



Office of the
LITTLETON BOARD OF APPEALS
Littleton, Massachusetts 01460

received
3/13/08

Petitioner: Sherrill R. Gould, Trustee, Potter Realty Trust
Case No.: 740A
Address: 4 CEDAR RD., LITTLETON
Date Filed: February 1, 2008

The Littleton Board of Appeals conducted a public hearing on February 28, 2008 at the Shattuck Street municipal building on the petition of Sherrill R. Gould, Trustee of the Potter Realty Trust, for a variance under the requirements of the Littleton Zoning Bylaw, Section 173-27(B), to allow the joining of two abutting parcels to create two newly configured lots, none of which conform to the lot size requirements set forth in the Article. Notice of the hearing was given by publication in the Littleton Independent newspaper published in Acton and circulated in Littleton on February 14 and 21, 2008, and by mail to all abutters and parties in interest. Present and voting: William Farnsworth, John Cantino, Jeffrey Yates, Members; Marc Saucier, Rod Stewart, Alternates. Present and not voting was Cheryl Cowley-Hollinger. Present and recused was Sherrill Gould.

The petitioner is the Trustee of Potter Realty Trust, the owner of Parcel 65 (Assessors' map U17). It consists of approximately 4,500 square feet fronting on Lake Shore Drive. A residence on the site had previously been torn down, and the parcel was combined with Parcel 66, which fronts Lake Shore Drive and Cedar Road, and Parcel 67, which fronts Cedar Rd. These three parcels are presently owned as 4 Cedar Street. It is proposed that Parcel 65 be conveyed and joined with Parcel 64, which is known as 49 Lake Shore Drive. This parcel of approximately 2,700 square feet has an extremely limited area for septic expansion, for which purpose the subject parcel is to be used. The resulting parcel, delineated as Lot 2 in a plan prepared by R. Wilson & Associates, dated January 2, 2008, will consist of approximately 7,150 square feet. 4 Cedar Road, which would now consist of Parcels 66 and 67, and is delineated as Lot 2 on said plan, will consist of approximately 21,500 square feet.

The petitioner asked the Board to consider allowing a variance for Lot 1 and Lot 2. The hardship presented was one arising from the configuration of lots from an era prior to the present Zoning Bylaws and particularly to the present Board of Health requirements for septic system construction. The proposed Lot 1 will permit septic expansion, and not preclude such expansion on Lot 2. Additionally, the configuration of the parcels suggests such a configuration.

There were no objections from abutters present.

FINDINGS: The Board found that the petitioner had satisfied the requirements for a variance. The site is unique due to its configuration. The Board agreed that there would be no substantial detriment to the neighborhood and no substantial derogation from the intent of the Bylaw.

DECISION: The Board voted unanimously to GRANT A VARIANCE under Section 173-27(B) of the Littleton Zoning Bylaws to permit a variance for the joining of the above-described Parcel 64 to Parcel 65.

APPEALS, if any, may be taken 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: Julia Adam Date: 3/12/08
Julia Adam, Clerk, Littleton Zoning Board of Appeals

Book: B 46318
Page: P 360

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.

True Copy Attest _____ Date _____
Town Clerk, Littleton, Massachusetts