Zoning Board of Appeals  
December 19, 2019 7:15pm  
Littleton Town Offices  
37 Shattuck Street Room 103  
Littleton MA 01460  

Approved 2/13/2020  
Present: Sherrill Gould, Chair; Jeffrey Yates, Vice-Chair; Cheryl Cowley; Marc Saucier, Clerk; John Sewell; Rod Stewart; Kathleen O'Connor  

Absent: Jillian Shaw; John Field  

Chair Gould opened the meeting at 7:15pm  
Administrative Matters:  
- Minutes –  
  It was moved by Yates, seconded by Stewart, and voted unanimously to approve the minutes of November 21, 2019 as amended.  
- Bills were signed.  

7:19pm Case 937A  the petitioner Charles Bell seeks a variance pursuant to 173-167 for an express waiver of the 3 acres lot size requirement to be included in the overlay district for 474 Great Rd.  
This hearing was opened and voted to hear with the 7:25pm hearing for the same petitioner.  

7:25pm Case 925A, continued. The petitioner Charles Bell seeks an appeal of the decision of the Zoning Enforcement Officer dated April 2, 2019.  
It was moved by Cowley, seconded by Saucier and voted to continue the hearing for Case 937A until January 16, 2019 at 7:25pm.  
It was moved by seconded by Cowley and seconded by Yates to continue this hearing until January 16, 2019 at 7:30pm.  

7:25pm Case 938A The petitioner James Williamson seeks a variance pursuant to Section 173-31 Intensity of Use schedule for a reduced front setback at 11 Samoset Trail.  
Gould recused herself from the hearing because she had a financial interest in the case. Yates chaired the hearing. Sewell was the voting alternate.
James Williamson presented to the Board. He has reviewed previous minutes and saw that the Board grants variances frequently in this neighborhood.

Yates asked the Assistant Zoning Officer to give some background. Cobleigh stated the lot was recorded in 1945, and the setbacks use the zoning that were in effect at that time. The setbacks were 7500 sq ft area, 15' front, 8' side and rear setbacks. The zoning changed in 1953. The petitioner has already been granted special reduced setbacks through this zoning stipulation. The lot had been reviewed by Town Counsel and the lot determination established. Cobleigh stated that there was frequent correspondence regarding setbacks, telling Williamson to shift the house because there was not room for the steps. The Building Department was concerned with the steps but the applicant submitted a plan showing it would meet the setbacks. The building permit specifically stated that the steps needed to meet setbacks. Williamson said that the house is as far forward as it is to be the right distance from the septic. He indented the entranceway, hoping that would solve the problem. He hadn't anticipated the grade issue.

Ann Bower, 12 Samoset, said that the house is so close to the road and it is a "monstrous size and overwhelming to the neighborhood".

Karen White, 15 Samoset, stated that the house is enormous for the size of the lot. Yates stated said there is no limitation on the size of the house through Zoning enforcement, just on the setbacks.

The resident at 16 Nashoba Trail stated that this house is right on the road. Williamson knew months ago that the house is too close to the road, yet ignored it. The road was ripped up, and cost a fortune, and will never be the same. Williamson stated that he doesn't want to pay for the fill that would need to be brought in. It's his fault he didn't plan ahead.

James White, 15 Samoset, stated that his major concern is the size of the house and the proximity of the septic system to his property. The windows of the house look right into the White's home. The excavation ripped up their underground dog fence, which was 3' inside their property line. The Williamson family has a history of encroaching on neighbors. Cowley stated that if White's personal property was destroyed, the White's should call the police.

Yates stated that he thinks the grading and retaining wall is the appropriate solution. James White stated he's worried about run-off. Yates stated that he doesn't think the run-off will be an issue.

Resident of 23 Nashoba Trail asked how much fill is being considered. He believes that the fill can't be higher than the neighbor's yard.

23 Nashoba Trail, asked where the septic system will be located. It will be in the backyard. Yates said the Board of Health will address those issues.
Williamson said that he didn’t design anything because he was waiting to learn the Board’s decision. Yates stated that Williamson should design the least obtrusive steps possible, and stake the property so the neighbors can see where it would be. Williamson should get the neighbor’s input. The Board can’t grant a variance without a design.

Yates said he’s inclined to have the applicant bring in fill; he doesn’t think run-off is an issue. But he will defer to what the abutters want in this case.

It was moved by Sewell, seconded by Stewart and voted 5:0 to continue this hearing until January 16, 2020 at 7:40pm.

It was moved by Stewart, seconded by Cowley, and voted unanimously to adjourn the meeting.

Respectfully submitted by Janet Fairchild.