



Town of Sudbury

Zoning Board of Appeals

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MINUTES

DECEMBER 9, 2019 AT 7:30 PM

LOWER TOWN HALL, 322 CONCORD ROAD, SUDBURY, MA

Members Present: Chair John Riordan, Jonathan Gossels, Frank Riepe, Nancy Rubenstein, Associate, David Booth, and Associate Jennifer Pincus

Members Absent: Clerk William Ray

Others Present: Director of Planning and Community Development Adam Duchesneau and Building Inspector Andrew Lewis

Mr. Riordan opened the public hearing at 7:32 PM by noting the presence of a quorum. Mr. Riordan asked Mr. Booth to sit in place of Mr. Ray who was absent from the meeting. Mr. Riordan then asked Mr. Booth to read the legal notice as published in the newspaper into the record, which noted the following Zoning Board of Appeals applications and opened all of the public hearings listed below.

Mr. Riordan noted the requirements for Special Permits and Variances as discussed in the Zoning Bylaw.

Public Hearing, Case 19-32 – Mustang Development Advisors, Inc., Applicant, and Judith Farrell, Owner, seek a Special Permit under the provisions of Sections 2460B and 6200 of the Town of Sudbury Zoning Bylaw to construct an approximately 3,050 square foot single-family dwelling which exceeds the total floor area of the original pre-existing nonconforming structure at 16 Oakwood Avenue, Assessor's Map F04-0304, Single Residence A-1 Zoning District

Alex Hathaway and Michael Jarvis were present to discuss the application with the Zoning Board of Appeals. Mr. Hathaway noted they were the current owners of the property as they had closed on the property in November. He indicated they intended to do a full rehabilitation of the property and the plan was to maintain the foundation of the property, remove the roof, and make significant alterations. Mr. Hathaway stated they were looking to increase the structure upward and outward, including a 24 foot by 27 foot garage. Currently the building was a three bedroom dwelling, but they were hoping to implement a new septic system and potentially add another bedroom.

Mr. Riordan asked questions regarding the number of existing and proposed bedrooms, and their locations.

Mr. Riepe expressed concerns about the scale and massing of the proposed new dwelling as it related to the surrounding neighborhood, and asked for the roof pitch to be lowered.

Mr. Riordan supported the proposal to lower the pitch of the roof in order to reduce the overall look of the massing of the building from the street. He noted the project complied with the requirements of the

Zoning Bylaw, but also pointed out the new proposal should fit into the existing character of the neighborhood.

Mr. Jarvis spoke to the visual conditions of the proposed project and noted the vegetation in the surrounding area would help to provide scale for the new building.

Ms. Pincus inquired about tree retention and removal on the property. Mr. Hathaway indicated a number of trees on the property would be removed but the vegetation along the rear property line would be retained.

Mr. Gossels stated he felt the proposed building was very large, indicated the tall pines would not provide a lot screening, and expressed concerns about the massing of the proposed dwelling.

Mr. Riordan inquired about the Applicants' experience with these types of development proposals and Mr. Hathaway noted they wanted to be respectful to the surrounding neighborhood. Mr. Hathaway then elaborated on the public outreach they had conducted as part of this proposal.

Mr. Riordan noted there were no members of the public present who wished to speak to the proposal.

Ms. Pincus recommended altering the windows on the front façade to be more consistent with the more standard size windows on other portions of the building.

Mr. Jarvis clarified the dormers on the front façade would simply be overlay dormers on the roof and would not provide any additional habitable or usable space. He stated the dormers were simply exterior aesthetic architectural elements.

Mr. Gossels stated he did not understand the addition of this inaccessible space or what it added to the overall design. He expressed concerns these spaces would simply be inviting locations for animals.

Discussion ensued regarding alterations to the proposed roof pitch, dormers, and sizes of window. There was also discussion regarding possibly adding windows on each end of the attic space to allow the space to be more usable.

Mr. Riordan recommended the Applicants take in the comments from the Board, process them, and return with revised plans to the Board's next meeting.

Mr. Jarvis requested the roof pitch not be lowered any further than a 10:12 pitch.

There was then a discussion regarding the various permits which would be required for the project to move forward.

Mr. Riepe requested the roof pitch and height be lowered, and perhaps the gable size over the garage be reduced as well.

Ms. Rubenstein requested the Applicants look at reducing the size of the dormers' volume and height.

Mr. Gossels made a motion to continue the public hearing to January 6, 2020 at 7:30 PM. Mr. Riepe seconded the motion. The vote was unanimous, 5-0.

Approval of Meeting Minutes for October 7, 2019, November 4, 2019, and December 2, 2019

Mr. Riepe made a motion to approve the minutes of December 2, 2019. Mr. Gossels seconded the motion. The vote was unanimous, 5-0.

Ms. Rubenstein made a motion to approve the minutes of October 7, 2019 and November 4, 2019. Mr. Booth seconded the motion. The vote was unanimous, 5-0.

Meeting Schedule for 2020

The Board discussed and determined they would prefer to adjust the proposed meeting dates in June, July, and November by pushing them back one week.

Mr. Booth made a motion to approve the Zoning Board of Appeals 2020 Hearing Schedule and Application Deadlines as amended. Ms. Rubenstein seconded the motion. The vote was unanimous, 5-0.

Administrative Report

Mr. Riordan asked Mr. Duchesneau to provide an update on the status of the Stone Tavern Farm self-storage facility development proposal and where things stood with the Planning Board. Mr. Duchesneau indicated the project had obtained Site Plan approval, a Stormwater Management Permit, and a Water Resource Protection Overlay District Special Permit from the Planning Board in September.

Mr. Riordan noted the Planning Board was working on a proposed Inclusionary Zoning Bylaw amendment for the May 2020 Annual Town Meeting. Mr. Duchesneau provided an overview of the intent and content of this proposed Zoning Bylaw amendment. Mr. Riordan stated the Zoning Board of Appeals should follow this proposed amendment closely as there could potentially be appeals of decisions which could result in applications coming before the Board.

Lastly, Mr. Riordan indicated the Town had closed on the Camp Sewataro property and there was an outstanding legal question as to whether the Town would have to apply to renew the Special Permit to operate a day camp at the property. Mr. Riordan requested this item be added as a discussion topic for the Board's January 2020 meeting.

Mr. Gossels made a motion to adjourn the meeting. Mr. Riepe seconded the motion. The vote was unanimous, 5-0. The meeting was adjourned at 9:37 PM.