



# Town of Sudbury

## Zoning Board of Appeals

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### MINUTES

MAY 10, 2021 AT 7:00 PM

### VIRTUAL MEETING

**Zoning Board of Appeals Members Present:** Chair John Riordan, Jonathan Gossels, Jennifer Pincus, Associate Jeff Rose, and Associate Ben Stevenson

**Zoning Board of Appeals Members Absent:** Clerk Frank Riepe and Nancy Rubenstein

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

Mr. Riordan opened the meeting at 7:00 PM by noting the presence of a quorum. He then indicated Mr. Rose and Mr. Stevenson would be sitting in as full members for this meeting on all applications to meet the quorum requirements. Mr. Riordan asked Ms. Pincus 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 21-07 – Anna Veloutsos, Applicant and Owner, seeks a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2313 and 6200 of the Town of Sudbury Zoning Bylaw to raise up to ten (10) hens at 47 Great Road, Assessor’s Map C07-0011, Single Residence A-1 and Water Resource Protection Overlay District Zone II Zoning Districts**

Applicants and owners Ana and Peter Veloutsos were in attendance to discuss the application with the Zoning Board of Appeals.

Mr. Riordan reviewed the application materials with the Applicant. He inquired if the chickens would be contained and unable to interfere with neighbors or roadway traffic. Mr. Veloutsos indicated the chickens would have their own coop and the entire backyard of the property was also enclosed with fencing.

Mr. Gossels made a motion to approve the Special Permit application for 47 Great Road as submitted. Mr. Stevenson seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Rose – Aye, and Mr. Stevenson – Aye.

**Public Hearing, Case 21-12 – Maura Carty, Applicant and Owner, seeks a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2313 and 6200 of the Town of Sudbury Zoning Bylaw to raise up to ten (10) hens at 15 Stonebrook Road, Assessor’s Map J06-0314, Single Residence A-1 and Water Resource Protection Overlay District Zone II Zoning Districts**

Applicants and owners Maura and Dan Carty were in attendance to discuss the application with the Zoning Board of Appeals.

Ms. Carty explained her plan to build the coop. She indicated she had discussed having chickens with her neighbors and no one raised any objections. Ms. Carty identified the area of her backyard where the coop would be located.

Mr. Stevenson made a motion to approve the Special Permit application for 15 Stonebrook Road as submitted. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Rose – Aye, and Mr. Stevenson – Aye.

**Public Hearing, Case 21-09 – Christine and Darren Coen, Applicants and Owners, seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2445 and 6200 of the Town of Sudbury Zoning Bylaw to construct an addition with a garage and living space at 16 Basswood Avenue, Assessor’s Map F04-0322, Single Residence A-1 and Water Resource Protection Overlay District Zone III Zoning Districts**

Applicants and owners Christine and Darren Coen were in attendance to discuss the application with the Zoning Board of Appeals.

Ms. Coen stated they would like to add an addition with a garage and living space above it. She explained the design of the proposed addition.

There was discussion regarding the proposed roof pitches for the addition and how perhaps it would not align with the existing structure which would be retained as part of the project. The Zoning Board of Appeals wanted to provide the Applicant with some flexibility to adjust the roofline of the addition as needed but did not want it to exceed a certain height, and therefore discussed adding a condition in the decision to reflect this.

Mr. Stevenson made a motion to approve the Special Permit application for 16 Basswood Avenue as submitted with the following conditions:

- The maximum roof height for the entire project shall not exceed 25 feet to the ridge of the roof line.
- The setbacks of the building footprint for the addition shall be held in strict compliance with the approved plans.

Mr. Rose seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Rose – Aye, and Mr. Stevenson – Aye.

**Public Hearing, Case 21-13 – Joshua Peck, Applicant, and Lisa Evans, Owner, seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 5500 and 6200 of the Town of Sudbury Zoning Bylaw to construct an accessory dwelling unit at 91 Witherell Drive, Assessor’s Map D06-0417, Single Residence A-1 and Water Resource Protection Overlay District Zone II Zoning Districts**

Architect Kevin ten Brinke was in attendance to discuss the application with the Zoning Board of Appeals.

Mr. ten Brinke explained the need for the accessory dwelling unit and described the design of the proposed addition.

Mr. Gossels made a motion to approve the Special Permit application for 91 Witherell Drive as submitted. Mr. Stevenson seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Rose – Aye, and Mr. Stevenson – Aye.

**Public Hearing, Case 21-08 – Agnoli Sign Co., Inc, Applicant, and 554 BPR LLC, 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 install halo lit lettering wall signage, a freestanding sign, directional signage, and office wall signage at 554 & 560 Boston Post Road, Assessor’s Map K06-0602, Single Residence A-1 and Water Resource Protection Overlay District Zone II Zoning Districts**

Owner Quentin Nowland and Christina Moreau of Agnoli Sign were present to discuss the application with the Zoning Board of Appeals.

Mr. Nowland discussed the prior meetings with the Design Review Board and noted how the proposed signage attempted to tie into the signage of the surrounding businesses in the area.

There was discussion regarding the building, directional, and monument signs that were being proposed. In particular, there was significant discussion regarding the proposed signage for the façade on the west side of the self-storage building.

Mr. Riordan made a motion to approve the signage Special Permit application for 554 & 560 Boston Post Road as presented with the following conditions:

- The façade sign shall be 24 inches high, 255 and 5/8 inches wide, and be a maximum of 42.6 square feet.
- The façade sign shall be illuminated with halo lit lighting.
- The façade sign shall only be illuminated when the business is open for operations.
- The lighting for the façade sign shall not exceed a color temperature of more than 3000K.

Mr. Rose seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Rose – Aye, and Mr. Stevenson – Aye.

At this time, the Zoning Board of Appeals took a five minutes recess.

**Public Hearing, Case 21-11 – Phillips Edison & Company, Applicant, and Sudbury Crossing Station LLC, Owner, seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 3120 and 6200 of the Town of Sudbury Zoning Bylaw to reduce the number of parking spaces at a property with a pre-existing nonconforming parking situation at 423 & 437 Boston Post Road, Assessor’s Map K08-0004, Limited Business-6 and Water Resource Protection Overlay District Zone II Zoning Districts**

Applicant Tony Haslinger was in attendance to discuss the application with the Zoning Board of Appeals.

There was discussion as to whether there had been enough information presented to discuss the application. Mr. Haslinger indicated he felt more than enough materials had been submitted as part of the application and requested he be permitted to present his application to the Zoning Board of Appeals that evening.

Mr. Haslinger stated the building owners needed to update this facility to attract new tenants, including upgrading the wastewater treatment system. He noted one of the empty storefront spaces will potentially become a Day Care Facility, but the owners needed to increase the capacity of the wastewater treatment system in order to do this. This would require the removal of ten parking spaces from the parking lot on the far eastern side of the property to make these changes.

Stephanie Kuster of 245 Raymond Road asked if the upgrades to the wastewater treatment system would not happen if the Applicant could not obtain approval for the parking space relief being requested under the Special Permit application. She also commented the parking spaces in question on the east side of the property were being used at all times of night, interfering with her daily life.

Bettina Westerberg of 239 Raymond Road commented there were no cars in the northern parking lot. She expressed her concerns about what the changes to the shopping center would mean to their quality of life.

Mr. Stevenson made a motion to continue the public hearing for the Special Permit application for 423 & 437 Boston Post Road to the Zoning Board of Appeals meeting on June 7, 2021. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Rose – Aye, and Mr. Stevenson – Aye.

#### **Approve Meeting Minutes from April 5, 2021**

The Zoning Board of Appeals decided to take this matter up at their next meeting on June 7, 2021.

#### **Administrative Report**

Mr. Duchesneau noted the current plan for the Town offices to fully re-open was targeting a date of July 6, 2021. He also indicated the Annual Town Meeting would be held on Saturday, May 22, 2021 at 12:30 PM at the Lincoln-Sudbury Regional High School fields.

Ms. Stevenson made a motion to adjourn the meeting. Mr. Rose seconded the motion. Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Rose – Aye, and Mr. Stevenson – Aye. The meeting was adjourned at 11:15 PM.