

**MINUTES
ZONING BOARD OF APPEALS
DECEMBER 8, 2006**

The members met at Stow Town Building at 9:00 a.m. for the purpose of conducting site visits to the properties that were the subject of public hearing on December 4th. Members present were John Clayton, Edmund Tarnuzzer, Charles Barney (associate), Michele Shoemaker (associate) and Lee Heron (associate).

35 Hale Road - Catherine & Glenn Hammill - The members were met by the petitioners who pointed out the proposed new location for the chicken coop and pen. The current location is at the rear corner of the property. The hens were in the pen and were quiet. It was observed that the coop is not permanently affixed to the ground but rather above ground on piers supported by concrete blocks. Mr. Hammill explained the coop is above ground to allow the hens shelter from hot weather. The proposed new location is away from the rear property line and closer to the way that is Hale Road, but separated by vegetation.

485 Great Road - Red Rover Dogs - The Board had initially intended to visit the former Whitney Homestead, however, one member had a time conflict. Additionally, the temperature was barely 20° with a near zero wind chill factor.

The Board returned to the Town Building at 9:25 a.m.

Catherine & Glenn Hammill - The Board questioned the necessity for variance as the chicken coop is not permanently attached to the ground and could be easily moved should that be desired. Mr. Tarnuzzer moved to deny the requested side yard variance as not being necessary. Second by Mr. Barney. The vote was unanimous in favor.

Red Rover Dogs - Lynn & Matthew Marx - The Board noted that a dog care, boarding and training facility is a permitted use in the residential district with a special permit from the ZBA. It was uncertain that a variance was required as the former Whitney Homestead is an existing structure. The requirement for 100-foot setbacks would apply to a new facility to be constructed. At this point, the members were inclined toward approval.

Mr. Heron moved to allow Mr. Tarnuzzer to draft for the Board's review and approval a decision granting a special permit. Second by Ms. Shoemaker. The vote was unanimous in favor.

Omnipoint - T-Mobile - It was noted the deadline for filing a decision concerning the requests for variance is January 31st. The hearing is continued to January 8th. A letter was to be forwarded to Attorney Brian Grossman requesting an extension for filing a decision with the Town Clerk to perhaps March 1st.

Adjournment - The meeting was adjourned at 10:05 p.m.

Respectfully submitted,
Catherine A. Desmond
Secretary to the Board