

**JEAN McCORD**  
**APPLICATION FOR SPECIAL PERMIT**  
**OCTOBER 1, 2007**

The public hearing was held in Stow Town Building and opened at 7:30 p.m. on the application filed by **Jean McCord, 44 Hudson Road, Stow** for Special Permit under Section 3.2.2.5 of the Zoning Bylaw, "Residential District Uses", to allow a dog kennel in the dwelling at **132 South Acton Road**. The property contains 1,059,815 sq. ft. and is shown on Stow Property Map R-20 as Parcel 42B.

Board members present: John Clayton, Edmund Tarnuzzer, Donald Dwinells, Michele Shoemaker, William Byron (associate).

Ms. Shoemaker chaired and read the notice of hearing as it had appeared in the *Beacon Villager* on September 13 and 20, 2007. The hearing notice had been forwarded to all abutters by certified mail, return receipt. Abutters present were Anthony Piso, 204 West Acton Road and Judith Sondey, 233 West Acton Road. Ms. Shoemaker recited the requirements for grant of special permit.

Ms. McCord was present with spouse Bruce Fletcher. Mr. Fletcher read a public disclosure statement, a copy of which had been filed with the Town Clerk. Noting his service to the Town in several capacities and the recent appointment as associate to this board, and the fact that the property in question is jointly owned by both, he wished to dispel the impression that there may be a conflict of interest. There is no expectation of special consideration for either of them, and he requested the Board afford none.

Ms. McCord said the proposed kennel area will be in the basement of the dwelling. There will be door off the driveway for access to the area by dog owners. The plan showed a play area to the rear of the house with six-foot fencing. The kennel business at 44 Hudson Road will be moved to the South Acton Road location. The closest abutting house was said to be about 700 feet away. Town conservation land surrounds much of the property. Ms. McCord said there is currently a mix of 20 to 22 dogs for short periods of time and overnight with variations during the year. That custom would not change. There are no plans to hire assistants. The operation will be exactly the same as currently. The play area will be about 50'x100' and will follow the topography of the land.

The Board was in receipt of a letter from the Conservation Commission suggesting that the outdoor run and fencing may require a permit from that body. It was requested the applicant show on the plan the location of the wetlands and buffer zone. Mr. Fletcher presented an additional plan on which wetlands are shown. The proposed play area will be over 100 feet from the edge of wetlands. He will ensure that the fencing is not within any wetlands area. A Notice of Intent application had been filed with the Commission for the dwelling construction. If necessary, it could be amended with regard to the fencing.

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Mr. Tarnuzzer inquired if there were any Board of Health concerns. Ms. McCord replied that board has not had concern to this point and is aware of the kennel license. Currently, she collects droppings, double-bags and disposes with household refuse.

Anthony Piso of 204 West Acton Road expressed concern with barking. Ms. McCord responded that dogs are screened before acceptance. If one is considered a nuisance, it is not accepted. Normal barking at play time is allowed during daytime hours. Dogs are brought inside after dark. She stated she was not tolerant of barking. In the fifteen years of operation on Hudson Road, there has not been a single complaint. In fact, some neighbors were unaware there were dogs at the address.

The Board planned a site visit for Friday, October 5 at 8:30 a.m.

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

Respectfully submitted,  
Catherine A. Desmond  
Secretary to the Board