



OFFICE OF THE
LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

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7/3/19

Petitioner: SUSAN PAUL-SOUZA

Case No: 923A

Date Filed: May 10, 2019

The Littleton Board of Appeals conducted a public hearing on June 20, 2019 at 7:15 P.M. at the Shattuck Street Municipal Building, 37 Shattuck Street, Littleton, for a Variance or Special permit pursuant to Section 173-31 and Section 173-10B (2), to allow change or extension of a pre-existing non-conforming structure to allow a deck extension within the required rear setback on a non-conforming lot at 93 Matawanakee Trail, Littleton, Ma. Notice of the hearing was given by publication in the Littleton Independent, a newspaper circulated in Littleton, on May 31, and June 7, 2019, and by mail to all abutters and parties in interest. Present and voting: Sherrill R. Gould, Chairman, Jeff Yates, Cheryl Hollinger, Rod Stewart and Marc Saucier, Members. Present and not voting was John Sewell, Alternate.

The Petitioner requested permission to expand an existing deck in the rear of the property on her non-conforming lot. The lot is waterfront property on Lake Matawanakee and the deck would enhance their enjoyment of the property on the water side. The lot is nonconforming as to size 14,014 s.f., instead of the required 1 acre. The frontage is 75' instead of the required 150'. The side setback is 8' instead of 15' by variance granted in 2004; and the front setback is 15' as opposed to the required 30', granted by variance in 2001. The new proposed deck would be 12' x 15' in size instead of the current 5' x 15', and would create a rear setback to the water of only 10' instead of the required 15'.

The Applicant had an approval from the Conservation Commission for building close to the water. The lot is unique in that the rear setback is to the waterline and impacts no abutters to the rear, and it is a small lot limiting other locations for the deck.

The Building Inspector had no negative comments. Abutter letters in favor of the proposal were read into the record. The request is for a variance as new nonconformities are being created.

FINDINGS: The Board found that the lot was unique in its topography and size with existing conditions limiting placement and that the proposed location would not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

DECISION: The Board voted unanimously to GRANT a Variance to construct a deck approximately 12' x 15' no closer to the rear line than 10'.

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:

Sherrill L. Gould, Jr.

Date: 7/3/19

Book: 71743, Page 546.

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