



OFFICE OF THE
LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

received
12/6/19 11:11:44 AM

Petitioner: Noelle Cutler
Property Address: 30 Taylor Street
Case No: 936A
Date Filed: October 15, 2019

The Littleton Board of Appeals (the “Board”) conducted a public hearing on November 21, 2019 at Room 103 Littleton Town Offices, 37 Shattuck Street, Littleton, MA on the petition of Noelle Cutler for a Variance pursuant to the Town of Littleton Zoning Bylaws Section 173-31, Intensity of Use for the erection of an 8’ H fence within the front and rear setbacks. Notice of the hearing was given by publication in the Eagle-Independent, a newspaper circulated in Littleton, on October 25 and November 1, 2019 and by mail to all abutters and parties in interest. Present and voting were Jeff Yates, Vice Chair, Marc Saucier, Secretary, Cheryl Cowley and Rod Stewart, Members and Jillian Briggs Shaw Alternate. Present and not voting was John Sewell, Alternate. Sherry Gould, Chair and John Field, Alternate recused themselves.

Submitted with the application were the following materials:

- Letter dated October 15, 2019 from Noelle Cutler
- Engineered Site Plan with the proposed fence sketched showing proposed dimensions.
- Aerial view of property

The petitioner presented the issue before the Board. They propose an 8’H chain link fence for the purposes of dog containment. It will start no farther forward than the front left corner of the building and extend 30 feet to the left. This will be in the front setback. On the rear of the building it will start at the right rear corner and extend 6’ back to the existing property line along the railroad right of way and turn left and extend to the length of the front fence. These sections will be in the rear setback. The fence from front to back between these sections will be partially in the front and rear setback.

No Abutters were present.

FINDINGS: The Board made the following findings:

1. The fence is 8’ H and thus constitutes a structure and is greater height than presently allowed as of right. A variance is required because part of the fence is within the zoning prescribed setbacks.
2. The height of the fence panels are 8’, but the posts will extend above, not to exceed 4”.
3. 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 under Section 173-31 Intensity of Use under the Littleton Zoning Bylaws, a Variance to allow for an 8' H fence as described within the front, side, and rear setbacks of the subject property

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: 12/6/19

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I hereby certify 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: _____ *Print name* _____
Town Clerk, Littleton, Massachusetts

Date: _____