

14 JUL 30 PM 12:41 MINUTES OF THE PUBLIC HEARING
SUDBURY BOARD OF APPEALS
Monday, July 21, 2014

The Board consisted of:

Benjamin D. Stevenson, Chair; Jonathan F.X. O'Brien, Clerk; Jonathan G. Gossels; Jeffrey P. Klofft; and Nicholas B. Palmer, Associate.

ZBA Chairman Benjamin Stevenson explained the requirements necessary to substantiate the granting of a Special Permit. He said that if anyone is not satisfied with the Board's decision, they have the right to appeal to Superior Court or Land Court within twenty days after the decision has been filed with the Town Clerk, and that possible other appeals may exist under current law.

Jason Parillo of Back Bay Sign was present on behalf of the applicant, Gravestar, Inc., to request a free-standing, pole-mounted sign for the plaza entrance at Nobscot Road. Mr. Parillo explained that relief of the sign bylaw was being sought because that boundary of the property facing Nobscot Road did not have enough frontage, the individual tenant panels were each a few inches shorter than the bylaw required, and he also wanted to remove the address requirement since the entrance was on Nobscot Road rather than Boston Post Road which could potentially confuse drivers. Mr. Parillo added that the sign on the pole was twelve feet high. The existing lights would be removed and replaced with more streamlined lighting.

Mr. Parillo had reviewed the proposed sign with the Design Review Board. The ZBA was in receipt of a letter of support from DRB Chairman Dan Martin dated July 8, 2014.

Mr. Gossels said that the proposed sign was an improvement over the old one. He approved of the directory panels and felt the design was tasteful.

Mr. Klofft asked about the colors that were to be used for the sign. Mr. Parillo said that they would match the charcoal brown background and yellow text of the existing Plaza sign at the Boston Post Road entrance.

Mr. Gossels wanted it noted for the record that the ZBA appreciated the work that the DRB had done in their review of the sign and the cooperation between the applicant and DRB to modify the proposal accordingly.

Mr. Stevenson felt that the frontage issue was not problematic.

Building Inspector Mark Herweck asked Mr. Parillo if the pole that was to be re-used was structurally sound now that it was older. Mr. Parillo did not know the condition but said that he could have an engineer inspect it.

Mr. Stevenson asked whether any neighbors were present who wished to speak. Sally Hild, 206 Nobscot Road, said that she would have a view the sign from her property across the street and felt that the design was a great improvement. She also did not have any concerns about the new lighting, the effects of which would be minimal and contained.

There were no further comments from the Board or audience. The hearing was closed.


The following motion was made and seconded:

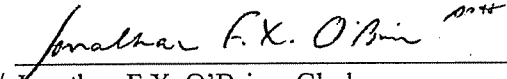
MOTION: "To grant Back Bay Sign for Gravestar Incorporated, applicant, and Marion G. Mugar c/o Gravestar Incorporated, property owner, a Special Permit under the provisions of Section 3290 of the Zoning Bylaw, to allow a freestanding sign to replace an existing sign on a lot having less frontage than the bylaw allows, property located at 523 Boston Post Road, Limited Business District 2, provided that:

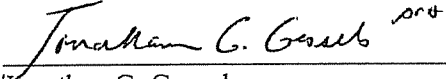
1. The signs will be sized and installed in the location as submitted on plans at the public hearing which are incorporated into and made part of this Special Permit.
2. An engineer will evaluate the quality and condition of the sign post.
3. The sign shall conform to Sudbury's Lighting Bylaw. Illumination shall be maintained at a sufficiently low intensity and brightness so that it shall not affect the safe vision of operators of vehicles moving within the premises or on any adjacent public or private ways.
4. No portable A-frame signs or banners shall be allowed on the site."

VOTED: In favor: 5 (Unanimous) Opposed: 0

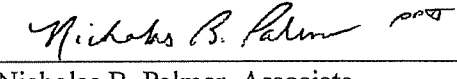
REASONS: The petitioner requires a special permit to replace an existing sign on a lot having less frontage than the bylaw allows. The applicant has met with the Design Review Board and incorporated their suggestions. The Board finds that the signs will not be a detriment to the surrounding area and will not alter the character of the zoning district which is Limited Business District 2.


Benjamin D. Stevenson, Chair


Jonathan F.X. O'Brien, Clerk


Jonathan G. Gossels


Jeffrey P. Kloff


Nicholas B. Palmer, Associate

SUDBURY ZONING BOARD OF APPEALS
MINUTES
July 21, 2014

The Board consisted of: Benjamin D. Stevenson, Chair; Jonathan F.X. O'Brien, Clerk; Jonathan G. Gossels; Jeffrey P. Klofft; and Nicholas B. Palmer, Associate.

MEETING OF THE ZONING BOARD OF APPEALS

ZBA Chairman Ben Stevenson called the meeting to order at 7:50 p.m.

Review of Landscape Plan for Comprehensive Permit #11-27, B'nai B'rith, 189 Boston Post Road, The Coolidge at Sudbury: Project Manager Holly Grace was present to request an adjustment to the planting plan that the Zoning Board originally approved as part of the Comprehensive Permit process (ZBA Case #11-27). Approval was contingent upon screening of the parking area with a combination of evergreen trees and flowering species to add color to the site. Three hawthorn trees had been included in the original landscape plan. In the spring of 2013 B'nai B'rith met with the Design Review Board and it was determined that dogwoods would be a heartier species than hawthorns and would be longer-lasting. Ms. Grace asked that the ZBA consider the change insubstantial.

For reference the Board had in its possession the approved landscape plan dated December 14, 2012 revised on February 14, 2013 and again on March 21, 2013. Trees identified as hawthorns would be changed to dogwoods.

Mr. Gossels commended the DRB and the applicant on their cooperation to determine what would be appropriate for the site. There were no concerns raised about the landscaping from other members of the Board.

Mr. Palmer asked about the screening of headlights as cars faced out from the site into the Landham Crossing development across the street and across Boston Post Road and Landham Road. Ms. Grace said that the parking plan was approved during permitting and the landscaping should shield it. In addition there is a large berm that would further block the headlights.

A motion was made to deem as insubstantial the request to change the species of the three trees as outlined in a letter dated July 1, 2014 from Susan Gittelman, Executive Director for CCC Post Road Limited Partnership. The motion was seconded and unanimously approved.

Other business:

After the public hearing, the Board met with John Riordan for an informal discussion about Mr. Riordan's interest in becoming a candidate for the Associate Board. Mr. Riordan explained his qualifications and the Board invited him to attend the September ZBA meeting to see other cases to further determine whether he may be interested in joining the Board of Appeals.

There being no further business the meeting was adjourned at 8:30 p.m.

Benjamin D. Stevenson, Chair

Jeffrey P. Klofft

Jonathan F.X. O'Brien, Clerk

Nicholas B. Palmer, Associate

Jonathan G. Gossels