

**MARTIN FRENCH
PETITION FOR VARIANCE
APPLICATION FOR SPECIAL PERMIT
OCTOBER 2, 2017**

The public hearing was held in Stow Town Building and opened at 8:15 p.m. The petition for Variance and application for Special Permit were filed by **Martin French, 151 Barton Road, Stow**. A Special Permit was sought under Section 3.9 of the Zoning Bylaw, "Non-Conforming Uses and Structures", to allow a 22-ft. x 18-ft. addition to the existing workshop at said address. A side yard Variance of 17.8 feet was sought under Section 4.4, "Table of Dimensional Requirements". The property contains 20,095 sq. ft. and is shown on Stow Property Map U-2 as Parcel 13A.

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

Mr. Tarnuzzer chaired and read the notices of hearing as they had appeared in the *Beacon Villager* on September 14 and 21, 2017. He recited the criteria to be met for grant of special permit and variance. The hearing notices had been forwarded by certified mail, return receipt, to all abutters. Those abutters present were Ron Ham, 168 Barton Road; Catherine Cantin, 164 Barton Road; Mary House, 145 Barton Road; Lee McNeil, 150 Barton Road; Cindy Curley, 166 Barton Road.

Steve Poole of Lakeview Engineering Associates provided the Board with a map of the property and detailed the location of the existing workshop and proposed extension, noting that the Variance request is due to one side yard setback. The applicant would like to add a garage to an existing detached workshop. Steve Poole said that 151 Barton Road is a small lot adjacent to Lake Boon, and that he believes the extension can meet the Town's concerns with traffic volume, as there would be no increase in traffic. Steve Poole said that this section of Barton Road is at full width, and that the width narrows at the Hudson town line. Steve Poole said that this application is for a residential garage in a residential neighborhood, and that as the area is not currently landscaped, there would be no change in screening. The location was selected to avoid the septic system, underground utilities, and well, and to provide for a 10 foot separation between structures per Fire Department requirements.

Edmund Tarnuzzer asked that the proposed addition couldn't fit in another part of the lot. Steve Poole said that is correct.

Charles Barney asked if the existing workshop is two stories. Martin French said that it is.

Mark Jones asked why the proposed addition can't be joined to the existing building. Steve Poole said it is because of underground utilities and well access, and that the Fire Department has asked for at least 10 feet between buildings.

Mark Jones noted that to grant a Variance, there must be an outstanding circumstance related to the soil conditions or topography of the site, substantial hardship to the landowner, and no detriment to the public good. Mark Jones said that he believes those required findings don't apply to this issue.

Martin French responded that to attach the garage, thereby nullifying the need for a Variance, he would need to tear down the wraparound porch, which would incur an added expense, and would require more clearing.

William Byron asked about the need for the garage. Martin French said that the workshop currently only has parking space for one vehicle to work on, and that the workshop services expensive vehicles. Martin French noted that 164 Barton Road may have been granted a Variance for a similar application.

Lee McNeil expressed support of the Variance.

Mary House noted that the proposed extension would be 7.5 feet from the property line. As the direct abutter, Mary House expressed concern that a structure so close to her property could impact its value or future use.

The Board discussed their interest in continuing the public hearing and conducting a site visit.

On motion of Mr. Jones, second by Mr. Barney, it was voted unanimously to continue the public hearing until November 6, 2017.

At 8:40, the public hearing was continued until November 6, 2017.

Respectfully submitted,

Valerie Oorthuys

Martin French
Petition for Variance
Application for Special Permit
October 2, 2017