

MINUTES
ZONING BOARD OF APPEALS
MARCH 12, 2009

The members met at Stow Town Building at 9:05 a.m. for the purpose of discussing the petition for variance heard on March 2nd and the application for special permit heard on February 2nd and continued to March 2nd filed by Charles and Leslie Bell of 3 Forest Road. Members present were Edmund Tarnuzzer, Michele Shoemaker, Richard Martin (associate), Charles Barney (associate) and Bruce Fletcher (associate).

The proposal was to use an existing barn as a stable for horses. The property adjoins that of the Bell parcel and is owned by Andrew and Eve Fischer as part of their property at 6 Sudbury Road. Decisions had been drafted by Mr. Tarnuzzer and forwarded to Town Counsel Jon Witten for review and comment.

Discussion ensued. It was noted there are contradictions in the zoning bylaw as regards situations such as this. If this had been a commercial venture, there would have been no need for this process, as it would have been considered agriculture under Mass. General Law. The Planning Board has proposed an amendment to Section 3.2.2.5 of the bylaw for the May town meeting warrant, but there was doubt it would, as drafted, properly address the issue.

Mr. Fletcher moved to grant the special permit and the variances. Second by Ms. Shoemaker. The vote was unanimous in favor of granting the special permit and the variances and to accept the decisions as drafted by Mr. Tarnuzzer and reviewed and amended by Town Counsel.

The meeting adjourned at 9:20 a.m.

Respectfully submitted,
Catherine A. Desmond
Secretary to the Board