

S & F ADVENTURES, LLC/FRANK PATTERSON
APPLICATION FOR SPECIAL PERMIT
JANUARY 3, 2011

The public hearing was held in Stow Town Building and opened at 7:30 p.m. on the application filed by **Frank Patterson for S & F Adventures, LLC, 18 Great Road, Stow** for Special Permit under Section 3.9 of the Zoning Bylaw, "Non-Conforming Uses and Structures", to allow construction of a 37'3" x 20'9" addition to the rear of the existing building at said address. The property contains 42,500 sq. ft. and is shown on Stow Property Map R-29 as Parcel 54.

Board members present: Edmund Tarnuzzer, Charles Barney (associate), Lee Heron (associate), Bruce Fletcher (associate), Andrew DeMore (associate).

Mr. Tarnuzzer chaired and read the notice of hearing as it had appeared in the *Beacon Villager* on December 16 and 23, 2010. The hearing notice had been forwarded to all abutters by certified mail, return receipt. Abutters present were Paulette Boudrot, 12 Great Road and Frederick Dodge, 9 Hastings Street. Mr. Tarnuzzer recited the requirements to be met for grant of Special Permit.

Mr. Patterson was present and said he wishes to construct an addition to the rear of the existing building to house a paint spray booth in connection with his auto body repair facility. Eco-friendly paints will be used that require drying conditions different from those with chemical-based products.

Referring to the submitted plan, Mr. Tarnuzzer noted that setback requirements are not met at the westerly lot line nor from the rear lot line, shown as 22'6" and 38'0" respectively. A variance was not petitioned from the required 25-foot and 40-foot setbacks. He was asked if the dimension of the proposed addition could be reduced to meet setback requirements. Mr. Patterson indicated it could. He noted the existing building is not square with Great Road as it was under construction while the former structure was still in use.

The roof of the addition will be an extension of the existing roofline and no higher. There will be no additional exterior lighting and no new signage. Construction material will be identical to that existing, and there will be no windows. Paint drying will be via a downdraft system as opposed to the present that exhausts through the roof. The current spray painting operation will continue as will the offsite location in the building below the road westerly. Mr. Patterson said that eventually all paint spraying will become eco-friendly as regulations change.

Mr. Fletcher was to check into the status of the property as it relates to the Water Resource Protection District overlay. The existence of a vernal pool behind the lower building was mentioned, but Mr. Patterson said that had not been a concern with the 2003 Special Permit application. He said he was in full compliance with the terms of that Special Permit decision. The number of vehicles under repair has not exceeded the permitted forty. There will be no added paving.

Paulette Boudrot of 12 Great Road, a direct abutter, expressed concerns about noise from the repair operation when the overhead doors are open. She commented that the metal building may tend to exacerbate the noise level. She has been attempting to resolve the problem with Mr. Patterson, but to no avail. Mr. Patterson responded that noise is a product of auto body repair. The building is air conditioned, but the doors are sometimes open in the mild weather. He has considered building a buffer berm with plantings on the property line with Ms. Boudrot. As to the addition, that operation can function only with the doors closed.

Frederick Dodge of 18 Hastings Street, a direct abutter to the rear, verified that noise from the operation and machinery can be heard with the open doors. He also noted the odor of chemicals. He inquired into grading after construction and runoff and questioned whether a higher berm would make a difference toward noise abatement. He suggested that the Building Inspector visit the property to record the noise level.

Mr. Patterson responded that the project will have to comply with all setback requirements. If a Special Permit is granted, he will then submit a full set of plans in order to obtain a building permit. Mr. Tarnuzzer advised that conditions to address abutter concerns could be included with the grant of a Special Permit.

A site visit was planned for Saturday, January 8th at 9:00 a.m., weather permitting.

The hearing was closed at 8:10 p.m.

Respectfully submitted,
Catherine A. Desmond
Secretary to the Board