

MINUTES
ZONING BOARD OF APPEALS
APRIL 2, 2007

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

Weston C. Fisher - The public hearing was held in Stow Town Building and opened at 7:38 p.m. on the petition filed by **Weston C. Fisher, 202 Barton Road, Stow** for side yard setback variance of approximately thirteen (13) feet under Section 4.4 of the Zoning Bylaw, "Table of Dimensional Requirements", to allow construction of a deck approximately twelve (12) feet from the lot line at said address. The property contains 12,162 sq. ft. and is shown on Stow Property Map U-2 as Parcel 27.

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

Mr. Heron chaired and read the notice of hearing as it had appeared in the *Beacon Villager* on March 15 and 22, 2007. The hearing notice had been forwarded to all abutters by certified mail, return receipt. No abutters were present.

At this point the applicant, nor his representative, was present. The members considered the next step and determined that the applicant should be heard. Mr. Tarnuzzer moved to continue the hearing to the next regular meeting on May 14th. Before a second on the motion, the applicant's son and daughter-in-law appeared to represent Mr. Fisher (7:45 p.m.). Mr. Tarnuzzer withdrew his motion.

Mr. Heron recited the criteria to be met for grant of variance.

Weston Fisher explained that his father's bedroom at the northerly rear corner of the house does not have direct access to the outside, which concerns him in case of fire. The current access from the bedroom is via the front entrance or the stairway to the lower level. The proposed extension of the existing deck to the northerly corner adjacent to the bedroom and the addition of a four-foot wide deck toward the subject side lot line would provide the desired access via a door from the bedroom. The new deck would have a stairway to the rear yard at the southerly corner. It was explained that the site selected for the stairway would not intrude upon the driveway as it would if placed at the other end.

The Board planned a site visit for Thursday, April 5th at 9:00 a.m.

The hearing was closed at 7:51 p.m.

Andy Weijer & Danielle DeTora - The public hearing was held in Stow Town Building and opened at 7:52 p.m. on the petition filed by **Andy A. Weijer and Danielle DeTora, 216 Taylor Road, Stow** for front yard setback variance of seventeen (17) feet under Section 4.4 of the Zoning Bylaw, "Table of Dimensional Requirements", to allow construction of a two-car attached garage with playroom above thirteen (13) feet from the lot line at said address. The property contains 70,921 sq. ft. and is shown on Stow Property Map R-7 as Parcel No. 3.

Board members present: Edmund Tarnuzzer, Donald Dwinells, Richard Martin (associate), Michele Shoemaker (associate), Lee Heron (associate)

Zoning Board of Appeals
April 2, 2007 - Page 2

Mr. Heron chaired and read the notice of hearing as it had appeared in the *Beacon Villager* on March 15 and 22, 2007. The hearing notice had been forwarded to all abutters by certified mail, return receipt. No abutters were present. Mr. Heron recited the criteria to be met for grant of variance.

The applicants were present. They propose to construct a 29-foot wide by 23-foot deep two-car garage addition to the existing house with a playroom above. There is currently no garage on the property. Other locations for the garage had been explored, but that proposed is the most practical at the end of the driveway and adjacent to the kitchen entrance. The garage would provide storage space that is not possible in the damp fieldstone basement. A portion of the new front entrance to the house via the garage would accommodate a mudroom with a stairway leading to the playroom above. The applicants wish to provide a play area for their two active sons. The height of the garage addition will be 25'-9", the same as the existing house. There will be no access to the new area from the second story of the house, and it is not planned to install a bathroom.

The garage will extend toward what is shown on the plan as Baum Drive, a private way. The applicants were not aware of its existence until the survey. Because the subject property is a corner lot, under Section 4.3.2.6 of the Zoning Bylaw the front yard setback requirement of thirty feet applies.

The Board planned a site visit for Thursday, April 5th. The applicants were requested to indicate the corners of the proposed garage.

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

Omnipoint Communications - T-Mobile USA - The Board was in receipt of a FAX and letter dated March 27th from Attorney Brian Grossman extending the date for filing of the Board's variance decision from March 28th to April 25th. Mr. Tarnuzzer signed the acknowledgement of receipt provided for return to Mr. Grossman. The status of the application for special permit before the Planning Board was to be explored.

Adjournment - The meeting was adjourned at 8:25 p.m.

Respectfully submitted,
Catherine A. Desmond
Secretary to the Board