



# Town of Sudbury

## Zoning Board of Appeals

appeals@sudbury.ma.us

Flynn Building  
278 Old Sudbury Road  
Sudbury, MA 01776  
978-639-3387  
Fax: 978-639-3314  
www.sudbury.ma.us/boardofappeals

### MINUTES

OCTOBER 5, 2020 AT 7:00 PM

### VIRTUAL MEETING

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

**Members Absent:** None

**Others Present:** Director of Planning and Community Development Adam Duchesneau and Planning and Zoning Coordinator Beth Perry

Mr. Riordan opened the meeting at 7:01 PM by noting the presence of a quorum. Mr. Riordan asked Mr. Ray 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.

**Continued Public Hearing, Case 20-24 – Sudbury Historical Society, Applicant, and the Town of Sudbury, Owner, seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 3280, 3290, and 6200 of the Town of Sudbury Zoning Bylaw to erect new freestanding signage at 288 Old Sudbury Road, Assessor's Map H09-0062, Single Residence A-1 and Water Resource Protection Overlay Zone III Zoning Districts, and the Old Sudbury Historic District**

Stewart Hoover, on behalf of the Applicant and owner, was in attendance to discuss the application with the Zoning Board of Appeals. He explained the purpose for needing two signs, one at the front and one at the rear of the building.

Mr. Hoover indicated the sign for the rear of the building had been approved by the Historic Districts Commission and the Design Review Board. He noted he would be returning to the next Historic Districts Commission meeting with revised plans for the front sign.

Mr. Riordan asked if the Design Review Board had approved the size, color, and material of the sign. Mr. Hoover stated the color had never come up at past meetings as an issue.

There was discussion regarding the location for the proposed rear sign as well as its angle in terms of its visibility for cars in the parking lot.

The Board found the use was in harmony with the general purpose and intent of the Zoning Bylaw.

The use is in an appropriate location, is not detrimental to the neighborhood, and does not significantly alter the character of the zoning district.

The Board also found adequate and appropriate facilities would be provided for the proper operation of the proposed use.

The proposed use would not be detrimental or offensive to the adjoining zoning districts or neighboring properties due to the effects of lighting, odors, smoke, noise, sewage, refuse materials, or other visual nuisance.

The Board found the proposed use would not cause undue traffic congestion in the immediate area.

Mr. Gossels made a motion to approve the Special Permit application for 288 Old Sudbury Road with the following conditions:

- Each freestanding sign shall be no more than ten (10) square feet in size.
- Both freestanding signs shall not be illuminated.
- Future modifications to the lettering, text, font, coloring, or design on the facing of either of the signs shall NOT be required to obtain approval from the Board.
- The Applicant/Owner shall obtain final approval from the Historic Districts Commission before erecting either freestanding sign.

Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Ray – Aye, Mr. Gossels – Aye, Mr. Riepe – Aye, and Ms. Rubenstein – Aye.

**Public Hearing, Case 20-26 – Maillet & Son, Inc, Applicant, and Lael Meixsell c/o Tim Meixsell, Owner, seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2460B and 6200 of the Town of Sudbury Zoning Bylaw to construct a new approximately 3,000 square foot single-family dwelling, including an attic, where there is currently an approximately 2,256 square foot single-family dwelling at 34 Barton Drive, Assessor’s Map G05-0135, Single Residence A-1 and Water Resource Protection Overlay Zone III Zoning Districts**

Applicant Marcel Maillet was in attendance to discuss the application with the Zoning Board of Appeals. He stated the current dwelling unit on the subject property would be demolished and a new structure would be built.

Mr. Riordan commented the new structure would be taller than the other homes in the neighborhood.

Mr. Riepe suggested omitting the front gable on the right hand side of the front façade so the new house would seem smaller.

Karina Keshishian of 40 Barton Drive asked how much vegetation would be cut back during the clearing and when construction would start. Mr. Maillet indicated construction would start in November of 2020 likely and conclude in the spring. He also stated they would retain as much existing vegetation as was feasible.

The Board found the use was in harmony with the general purpose and intent of the Zoning Bylaw.

The use is in an appropriate location, is not detrimental to the neighborhood, and does not significantly alter the character of the zoning district.

The Board also found adequate and appropriate facilities would be provided for the proper operation of

the proposed use.

The proposed use would not be detrimental or offensive to the adjoining zoning districts or neighboring properties due to the effects of lighting, odors, smoke, noise, sewage, refuse materials, or other visual nuisance.

The Board found the proposed use would not cause undue traffic congestion in the immediate area.

Mr. Riepe made a motion to approve the Special Permit application for 34 Barton Drive with the following conditions:

- The new single-family dwelling to be constructed shall be no larger than 3,000 square feet of living (finished) space.
- The gable on the right side of the front elevation (Sheet A-1) above the second story shall be removed and not constructed.
- If the existing vegetation along each side property line cannot be preserved, the Applicant/Owner shall work with the neighbors on either side of the subject property to ensure there is adequate screening along each property line.
- A separate hallway shall be implemented to the left side of Bedroom # 3 on Sheet A-4 to provide independent access to the stairway to the attic.

Ms. Rubenstein seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Ray – Aye, Mr. Gossels – Aye, Mr. Riepe – Aye, and Ms. Rubenstein – Aye.

**Public Hearing, Case 20-27 – Vali Grigoras, Applicant and Owner, seeks a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2440, 2445, and 6200 of the Town of Sudbury Zoning Bylaw to construct a two-car garage addition to a single-family dwelling at 35 Lynne Road, Assessor’s Map M10-0503, Single Residence A-1 Zoning District**

Applicant and owner Vali Grigoras was in attendance to discuss the application with the Zoning Board of Appeals. He explained the proposed two car garage addition and how the corner of the addition would be noncompliant with the setback requirement from Lynne Road.

Mr. Riepe asked why the roof lines on the garage differed from the new porch and main house. He also suggested pushing the garage back a bit to bring the proposed addition closer to compliance with the setback requirements for the Zoning District.

Ms. Pincus noted pushing the garage back would help improve the angle of the driveway and vehicles attempting to access the garage.

Mr. Riepe made a motion to continue the public hearing for the Special Permit application for 35 Lynne Road to the Zoning Board of Appeals meeting on November 9, 2020 at 7:00 PM. Mr. Ray seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Ray – Aye, Mr. Gossels – Aye, Mr. Riepe – Aye, and Ms. Rubenstein – Aye.

**Discussion Regarding Proposed Zoning Bylaw Amendment Regarding Storage Trailers/Containers**

Mr. Riordan noted this topic had come up at the last Planning Board meeting as part of their discussion regarding potential Zoning Bylaw Amendments for the May 2021 Annual Town Meeting. Mr. Riordan

felt it might be a good idea for a member of the Zoning Board of Appeals to draft some proposed language to address storage trailers/containers in the Zoning Bylaw. Mr. Riepe volunteered to work on this item in conjunction with Town staff. Mr. Duchesneau stated he would work with Mr. Riepe to prepare some draft language to present to the Zoning Board of Appeals at their next meeting on November 9, 2020.

#### **Approve Meeting Minutes from September 14, 2020**

Mr. Duchesneau stated the draft minutes from the September 14, 2020 meeting had not yet been prepared, but would be ready for review at the Zoning Board of Appeals meeting on November 9, 2020.

#### **Administrative Report**

Mr. Duchesneau mentioned the site visit to the Coolidge at Sudbury Phase II project to inspect the plantings for compliance with the project's Landscape Plan would be performed on October 9, 2020.

Mr. Riepe made a motion to adjourn the meeting. Mr. Gossels seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Ray – Aye, Mr. Gossels – Aye, Mr. Riepe – Aye, and Ms. Rubenstein – Aye. The meeting was adjourned at 9:09 PM.