



OFFICE OF THE  
LITTLETON BOARD OF APPEALS  
LITTLETON, MASSACHUSETTS 01460

received  
5/24/11 DC  
10:15 AM

Petitioner: Amy L. Hilbert and Stephen P. Roach  
Case No.: 792A  
Date Filed: April 27, 2011

The Littleton Board of Appeals conducted a public hearing on May 19, 2011 at the Municipal Building, Shattuck Street, Littleton, MA on the Application of Stephen P. Roach and Amy L. Hilbert for an Approval of allowing an existing fence to be greater than 25 feet from the edge of a swimming pool at 81 Tahattawan Road under the Code of the Town of Littleton, Section 152-1. Notice was given by publication on May 5 and May 12, 2011 in the Littleton Independent, a newspaper circulated in Littleton, and by mail to all abutters and parties in interest. Present and voting were: William Farnsworth, Vice-Chair, John Cantino, Jeff Yates, and Cheryl Hollinger, Members and Rod Stewart, Alternate. Present and not voting was Alan Bell, Alternate.

Stephen Roach and Amy Hilbert presented the application which included a deed for the property, a Certified Inspection Plan for 81 Tahattawan Rd. Rd Littleton, MA, dated 1/16/04, a letter from Roland Bernier, Building Commissioner, Zoning Officer dated April 19, 2011 and copies of photos of the side and back yard and an existing fence. A swimming pool is proposed within the fenced area and to be greater than the 25 foot maximum allowed from the pool apron. The fence, once completed, will be in compliance with the requirements of the State Building Code for swimming pools. There were no persons in attendance in opposition or support to this application.

#### FINDINGS

The Board made the following findings:

1. Section 152-1 is in the Code of the Town of Littleton, a general code, not a zoning bylaw. The code section states; "... such fence or structure shall not be more than twenty-five (25) feet from the outside edge of the pool apron, unless otherwise approved by the Zoning Board of Appeals."
2. There is no supporting documentation as to the reasoning of the requirement.
3. The fence and house will provide safety barriers to the pool as required under the building permit and State Building Code.

#### DECISION

The Board voted unanimously to GRANT APPROVAL to the fence to be more than 25 feet outside the edge of the pool apron.

Signed Jeff Yates  
Jeff Yates, Clerk

Date 5/24/2011

I hereby signify the 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