

**MINUTES
ZONING BOARD OF APPEALS
MARCH 2, 2015**

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

Jeffrey Fernandes: At 7:30 p.m. a public hearing was held on the application for Special Permit under Section 3.9 of the Zoning Bylaw, "Non-Conforming Uses and Structures", to allow addition of a second story to an existing 1,464-sq. ft. dwelling and carport at **32 South Acton Road**. The property contains 50,350 sq. ft. and is shown on Stow Property Map R-21 as Parcel 34.

Board members present: Edmund Tarnuzzer, Charles Barney, Michele Shoemaker, Bruce Fletcher and Andrew DeMore (associate).

Mr. Tarnuzzer chaired and read the notice of hearing as it had appeared in the *Beacon Villager* on January 15 and January 22, 2015. It was noted the original date of this hearing had been February 2nd, however there were postponements to February 9th and to March 2nd due to snowstorms. The hearing notice had been forwarded to all abutters by certified mail, return receipt. No abutters were present. Mr. Tarnuzzer recited the criteria to be met for grant of special permit.

Jeffrey and Stacey Fernandes were present and explained they had purchased the subject property with the idea of bringing it up to code for either themselves or another family. They currently reside in Littleton. The dwelling is in violation of current building codes in a number of ways, such as small windows that would not allow exit in the event of emergency. The kitchen and bath are outdated. The plan is to demolish the interior and reconfigure the space. A second story will be added, although not a full size second story. There will be three bedrooms on the second floor and one on the first floor. Square footage of first floor – 1,464; second story – 1,346. The proposed design will fit in with other dwellings in the neighborhood. The carport will be converted into a single-car garage. All of the proposed improvement will be accomplished on the same footprint. Mr. Fernandes acknowledged that Board of Health approval will be required for a four-bedroom dwelling.

The Board did not feel a site visit would be necessary as most were familiar with the property. The hearing was closed at 7:45 p.m.

Following the close of the hearing, the members briefly discussed the application. On motion of Mr. DeMore, second by Mr. Barney, it was voted unanimously to grant the Special Permit to allow addition of a second story to the existing dwelling at 32 South Acton Road and conversion of the carport to a single-car garage.

Villages at Stow: The Board had been in receipt of an e-mail from a resident of Villages concerning Habitech and suggesting that existing building codes had not been followed. The Board noted that the severe winter conditions, with over eight feet of snow in February, have contributed to roof problems with ice dams and leakage into dwellings. Mr. Tarnuzzer had spoken to Building Inspector Craig Martin about the complaint and will do so again before responding to the party.

Adjournment: The meeting was adjourned at 7:55 p.m.

Respectfully submitted,
Catherine A. Desmond
Secretary to the Board