

**MINUTES
ZONING BOARD OF APPEALS
AUGUST 1, 2011**

The meeting was held in Stow Town Building and was opened at 7:30 p.m. Board members present were Edmund Tarnuzzer, Charles Barney (associate), William Byron (associate), Bruce Fletcher (associate) and Andrew DeMore (associate)

William Blake

The public hearing was held in Stow Town Building and opened at 7:30 p.m. on the application for Special Permit filed by **William Blake, 44 Davis Road, Stow** under Section 3.9 of the Zoning Bylaw, "Non-Conforming Uses and Structures", to allow addition of a 14-ft. by 24-ft. deck at an existing dwelling at said address. Also filed was a petition for Variance under Section 4.4, "Dimensional Requirements", as follows: five (5) foot easterly side yard, ten (10) foot westerly side yard, and thirty (30) foot rear (lakeside) yard. The property contains 34,100 sq. ft. and is shown on Stow Property Map U-4 as Parcel 53.

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

Mr. Tarnuzzer chaired and read the notices of hearing as they had appeared in the *Beacon Villager* on July 14 and July 21, 2011. The hearing notices had been forwarded to all abutters by certified mail, return receipt. There were no abutters in attendance. Mr. Tarnuzzer recited the criteria to be met for grant of variance and the requirements for special permit.

William Blake was present with his contractor, Richard Cullen. An Order of Conditions was issued by the Conservation Commission in May. Photos were presented of the area where the proposed deck will be constructed. There is a slope to the lake edge that makes it virtually impossible to set up a chair or other furnishings. The dwelling is over 100 years old, and the Blake family has lived there 32 years. There are no other dwellings closer than 200 feet so the deck will not be intrusive. Mr. Blake stated that the water level is about as high as it normally reaches. Access to the deck will be via the basement level of the dwelling. Holes for supports will be hand dug, and surplus soil will be hauled away.

The Board members planned a site visit for Thursday, August 4th. Mr. Cullen was asked to stake out the corners of the proposed deck.

The hearing was closed at 7.53 p.m.

Task Force for Comprehensive Permit Policy - The Board of Selectmen has requested a volunteer to serve as representative on a task force to update the Comprehensive Permit Policy Statement of the Selectmen dated December 18, 2002. It was noted that the ZBA has not, in the past, become involved in zoning bylaw amendments, policy, etc., that might reflect or have an influence on business that could come before the Board in its capacity as a quasi-judicial body. Mr. Byron had volunteered to attend as the Board's representative.

Discussion ensued. Mr. Byron reported he had attended several meetings but there was no quorum. It appears there are at least two members of the task force that have knowledge and understanding of the Selectmen's previous policy. Mr. Byron advised that at this point he felt more comfortable to continue as an observer and not as a voting member appointed by the Board. This could be reviewed at a later date.

Adjournment - The meeting was adjourned at 8:15 p.m.

Respectfully submitted,
Catherine A. Desmond
Secretary to the Board