



OFFICE OF THE
LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

received
10/29/2020 12:30
Alice Giesen
Town Clerk

Petitioner: Joanne M. Attridge & Brock W. Holden
Property Address: 19 Colonial Drive, Littleton, MA
Case No: 951A
Date Filed: September 9, 2020

The Littleton Board of Appeals (the "Board") conducted a virtual public hearing on October 15, 2020 at 7:30 pm via the Zoom program hosted by Littleton Community Television, 37 Shattuck Street Municipal Building, Shattuck Street, Littleton on the petition of Joanne M. Attridge for a Variance pursuant to the Town of Littleton Zoning Bylaws Sections 173-31 to allow petitioner to build a storage shed on the southeast corner of the property located at 19 Colonial Drive, Littleton, Massachusetts. Notice of the hearing was given by publication in the Eagle-Independent, a newspaper published in Acton and circulated in Littleton, on September 18 & 25, 2020 and by mail to all abutters and parties in interest. Present and voting were Sherrill Gould, Chair, Cheryl Cowley Hollinger, Rod Stewart, Marc Saucier, and John Sewell, Members. Present but not voting were Jillian Shaw and Kathleen O'Connor, Alternates.

The petitioner, Joanne M. Attridge, presented the request for a variance to build an 8 x 10 storage shed on the southeast corner of the property, adjacent to the property line of two abutting neighbors, Nicholas and Michelle Faust, and Jim and Mary Drew, as well as a narrow slice of Town land. The plan proposed a setback of 2 feet from the property line shared with the Fausts and 6 feet from the property line shared with the Drews. As reasons wherefore, Petitioner stated that the proposed location of the shed was the only available place on the property, due, in part, to the leeching field of the septic system that occupied most of the open space in the yard, and to the topography of the property, including a steep slope on the west side of the property down to Colonial Drive and a steep slope on the north side of the property leading into a narrow, wooded area.

The abutting neighbors, Nicholas and Michelle Faust, and Jim and Mary Drew, provided written support to the petitioner's request for a variance. The Zoning Officer, Ed Mullen, took no issue with the variance request for setback relief under section 173-31.

FINDINGS: The Board made the following findings:

1. The Board found that the lot was unique in its topography and size with existing conditions limiting placement of the shed, that Petitioner satisfied the condition of hardship, and that the requested relief would not substantially derogate from the intent or purpose of the zoning bylaw.
2. The proposed 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 the construction of the proposed 8 x 10 shed substantially as shown on the plans presented with the Application, with the limitation that the shed be placed no less than 3 feet from the southerly property line and no less than 6 feet from the easterly property line.

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: Marc Saucier Marc Saucier, Clerk

Date: 10/29/2020

Book: _____, Page: _____

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