

**STEPHEN QUINN**  
**APPLICATION FOR SPECIAL PERMIT**  
**OCTOBER 2, 2017**

The public hearing was held in Stow Town Building and opened at 8:30 p.m. to hear the application filed by **Stephen Quinn, P. O. Box 187, Stow** for Special Permit under Section 3.9 of the Zoning Bylaw, "Non-Conforming Uses and Structures", for change of use to allow a contractor operation in the existing structure at **43-45 Crescent Street**. The property contains approx. 1.5 acre and is shown on Stow Property Map U-10 as Parcel 29.

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

Mr. Tarnuzzer chaired and read the notice of hearing as it had appeared in the *Beacon Villager* on September 14 and 21, 2017. He recited the criteria to be met for grant of special permit. The hearing notice had been forwarded by certified mail, return receipt, to all abutters. Those abutters present were Charles Lewis, 53 Crescent Street; Edmond Piecewicz, 58 Crescent Street.

Edmund Tarnuzzer said that the Zoning Board of Appeals had previously upheld the Building Inspector's finding that no Special Permit was needed for the change in nonconforming use. Their decision was appealed in Superior Court, which ruled that a Special Permit is required. Edmund Tarnuzzer said that Steve Quinn now seeks a Special Permit for a change in nonconforming use.

Steve Quinn said that he operated Quinn Electric on Crescent Street, and that the space is used as an office and shop for the electrical contracting company. Steve Quinn detailed the intensity of use, saying that his employees arrive in the morning to take a company van to do off-site work, and come back in the evening to drop off the van. Hours of operation are Monday through Friday, from 7am to 5pm. Steve Quinn said that he typically works in the Crescent Street space on Saturday mornings to complete paperwork, and deliveries are typically shipped to the job site rather than the office. Steve Quinn said that he does not receive mail at Crescent Street, but rather uses a post office box.

Edmund Tarnuzzer said that section 9.2 of the Zoning Bylaw requires compliance with Site Plan Approval in conjunction with the Special Permit process, though Site Plan Approval may not be as complex with this application as required for a larger project. Barbara Carboni, Town Counsel, agreed and said that the Board would need to consider the application in conjunction the materials for Site Plan Approval, and suggested that the members of the public in attendance should comment tonight, but the Board may continue the Public Hearing to allow the applicant to gather materials to submit for Site Plan review.

Mark Jones asked about signage at the business. Steve Quinn said that there is a permitted sign at the site.

Mark Jones asked about the lighting at the business. Steve Quinn said that the lighting has not changed since the business located at the site 4 years ago.

Bruce Fletcher asked about the business that was at the location prior. Charles Lewis said that it was an auto detail shop, and added that as an abutter, he supports Quinn Electric.

Edmond Piecewicz expressed his opposition to the Board granting a Special Permit, based on the Table of Principal Uses in the Zoning Bylaw. Edmond Piecewicz said that he cannot locate where this specific use is listed in the table, and believes this is expressly disallowed. Edmond Piecewicz said that because a site plan was not submitted, issues concerning screening and setbacks aren't able to be discussed.

David Swarovski, of 117 Barton Road, asked why the electrical contracting business would not be allowed if the building had housed businesses in the past. Barbara Carboni, Town Counsel, said that the business located at Crescent Street before Quinn Electric was allowed to operate because it was a pre-existing non-conforming use, however the Court advised that a Special Permit is required in order to authorize a change in use from an automotive use to electrical contracting. The Zoning Board of Appeals has to ensure that it complies with the Special Permit guidelines.

The Board discussed the need to continue the Public Hearing in order to give the applicant sufficient time to submit a site plan.

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

At 9:25, the hearing was continued until November 6, 2017.

Respectfully submitted,  
Valerie Oorthuys