



OFFICE OF THE
LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

received
5/24/11 10:15 AM

Petitioner: Scott and Carolina Rawa
Case No.: 791A
Date Filed: April 21, 2011

The Littleton Board of Appeals conducted a public hearing on May 19, 2011 at the Municipal Building, Shattuck Street, Littleton, MA on the Application of Scott and Carolina Rawa for an Approval of allowing an existing fence to be greater than 25 feet from the edge of a swimming pool at 54 Spectacle Pond Road under the Code of the Town of Littleton, Section 152-1. Notice was given by publication on May 5 and May 12, 2011 in the Littleton Independent, a newspaper circulated in Littleton, and by mail to all abutters and parties in interest. Present and voting were: Sherrill Gould, Chair, William Farnsworth, John Cantino, Jeff Yates, and Cheryl Hollinger, Members. Present and not voting were Rod Stewart and Alan Bell, Alternates.

Scott Rawa presented the application which included a deed for the property, a Certified Inspection Plan for 54 Spectacle Pond Rd Littleton MA, dated 9/23/98, and an untitled plot plan showing the house, pool and fence. The fence is dimensioned at 22' to 34' from pool edge. Mr. Rawa explained that the fence is less than 25' from the pool except when measured diagonally, as shown on the plan. The fence, once completed, will be in compliance with the requirements of the State Building Code for swimming pools. There were no persons in attendance in opposition or support to this application.

FINDINGS

The Board made the following findings:

1. Section 152-1 is in the Code of the Town of Littleton, a general code, not a zoning bylaw. The code section states; "... such fence or structure shall not be more than twenty-five (25) feet from the outside edge of the pool apron, unless otherwise approved by the Zoning Board of Appeals."
2. There is no supporting documentation as to the reasoning of the requirement.
3. The fence and house will provide safety barriers to the pool as required under the building permit and State Building Code.

DECISION

The Board voted unanimously to GRANT APPROVAL to the fence to be more than 25 feet outside the edge of the pool apron.

Signed Jeff Yates
Jeff Yates, Clerk

Date 5/24/2011

Deed Reference: Book 34933 , Page 113

I hereby signify the 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