



Office of the
LITTLETON BOARD OF APPEALS
Littleton, Massachusetts 01460

received
9/20/14 11:20AM
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Petitioner: GS Holdings LLC – R. Douglas Shaw
Property Address: 270 Harwood Avenue
Case No: 836A
Date Filed: August 11, 2014

The Littleton Board of Appeals (the “Board”) conducted a public hearing on August 21, 2014 at the Littleton Town Offices, 37 Shattuck Street, Littleton, MA on the petition of GS Holdings LLC, R. Douglas Shaw, for a Variance pursuant to the Town of Littleton Zoning Bylaws Section 173-31 to allow the construction of a six (6) foot by thirty-four (34) foot front porch to be located less than the required thirty (30) foot front setback at 270 Harwood Avenue. Notice of the hearing was given by publication in the Lowell Sun, a newspaper circulated in Littleton, on August 7 and 14, 2014 and by mail to all abutters and parties in interest. Present and voting were Acting Chair, Vice Chair William Farnsworth, John Cantino, Jeff Yates, Members, and Marc Saucier and Alan Bell, Alternate Members. Present but not voting was Rod Stewart, Alternate.

Submitted with the application:

- Plot Plan titled “PROPOSED PLOT PLAN FOR PORCH ADDITION AT 270 HARWOOD AVENUE LITTLETON, MASS.” By R. Wilson Associates, dated August 19, 2014.
- Site Plan titled “SURFACE SEWAGE DISPOSAL DESIGN SITE PLAN by Markey & Rubin Civil Engineers, dated 10/25/13, revision #2 6/24/14.
- Certified List of Abutters from the Board of Assessors dated August 11, 2014

The petitioner, Doug Shaw, owner of GS Holdings LLC and owner of the property, presented the petition. Mr. Shaw states that there is a newly constructed house on the lot at approximately thirty-two (32) feet from the front property line. He proposes to construct a six (6) foot by thirty-four (34) foot farmer’s porch at the front which would encroach into the front setback. He, further, states that there are wetlands on the site as shown on the plans submitted. Mr. Shaw has worked with the Conservation Commission and the Board of Health in locating the house before construction. The original design was to have an “at-grade” stoop at the front entry. Mr. Shaw stated that the Conservation Commission requested that the house be “as far as possible from the wetlands”. He stated that no specific dimension was given. The sewage disposal site plan shows that the house is located forty (40) feet from the edge of the wetlands. Mr. Shaw indicated that the house could have been located closer to the wetlands, but wanted to keep it further from them. Mr. Shaw states that the lot is unique because of its shape and there are wetlands which restricted the location of the sewage disposal system and the house. Mr. Shaw states that the hardship is that he has a buyer who wants the farmer’s porch (as described above).

There were no town officials present, nor any comments submitted.

Mr. Patrick Joyce, abutter, spoke against the variance.

FINDINGS: The Board made the following findings:

1. The lot for 270 Harwood Avenue is in a Residential Zoning District.
2. The lot has 43,711 s.f. or area and has wetlands on a portion of the property.
3. The lot is unique in shape and has almost 400 feet of frontage.
4. The house was recently constructed by Mr. Shaw and located approximately 32 feet from the front property line, 2 feet further than the 30 foot required setback.
5. The location of the house was by Mr. Shaw's choosing. There was no definitive distance established by the Conservation Commission.
6. The hardship was self-created by Mr. Shaw, builder of the newly constructed house.
7. The proposed porch and encroachment into the front setback would be detrimental to the neighborhood.

DECISION: The Board voted unanimously to DENY the requested Variance for any structure to be located within the Front Setback as required by Section 173-31 of the Town of Littleton Zoning Bylaws.

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.

Signed: Jeff Yates Jeff Yates, Clerk

Date: 10 SEP 2014

Book: 62964, Page: 171

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 any appeal that has been filed has been dismissed or denied.

True Copy Attest: _____ *Print name* _____
Town Clerk, Littleton, Massachusetts

Date: _____