



**Town of Stow**  
**BOARD OF APPEALS**  
Stow, Massachusetts 01775-2127

**NOTICE AND DECISION OF PERMIT GRANTING AUTHORITY**

Applicant: **Stow Elementary School Building Committee**

Address: 380 Great Road, Stow, Mass.

Premises Affected: **403 Great Road, Stow** shown on Stow Property Maps U-9 and U-10 as Parcels 44 and 9 respectively containing 827,952 sq. ft. (approx. 19.01 acres)

Special Permit Requested: A Special Permit is sought under Section 7.2.3.1 of the Zoning Bylaw, "Parking Regulations", to allow a reduction of 49 parking spaces from the 149-space requirement of the Bylaw.

At a duly posted public hearing held on March 1, 2010 and continued to April 5, 2010 at Stow Town Building, the following information and facts were considered:

1. Based upon a projected teacher/staff population of 65 people and a total capacity of the gymnasium of 416 people, the Bylaw requires 149 lined parking spaces.
2. Discussions among School Building Committee and the School Department staff, determined that 100 parking spaces would provide sufficient parking to accommodate the full-time staff as well as Pre-K drop-off, part-time teachers, volunteer parents and potential daytime visitors to the school.
3. Additional unlined parking will be allowed along the shoulder of certain parts of the driveways.

The Board has made a review of the plans submitted on February 2, 2010 with particular emphasis on the locations of the proposed parking areas. The Board has made the following mandatory findings that the proposed reduction of lined parking spaces from 149 to 100 will be

1. "in harmony with the purpose and intent of this Bylaw;
2. "will not be detrimental or injurious to abutting properties or ways, the neighborhood, community amenities or the Town of Stow;
3. "is appropriate for the site for which the petition is submitted and is related harmoniously to the terrain and to the use, scale and proportions of existing and proposed buildings in the immediate vicinity that have functional or visual relationship to the proposed use;

4. "is in conformance with the remaining subsections of 9.2.6 of the Bylaws."

Pursuant to Massachusetts General Laws Chapter 40A, after referring to the application for Special Permit, the following decision has been made by the Stow Board of Appeals as hereby certified after the public hearing.

The Board, by unanimous vote of the five members present, VOTES TO GRANT A SPECIAL PERMIT under Section 7.2.3.1 of the Zoning Bylaw, "Parking Regulations", to allow a reduction of 49 parking spaces from the 149-space requirement at said address, subject to the following conditions:

1. Construction to be essentially in conformance with the documents and plans that were discussed at the hearing and that are on file with the Board.
2. Compliance with conditions set by other boards and departments is required.

The Board has complied with all statutory requirements in the granting of this Special Permit. Two copies of this decision together with copies of the application for special permit, site plans, other plans and records have been filed with the Town Clerk. A detailed record of the proceedings, setting forth the reasons for the decision, shall be filed within fourteen (14) days with the Town Clerk and shall be a public record. Copies of this decision have been or will be mailed to all parties, persons and boards as required by Chapter 40A, Sections 11 and 15.

This Special Permit shall lapse within two (2) years unless substantial use or construction has commenced. In the case of a permit for construction, if construction has not begun by such date, except for good cause (Mass. General Laws Chapter 40A, Section 9).

Any appeal from this decision shall be made pursuant to Massachusetts General Laws Chapter 40A, Section 17 and must be filed within twenty (20) days after the decision has been filed with the Town Clerk

*Richard Leonard*  
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*William Ryan*  
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*Cecilia J. White*  
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*Charles A. Brown*  
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April 23, 2010  
Received and filed  
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*Donald E. Hartman*  
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Town Clerk of Stow