



OFFICE OF THE
LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

received
June 15, 2023
K. M. Porep

Petitioner: JAMES CURRAN
Case No: 22-966
Date Filed: June 1, 2023

The Littleton Board of Appeals conducted a public hearing on June 15, 2023 at 7:10 P.M. at the Shattuck Street Municipal Building, 37 Shattuck Street, Littleton, for a Variance pursuant to Section 173-31, of the Littleton Zoning Code, to allow a privacy fence to be placed within the side setback at 236 Taylor Street, Littleton, Ma. Notice of the hearing was given by publication in the Lowell Sun, a newspaper circulated in Littleton, on June 1 and 8, 2023, and by mail to all abutters and parties in interest. Present and voting: Sherrill R. Gould, Chairperson, Cheryl Hollinger, Rod Stewart, and John Sewell, Members.

The Petitioner presented a proposal to erect an 8' high wooden privacy fence in his back yard along the common property line between his property and his neighbor's at 234 Taylor Street, Littleton, to provide a visual and ideally sound/odor buffer between the properties. The Petition described that the Petitioner's property is in a residential zone and the neighbor runs a marijuana cultivation facility next door. The facility has large commercial air handlers assembled near the common property line. The Petitioner had received a similar variance from this Board in 2022 and a fence was erected, but there are now additional obstacles which he would like obscured, so the request is to add approximately 104 linear feet to the fence in a more or less easterly direction toward the street. The property is unique in that the property to the south is commercial and other surrounding properties are residential, but the direct abutter conducts a business which is somewhat unsightly and generates noise and odor. No abutters appeared in opposition.

FINDINGS: The Board found that the lot was unique due to the nature of the commercial use along the entire common property boundary line, and that it would create a hardship for the Petitioner if he could not find privacy in his own yard. Further the desired relief was not detrimental to the neighborhood and would not substantially derogate from the intent of the zoning bylaw.

DECISION: The Board voted unanimously to GRANT a Variance from Section 173-31 to allow the construction of an 8' high retaining wall, along the property line (with no setback), approximately 104' in length, running from an area close to the existing fence easterly toward Taylor Street, with the finished side facing Petitioner's property.

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: _____

Date: June 1, 2023

JOHN SEWELL, CLERK

Book: 29253, Page 244.

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

