

MINUTES
ZONING BOARD OF APPEALS
MAY 14, 2007

The meeting was held in the Stow Town Building and began at 7:30 p.m. Board members present were Arthur Lowden, John Clayton, Edmund Tarnuzzer, Charles Barney (associate) and Lee Heron (associate).

Scott Wilson - The public hearing was held in Stow Town Building and opened at 7:30 p.m. on the petition filed by **Scott Wilson, 32 Dunster Drive, Stow** for rear yard setback variance of approximately twenty-four (24) feet under Section 4.4 of the Zoning Bylaw, "Table of Dimensional Requirements", to allow construction of a 40-ft. by 59.5-ft. garage addition approximately sixteen (16) feet from the lot line at said address. The property contains 50,644 sq. ft. and is shown on Stow Property Map R-5 as Parcel 52.

Board members present: Arthur Lowden, John Clayton, Edmund Tarnuzzer, Charles Barney (associate), Lee Heron (associate).

Mr. Tarnuzzer chaired and read the notice of hearing as it had appeared in the *Beacon Villager* on April 26 and May 3, 2007. The hearing notice had been forwarded to all abutters by certified mail, return receipt. Abutter William Avery of 50 Dunster Drive was in attendance. Mr. Tarnuzzer recited the criteria to be met for grant of variance.

Mr. Wilson explained that his hobby is collecting cars, some of which are temporarily stored at the rear of the property, and he wishes to put them under cover. The proposed addition would be an extension off the rear of the existing barn. It will be 26 feet high from ground to roof peak, and no higher than the barn or the existing dwelling. Access via overhead doors is planned at the front and right rear side. There will be no heat or plumbing within the new structure. Mr. Wilson stated there is no commercial intent in the proposal.

Mr. Avery, the abutter to the rear of the Wilson property, said he had no objection to the proposal. Immediate abutter Joseph Fleming was said to also have no objection.

The members planned a site visit for Thursday, May 17th. The petitioner was requested to indicate the corners of the proposed structure.

The hearing was closed at 7:40 p.m.

Mark Donovan - The public hearing was held in Stow Town Building and opened at 7:50 p.m. on the petition filed by **Mark Donovan, 14 Cardinal Court, Stow** for rear yard setback variance of thirty-nine (39) feet from the fifty-foot requirement of Zoning Bylaw Section 8.5.7.2., "Planned Conservation Development", to allow construction of a swimming pool eleven (11) feet from the lot line at said address. The property contains 22,460 sq. ft. and is shown on Stow Property Map R-25 as Parcel 2A-9.

Board members present: Arthur Lowden, John Clayton, Edmund Tarnuzzer, Charles Barney (associate), Lee Heron (associate).

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Mr. Tarnuzzer chaired and read the notice of hearing as it had appeared in the *Beacon Villager* on April 26 and May 3, 2007. The hearing notice had been forwarded to all abutters by certified mail, return receipt. No abutters were in attendance. Mr. Tarnuzzer recited the criteria to be met for grant of variance.

Mr. and Mrs. Donovan were present and stated they wish to install a swimming pool to be placed within the fifty-foot setback requirement of the Planned Conservation Development and eleven feet from the rear lot line that backs up to the common open land of the development. The location is the only one feasible for the pool as the well is at the left-hand rear corner with accompanying line to the dwelling. The right-hand rear corner of the lot is reserved for septic field expansion. They did not believe there would be impact to any abutter. The plan showed four-foot fencing around the pool area to be on the rear lot line.

The Board planned a site visit for Thursday, May 17th. The petitioners were requested to designate the outline of the proposed swimming pool.

The hearing was closed at 8:00 p.m.

Omnipoint Communications - T-Mobile USA - The Board was in receipt of a letter from Attorney Brian Grossman extending the date for filing the Board's variance decision from May 25th to June 29th. Information is the Planning Board has come to a decision on T-Mobile's application for special permit for a cell tower within the First Parish Church belfry, however, the written decision has yet to be filed with the Town Clerk.

Affordable Housing Meeting - A memo was received from the Board of Selectmen concerning the intention to conduct on June 12th or 26th a joint boards meeting of the Housing Authority, Housing Partnership, Planning Board and Board of Appeals to discuss strategy and process regarding the Town's affordable housing efforts. Discussion ensued. The Board decided to decline involvement as it wishes to retain its impartiality should a proposal for affordable housing come before it in the future.

Adjournment - The meeting was adjourned at 8:20 p.m.

Respectfully submitted,
Catherine A. Desmond
Secretary to the Board