

**MINUTES
ZONING BOARD OF APPEALS
SEPTEMBER 11, 2006**

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

Elizabeth Mattison - The public hearing was held in Stow Town Building and was opened at 7:30 p.m. on the application for special permit filed by **Elizabeth Mattison, 468 Harvard Road, Stow** under Section 3.9 of the Zoning Bylaw, "Non-Conforming Uses and Structures", to allow replacement of the existing dwelling with a new dwelling on a different footprint at **124 Kingland Road**. Also filed was a petition for northerly side yard variance of seven (7) feet, rear yard variance of thirty-four (34) feet and front yard variance of approx. nineteen (19) feet under Section 4.4, "Table of Dimensional Requirements", in connection with the replacement dwelling. The property contains 4,989 sq. ft. and is shown on Stow Property Map U-4 as Parcel 1.

Board members present: Arthur Lowden, John Clayton, Edmund Tarnuzzer, Donald Dwinells and Michele Shoemaker (associate). Mr. Dwinells chaired and read the notices of hearing as they had appeared in the *Beacon Villager* on August 24 and 31, 2006. Hearing notices had been forwarded to all abutters by certified mail, return receipt. No abutters were in attendance. Mr. Dwinells recited the requirements for grant of special permit and the criteria to be met for grant of variance.

Ms. Mattison was present with builder Bob Woods. Also in attendance were Mr. Mattison's parents. Photos of the existing dwelling were displayed that showed a small summer cottage in disrepair and resting on unstable supports. The property was purchased a year ago with the intention of making repairs and renovations to bring it into livable condition. However, it was soon determined there is too much damage and rot. The plan is to demolish the structure and place a small modular cape style home on a slightly different footprint. A basement foundation will be constructed to accommodate heating equipment and utilities. It is proposed to replace the existing 40'x18' structure with one of 40'x24'. The one-story dwelling, with pitched roof, would have an elevation of no more than 25 feet or so. It is not planned to finish the second story attic area. The septic system passed a recent Title 5 examination and is approved for two bedrooms. There will be one full bathroom and a lavatory.

Mr. Woods has had experience with installation of modular homes and explained some of the finer aspects. He said that delivery of the modular is about six to eight weeks from order.

The Board planned a site visit for Thursday, September 14th and requested that the corners of the proposed new structure be staked.

The hearing was closed at 7:55 p.m.

Pulte Homes of New England - A request dated August 8, 2006 was received from Pulte Homes to extend for six months the variance granted by the Board following the September 12, 2005 hearing and recorded with the Town Clerk on October 3, 2005. The variance under Section 5.2.1.1.8 of the Zoning Bylaw, "Water Resource Protection District", was to exceed the maximum impervious requirement in connection with the proposed Arbor Glen Project (AAN) off Hudson Road. Massachusetts General Laws Chapter 40A, Section 10 authorizes the Board to grant a six-month extension of the variance if not exercised within one year. On motion of Mr. Clayton, second by Mr. Tarnuzzer, it was voted unanimously to grant the six-month extension from October 3, 2006.

Zoning Board of Appeals - September 11, 2006 - Page Two

Glenn Gershon - Notification was received from Town Counsel Jonathan Witten that he will represent the Board in Mr. Gershon's appeal to the Land Court of the Board's denial of side yard variance concerning the deck he constructed without a building permit at 76 Pine Point Road.

Adjournment - The meeting was adjourned at 8:15 p.m,

Respectfully submitted,
Catherine A. Desmond
Secretary to the Board