

Zoning Board of Appeals  
Minutes  
April 5, 2018

A meeting of the Zoning Board of Appeals (ZBA) was held at the Stow Town Building, 380 Great Road, Stow, Massachusetts on April 5, 2018 at 7:03 pm.

Members Present: Edmund Tarnuzzer, Charles Barney and Bill Byron

Associate Members: Mark Jones and Andrew DeMore

Absent: Bruce Fletcher and Associate Members Ruth Kennedy Sudduth and Lee Heron

Also Present: Town Counsel Barbara Huggins

The meeting was called to order at 7:03 pm.

**Deliberations – Habitat for Humanity Comprehensive Permit, Pine Point and Sudbury Roads**

Members reviewed the updated draft Decision Dated March 24, 2018 result of the previous meeting deliberations.

Section 6 (Plan References) – It was agreed to remove the reference to a phasing plan, as it does not exist.

Section 8 (Board’s response to submission of plans or documents) - It was agreed to change the timeline for the Board to provide a written response to the applicant from 30 days to 45 days.

Section 18.B – (Site Plan fully compliant with Sections 4.4 -4.17 of the Site Plan Rules and Regulations) – Members agreed to remove the reference to a curb cut permit, as it is common practice for the permit to be issued by the Highway Department.

Section 18.D - Members discussed if it is reasonable to require the applicant to provide a timeline for commencement of construction and completion of the proposed duplex (including infrastructure, utilities, and landscaping), given it is not something that is typically required. Members agreed that the requirement is not unreasonable, given the complexity of the site.

Waiver from Board of Health Well Regulations - Members discussed the waiver of requirement of twenty (20) foot setback from a Structure and agreed to add a statement that the Applicant's engineer stated that they will be able to access the well after the dwelling is up.

Mark Jones moved that the Zoning Board of Appeals approve the Application of Habitat for Humanity and Grant the Comprehensive Permit as described in the draft document as amended. The motion was seconded by Andy DeMore and carried by a vote of three in favor (Ed Tarnuzzer, Mark Jones and Bill Byron) and 2 opposed (Charles Barney and Andy DeMore).

Charles Barney said he as objected to the proposal all along. Andy DeMore stated that he has many concerns about the proposed project including protection of the environment, budget, safety and the proposal is basically not compatible with the site. Bill Byron stated his vote is with trepidation.

Town Counsel Barbara Huggins will prepare the final decision for endorsement by the board.

#### Adjournment

At 8:30 pm, Andy DeMore moved to adjourn the meeting. The motion was seconded by Charles Barney and carried by a unanimous vote (Ed Tarnuzzer, Bill Byron and Charles Barney and Associate members Mark Jones and Andy DeMore).

Respectfully submitted,  
Karen Kelleher, Secretary