

**MINUTES
ZONING BOARD OF APPEALS
NOVEMBER 7, 2005**

The meeting was held in Stow Town Building and began at 7:30 p.m. Board members present were Arthur Lowden, Edmund Tarnuzzer, Donald Dwinells, Michele Shoemaker (associate) and Lee Heron (associate).

George G. Cormier – The members discussed the plan for the proposed garage to be constructed fifteen feet from the westerly lot line at **130 Gleasondale Road**. The applicant had submitted a drawing for the two-car garage which would be two-stories, with a pitched roof, and no more than 28 feet in height. The plan showed elimination of a shed at the rear of the garage, as had been proposed originally. Mr. Tarnuzzer commented that the plan submitted will be that "of record" and on which a decision would be granted.

Mr. Tarnuzzer moved to grant a special permit to allow replacement of the existing porch with an approximately 12-ft. x 12-ft. two-story addition and construction of a two-car garage. Second by Mr. Heron. Vote was unanimous in favor.

Mr. Tarnuzzer moved to grant a westerly side yard variance of ten (10) feet to allow construction of a 24-ft. x 30-ft. two-car garage. Second by Ms. Shoemaker. Vote was unanimous in favor.

Weston A. Fisher – The public hearing was held in Stow Town Building and was opened at 7:45 p.m. on the application for Special Permit filed by **Weston A. Fisher, 200 Barton Road, Stow** under Section 3.9 of the Zoning Bylaw, "Non-Conforming Uses and Structures", to add an enclosed entry to the easterly side of the existing dwelling at said address. The property contains 11,480 sq. ft. and is shown on Stow Property Map Sheet U-2 as Parcel 26.

Board members present: Arthur Lowden, Edmund Tarnuzzer, Donald Dwinells, Michele Shoemaker (associate), Lee Heron (associate).

Mr. Lowden chaired and read the notice of hearing as it had appeared in the *Beacon Villager* on October 20 and 27, 2005. Notice of hearing had been forwarded to all abutters by certified mail, return receipt. No abutters were present. The requirements for grant of special permit were recited.

Mr. Fisher and his wife Shirley Burchfield were in attendance and accompanied by contractors William Evans and Wayne Jones. It is proposed to add an enclosed 8-ft. by 6-ft. entry to the kitchen access to serve as a draft baffle. Currently, one steps directly into the kitchen from outside. The structure will be supported by piers with steps down to grade.

The Board planned a site visit for November 15th. The applicant was to stake out the corners of the proposed entry.

The hearing was closed at 7:50 p.m.

Elsie S. Rodney – The public hearing was held in Stow Town Building and was opened at 8:00 p.m. on the application for Special Permit and petition for Variance filed by **Elsie S. Rodney, 30 Pine Point Road, Stow**. A special permit was sought under Section 3.9 of the Zoning Bylaw, "Non-Conforming Uses and Structures", to winterize a sunroom and add a deck with a walkway at the rear of the existing dwelling at said address. Variances were sought under Section 4.4, "Table of Dimensional

Requirements", for northerly side yard variance of 18.5 feet, a southerly side yard variance of approx. 11.6 feet and a rear yard variance of 30 feet to allow construction of a deck with a walkway. The property contains 10,620 sq. ft. and is shown on Stow Property Map U-1 as Parcel 8.

Board members present: Arthur Lowden, Edmund Tarnuzzer, Donald Dwinells, Michele Shoemaker (associate), Lee Heron (associate).

Mr. Lowden chaired and read the notices of hearing as they had appeared in the *Beacon Villager* on October 20 and 27, 2005. Notices of hearing had been forwarded to all abutters by certified mail, return receipt. John and Janet Kendra of 32 Pine Point Road were present. The requirements for grant of special permit and criteria for grant of variance were recited.

Ms. Rodney was in attendance and wishes to add a deck to the rear of the dwelling to provide a second means of egress that does not presently exist. The only exterior door is placed between the kitchen and the fireplace. The expanded deck, to wrap around the northerly side, will also provide more practical use of the property as the land slopes sharply toward the lake. The sunroom, or atrium, will be converted in its existing footprint to year-round use. It is currently very hot in the summer and cold in the winter. Conversion will also provide more useable space.

Mr. Lowden asked how far from the Rodney house is that at #28, owned by Simmons. The plan showed the Rodney house as 6.7 feet from the common lot line. Mr. Kendra estimated there was at least a twelve-foot side yard at #28. (Mr. Kendra returned to the meeting later with a drawing that indicated a distance of 28'-10" between the two dwellings.)

The Rodney dwelling was stated as being 30 feet by 33 feet; the atrium as 11 feet by 10 feet; the porch as 10 feet by 13 feet. The proposed deck will add 88 sq. ft. The deck will be no closer to the lot line with #32, but will be closer to #28.

Mr. Kendra supported the proposal and said there was hardship in that there is no second means of egress; the land slopes toward the lake with no usable rear yard; the sunroom currently has single-glass and is hot in summer and cold in winter. Ms. Rodney wishes to make the dwelling more livable and comfortable year-round.

The Board planned a site visit for November 15th and asked that the extension of the deck addition be staked.

The hearing was closed at 8:17 p.m.

Kent & Debra Seith – The public hearing was held in Stow Town Building and was opened at 8:20 p.m. on the application for Special Permit filed by **Kent and Debra Seith, 11 Hale Road, Stow** under Section 3.9 of the Zoning Bylaw, "Non-Conforming Uses and Structures", to allow the addition of a second story to the existing dwelling at said address. The property contains 5,540 sq. ft. and is shown on Stow Property Map U-5 as Parcel 32A-1.

Board members present: Arthur Lowden, Edmund Tarnuzzer, Donald Dwinells, Michele Shoemaker (associate), Lee Heron (associate).

Mr. Lowden chaired and read the notice of hearing as it had appeared in the *Beacon Villager* on October 20 and 27, 2005. Notice of hearing had been forwarded to all abutters by certified mail, return receipt. Abutters present Scott Abrutyn of 19 Hale Road and Catherine Hammill of 35 Hale Road. The requirements for grant of special permit were recited.

The applicants were in attendance. They wish to add a second story and an attic to the existing dwelling within the current footprint. The existing height of 16 feet will be increased to 27'-7". The second story will contain bedrooms that will be moved from the basement. The basement is damp and not suitable for bedroom use. The attic will be used for storage for which the basement is not practical due to the dampness. The front porch will be enclosed and converted into kitchen space.

The applicants included with the application photographs of other properties around in the neighborhood with heights comparable to that proposed. Mr. Aubrutyn said he had an experience similar to that of the Seiths.

The Board planned a site visit for November 15th.

The hearing was closed at 8:31 p.m.

Scott & Lisa Lilliott – The public hearing was held in Stow Town Building and was opened at 8:40 p.m. on the application for Special Permit filed by **Calheta Construction & Home Repair, P. O. Box 170, Westborough, Mass. on behalf of Scott and Lisa Lilliott, 65 Gates Lane, Stow** under Section 3.9 of the Zoning Bylaw, "Non-Conforming Uses and Structures", to allow the addition of a front porch and replacement of a rear screened porch and deck at said address. The property contains 40,130 sq. ft. and is shown on Stow Property Map R-10 as Parcel 26.

Board members present: Arthur Lowden, Edmund Tarnuzzer, Donald Dwinells, Michele Shoemaker (associate), Lee Heron (associate).

Mr. Lowden chaired and read the notice of hearing as it had appeared in the *Beacon Villager* on October 20 and 27, 2005. Notice of hearing had been forwarded to all abutters by certified mail, return receipt. Peter Mills of 66 Gates Lane was present. The requirements for grant of special permit were recited.

Mark Calheta and Mr. Lilliott were in attendance. It is proposed to replace the existing rear porch and deck that are in disrepair. They will be supported with footings and piers, and the deck will be extended to eliminate the current triangular configuration. The square footage of the deck will be increased slightly by adding 78 sq. ft. The plan showed the screened porch with enclosed storage beneath. It is proposed to add to the garrison colonial style dwelling a Farmer's Porch across about two-thirds of the front to be supported by pier footings. The current dwelling square footage was estimated at 2,496 with 306 sq. ft. to be added.

A site visit was planned for November 15th. Mr. Calheta was requested to stake out the extents of the proposed new construction.

The hearing was closed at 8:51 p.m.

Mark G. Werner – The public hearing was held in Stow Town Building and was opened at 9:00 p.m. on the application for Special Permit and petition for Variance filed by **Mark G. Werner, 217 Red Acre Road, Stow**. A special permit was sought under Section 3.9 of the Zoning Bylaw, "Non-Conforming Uses and Structures", to replace the existing 23-ft. x 40-ft. single-story section with a two-story structure on the same footprint at said address. A variance of approximately eight (8) feet was sought under Section 4.4, "Table of Dimensional Requirements", to allow a cantilevered window seat approximately 17 feet from the lot line in connection with replacement of the existing dwelling section. The property contains 1.2 acres and is shown on Stow Property Map R-31 as Parcel 49.

Board members present: Arthur Lowden, Edmund Tarnuzzer, Donald Dwinells, Michele Shoemaker (associate), Lee Heron (associate).

Mr. Lowden chaired and read the notices of hearing as they had appeared in the *Beacon Villager* on October 20 and 27, 2005. Notices of hearing had been forwarded to all abutters by certified mail, return receipt. Richard Mortenson of 226 Red Acre Road was present. The requirements for grant of special permit and criteria for grant of variance were recited.

Mr. Werner explained that the plan submitted, dated October 21, 1998, indicates a "new addition" that was added previously when it was not required that a special permit be sought. He proposes to remove the existing ranch style dwelling and replace it with a two-story structure. The house is in disrepair and will be taken down to the existing foundation. A deck will be added to the front with a porch to tie things together. The front of the house will come out three feet by twenty feet. The side yard variance is for a "bump-out" window seat to provide space for an eating area in the kitchen. The Board was to review the Zoning Bylaw as it relates to cantilevered situations to determine if a variance will be required in this instance.

A site visit was planned for November 15th, and the applicant was requested to stake out the extent of the proposed additions.

The hearing was closed at 9:14 p.m.

Site Visits – The Board members planned site visits to these properties on Monday, November 14th. (Note: Due to a conflict for a member, the site visits were rescheduled to Tuesday, November 15th commencing at 9:00 a.m.)

Adjournment – The meeting was adjourned at 9:20 p.m.

Respectfully submitted,
Catherine A. Desmond
Secretary to the Board