



OFFICE OF THE
LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

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Petitioner: Peter Holscher
Property Address: 15 Adams Street, Littleton, MA
Case No: 788A
Date Filed: Sept. 20, 2010

The Littleton Board of Appeals (the "Board") conducted a public hearing on Oct. 21, 2010 at Shattuck Street Municipal Building, Shattuck Street, Littleton on the petition of Peter Holscher for a Variance pursuant to the Town of Littleton Zoning Bylaws Section 173-31 to allow the placement of a 8ft. x 12 ft. utility shed at 15 Adams Street, Littleton, MA. Notice of the hearing was given by publication in the Littleton Independent, a newspaper published in Acton and circulated in Littleton, on October 7 and 14, 2010, and by mail to all abutters and parties in interest. Present and voting were Sherrill Gould, Chair, William Farnsworth, John Cantino, Jeff Yates, Cheryl Cowley Hollinger, Members. Present but not voting were Rod Stewart, Marc Saucier and Alan Bell, Alternates.

The petitioner, Peter Holscher presented a modified plot plan (dwg C-644, dated April 6, 2010) showing the location of an 8ft x 12ft utility shed with setbacks of 2 ft. from the back and side of the lot. The Applicant chose this location as the rest of the lot is covered by the house, driveway and septic system. The shed is already in this location and is supported on cement blocks. He had been advised after he placed the shed that he required a building permit for it. His application for a building permit (229-10) was denied because of insufficient setbacks per 173-31 & 173-6(2) as shown in a letter dated Sept. 20, 2010 from the Building Commissioner, Roland J. Bernier. The applicant requested a variance to allow the shed to remain in its current location.

The following nonconformities were established: The structure does not meet minimum setbacks of 10 ft. from the side and back of the property.

One abutter was present and spoke out in favor of the variance as he felt that the shed and other betterments made to the property by the applicant had improved the neighborhood.

FINDINGS: The Board made the following findings:

1. The Board found that Petitioner met the burden of establishing his hardship because, of insufficient setback dimensions from the side and back of the lot. The lot is substantially covered by the house, driveway and new septic system leaving only a small (approx.. 10 ft. x 32 ft.) strip on land suitable for placement of a shed that would allow access to it.
2. The site is 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, a Variance under Section 173-31 of the Town of Littleton Zoning Bylaws to allow placement of a shed closer to the lot line than 10 feet, at 15 Adams Street. .

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: _____

Date: _____

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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