

**MINUTES
ZONING BOARD OF APPEALS
OCTOBER 16, 2013**

The meeting was held in Stow Town Building and began at 7:00 p.m. Board members present were Edmund Tarnuzzer, Michele Shoemaker, Charles Barney (associate), William Byron (associate) and Andrew DeMore (associate).

Habitech, Inc. – The members met to discuss the petition for variance of approx. 24,916 sq. ft. submitted by Habitech to allow a four-bedroom single-family dwelling on Parcel C Lane's End that contains 40,424 sq. ft. and 200-ft. frontage. Questions had been raised by members at the October 7th hearing if a variance could be granted to avoid a Chapter 40B application, as was suggested by the applicant. Town Counsel Jonathan Witten was contacted by e-mail in that regard, but there was no response.

Discussion ensued. It was felt that hardship, financial or otherwise, had not been demonstrated. The parcel in question is left over from the Lane's End subdivision and had been deemed unbuildable by the Planning Board. The applicant stated it was the intent to secure square footage from an abutter to add to the parcel, but that was not able to be accomplished. The members concluded that the "hardship" was self-imposed. It was suggested a reconfiguration of the subdivision could have produced a conforming Parcel C. There was doubt a Chapter 40B permit would be approved for this substandard lot.

Ms. Shoemaker moved that the Board deny the requested variance as presented by the applicant; second by Mr. DeMore. The vote was unanimous in favor.

The meeting was adjourned at 7:15 p.m.

Respectfully submitted,
Catherine A. Desmond
Secretary to the Board