

MINUTES
SUDBURY BOARD OF APPEALS
TUESDAY, AUGUST 22, 2006

The Board consisted of:

Jeffrey P. Klofft, Acting Chairman
Jonathan G. Gossels, Acting Clerk
Stephen M. Richmond
Constantine Athanas
Jonas D.L. McCray, Associate

Sudbury Meadows Comprehensive Permit – Case 05-19
Request for Amendment to Waivers
Present: Lou Mountzoures – Pari Holdings LLC

Mr. Mountzoures was present to request an amendment to the Dimensional Requirements, Paragraph 1, pages 5 and 6 of the Comprehensive Permit as well as an amendment to Paragraph 4, page 8, Rules and Regulations Governing the Subsurface Disposal of Sewage.”

These waivers are requested in accordance with M.G.L., Chapter 40B, 760 CMR 31:03(3) for a determination by the Board as to whether the requested changes are substantial or insubstantial.

The Board was in receipt of the requested changes to the dimensional requirements which Mr. Mountzoures said were the result of some notation errors in setbacks on the plans. The units will not change in size or position.

With regard to the subsurface disposal section, Mr. Mountzoures noted that the requested changes are for clarification only. He said the shared septic system has been installed and inspected at the development.

The Board was also in receipt of a memo dated August 18, 2006 from Jody Kablack, Planning Director which recommends approval of the requested waivers and that they be deemed insubstantial.

The Board agreed that the requested changes are insubstantial. The following motion was placed and seconded:

MOTION: “It is the determination of the Board of Appeals that the changes to the Sudbury Meadows Comprehensive Permit are deemed to be insubstantial and are incorporated into the permit as follows:

Pages 5 & 6 - Section III – Exceptions – Lots 1 through 8 - shall be amended to read as follows:

- Lot 1: Minimum lot area from 40,000 sq. ft. to 8,008 sq. ft.
Minimum lot frontage from 180 feet to 48 feet.
Minimum front yard setback from 40 feet to 26 feet.
Minimum side yard setback from 20 feet to 9 feet on north property line
- Lot 2: Minimum lot area from 40,000 sq. ft. to 5,180 sq. ft.
Minimum lot frontage from 180 feet to 44 feet
Minimum front yard setback from 40 feet to 12 feet
Minimum side yard setback from 20 feet to 9 feet on both sides.
Minimum rear yard setback from 30 feet to 24 feet.
- Lot 3: Minimum lot area from 40,000 sq. ft. to 6,299 sq. ft.
Minimum lot frontage from 180 feet to 39 feet.
Minimum front yard setback from 40 feet to 18 feet.
Minimum side yard setback from 20 feet to 8 feet on north, 9 feet on south.
Minimum rear yard setback from 30 feet to 9 feet.
- Lot 4: Minimum lot area from 40,000 sq. ft. to 6,841 sq. ft.
Minimum lot frontage from 180 feet to 36 feet.
Minimum front yard setback from 40 feet to 19 feet.
Minimum side yard setback from 20 feet to 6 feet on west, 7 feet on east.
Minimum rear yard setback from 30 feet to 23 feet.
- Lot 5: Minimum lot area from 40,000 sq. ft. to 6,951 sq. ft.
Minimum lot frontage from 180 feet to 36 feet.
Minimum front yard setback from 40 feet to 23 feet.
Minimum side yard setback from 20 feet to 8 feet on west and east sides.
Minimum rear yard setback from 30 feet to 18 feet.
- Lot 6: Minimum lot area from 40,000 sq. ft. to 8,096 sq. ft.
Minimum lot frontage from 180 feet to 35 feet.
Minimum front yard setback from 40 feet to 18 feet.
Minimum side yard setback from 20 feet to 8 feet on north, 9 feet on south.
Minimum rear yard setback from 30 feet to 25 feet.
- Lot 7: Minimum lot area from 40,000 sq. ft. to 4,949 sq. ft.
Minimum lot frontage from 180 feet to 53 feet.
Minimum front yard setback from 40 feet to 13 feet.
Minimum side yard setback from 20 feet to 9 feet on north and south sides.
Minimum rear yard setback from 30 feet to 21 feet.
- Lot 8: Minimum lot area from 40,000 sq. ft. to 8,835 sq. ft.
Minimum lot frontage from 180 feet to 47 feet.
Minimum front yard setback from 40 feet to 25 feet.
Minimum side yard setback from 20 feet to 9 feet on north.

Page 8 – Rules and Regulations Governing the Subsurface Disposal of Sewage shall be amended by adding the following:

Section X requires a variance to utilize a shared septic system. Applicant shall comply With all Title V requirements.

All other requirements of this permit shall remain in full force and effect.

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

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The meeting was called to order by the Acting Chairman, Mr. Klofft.

Continue Public Hearing
Griffin & McManus – 684 Boston Post Road – Case 06-34

The public hearing was further continued to September 12, 2006

Continue Public hearing

Omnipoint Communications – 578 Boston Post Road – Case 06-36

The public hearing was further continued to September 12, 2006

Miscellaneous Agenda Items

Board agreed to schedule its next Annual Meeting for January 2007.

It was also agreed to bring to the attention of the Planning Director the need for a bylaw amendment to rectify those special permits granted before the bylaw recodification which now are no longer addressed in the bylaw.

There being no further business the meeting was adjourned.

Jeffrey P. Klofft, Acting Chairman

Jonathan G. Gossels, Acting Clerk

Stephen M. Richmond

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