saucier, Alternate. Present and not voting were Alternates, Rod Stewart and Patrick Joyce.

The petitioner was requesting permission to replace 3 old metal sheds with one 20 x 12 framed wooden shed on his property at 10 Maplehurst Drive, Littleton, Ma. The Petitioner acknowledged that the shed had been built and was positioned 5.8 feet from the rear property line and approximately 8' from the side property line. He stated that because he was staying within the same footprint as was occupied by 3 metal sheds which had been there for decades and suffered storm damage in the Fall of 2011, he believed he was just replacing a damaged structure and did not require zoning relief. He stated that the prior footprint was 20 x 14. Petitioner showed sketches of the lot and the boundaries. The rear boundaries are denoted by set iron pins and he ran a line between them to obtain the measurements for the Board. He stated that his lot is only 4,000 square feet and his home has only 2 bedrooms and a living/kitchen combination with no basement, so additional storage is necessary. He demonstrated that his septic field lines are located between the house and the shed location so it would be impossible to move the shed significantly.

The building inspector submitted a letter stating that the construction had commenced prior to a building permit and that the assessor's office has not record of a shed on the property.

One abutter appeared in favor of the petition stating that it was a great improvement to replace the assorted sheds with one attractive, matching wood structure. Abutters to the rear objected to the proximity of the shed to the rear lot line, and one abutter commented that water from a sump pump would be diverted toward her home, which the Board advised was not a zoning matter. The neighborhood is consistently crowded with small lots, small homes and large sheds or other temporary coverings for automobiles and equipment incidental to residential use. The abutters admitted that there were sheds in existence on that location for decades.

FINDINGS: The Board found that the Petitioner satisfied the requirements for a variance, owing to the size of the lot, the size of the residence and the location of the underground septic improvements, and agreed there would be no substantial detriment to the neighborhood and no substantial derogation from the intent of the By-Law to grant the variance.

DECISION: The Board voted unanimously to GRANT a VARIANCE under Section 173-31 of the Littleton Zoning By-law to permit the shed as constructed, approximately 12' x 20' in size at the rear of the lot no closer than 5' to the rear lot line and no closer than 8' to the side line, at 10 Maplehurst Drive, Littleton, Ma.

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: 
Jeffrey Yates, Clerk

Dated: July 13, 2012
Book 48664, Page 97.

I hereby signify that twenty 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.

Date

True Copy Attest: _____
Town Clerk
Littleton, Massachusetts