

**MINUTES  
ZONING BOARD OF APPEALS  
NOVEMBER 3, 2014**

The meeting was held in Stow Town Building and began at 7:30 p.m. Board members present were Edmund Tarnuzzer, Michele Shoemaker, Charles Barney, William Byron, Bruce Fletcher and Andrew DeMore (associate).

**Donald & Sandra Herzog:** A public hearing was opened at 7:30 p.m. on the petition of **Donald and Sandra Herzog, 52 Wilkins Street, Hudson** for side yard variance of 13.5 feet under Section 4.4, "Table of Dimensional Requirements", to allow a garage replacement to be constructed 11.5 feet from the lot line of the portion of the property on **Gleasondale Road**. The subject portion contains 0.11 acre and is shown on Stow Property Map U-7 as Parcel 25.

Board members present: Edmund Tarnuzzer, Charles Barney, William Byron, Bruce Fletcher, Andrew DeMore (associate).

Mr. Tarnuzzer chaired and read the notice of public hearing as it had appeared in the *Beacon Villager* on October 16 and October 23, 2014. The hearing notice had been forwarded to all abutters by certified mail, return receipt. Abutter present was Judith Scraggs whose property is directly abutting. Mr. Tarnuzzer recited the criteria to be met for grant of variance.

Mr. Herzog was present and explained that the existing one-car garage is in disrepair, and he wishes to replace it with a two-car garage. The property is bisected by the Stow/Hudson town line, with the garage located entirely in Stow. Hudson requires only a 10-foot side yard in that zoning district, while Stow requires 25 feet. The septic system is located in the rear yard of the property. The garage will be two feet closer to the road than that existing and connected to a proposed breezeway between the dwelling and the garage for direct access at that point. The abutting property is a right-of-way to a large parcel owned by Donald and Judith Scraggs.

Ms. Scraggs was present and explained that the abutting 32-foot wide parcel is access to a four-acre parcel beyond that is unbuildable. It also provides right-of-way access to her brother's Hudson property. Ms. Scraggs displayed photographs of existing conditions showing old cars and other material, some of which may encroach onto her property. She was concerned about the appearance of the property with the cars and a lean-to shed. Mr. Herzog said he planned to remove the cars, either by placing them in the new garage or by sale and to remove the shed.

Asked why the garage could not be constructed on the other side of the house, Mr. Herzog cited drainage from the hill to the rear. Also, such a location is on the bedroom side of the dwelling and not convenient access.

The members spent a good amount of time reviewing the plans and material. It was decided to conduct a site visit on Thursday, November 6th, meeting at the Town Building at 9:00 a.m.

The hearing was closed at 8:15 p.m.

**Appointments:** At their meeting on October 28th, the Board of Selectmen voted to appoint the following associates to fill the vacancies on the Board:

Bruce E. Fletcher	To complete the vacancy expiring June 30, 2017
Charles A. Barney	To complete the vacancy expiring June 30, 2018
William F. Byron, Jr.	To complete the vacancy expiring June 30, 2019

There are now three associate positions left vacant. The Selectmen will advertise the vacancies in accordance with the provisions of the Charter.

**Election of Officers:** With a full board in place, it is now possible to elect a chairman and a clerk. On motion of Mr. Fletcher, it was voted four to one to elect Edmund Tarnuzzer as Chairman and unanimous to elect Michele Shoemaker as Clerk.

**Adjournment:** The meeting was adjourned at 8:20 p.m.

Respectfully submitted,  
Catherine A. Desmond  
Secretary to the Board