



Town of Sudbury

Zoning Board of Appeals

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MINUTES

SEPTEMBER 13, 2021 AT 7:00 PM

VIRTUAL MEETING

Zoning Board of Appeals Members Present: Chair John Riordan, Clerk Frank Riepe, Jennifer Pincus, Nancy Rubenstein, and Associate Jeff Rose

Zoning Board of Appeals Members Absent: Jonathan Gossels

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

Mr. Riordan opened the meeting at 7:10 PM by noting the presence of a quorum. He then asked Mr. Riepe 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.

At this time Ms. Rubenstein called into the meeting.

Continued Public Hearing, Case 21-22 – Global Tower Assets III, LLC, Applicant, and Sudbury Research Center, LLC, Owner, seek the renewal of Special Permit 18-18 under the provisions of MGL Chapter 40A, Section 9, and Sections 4350 and 6200 of the Town of Sudbury Zoning Bylaw to continue to operate and maintain an existing 120 foot flagpole style monopole wireless communications facility at 142 North Road, Assessor’s Map C11-0300, Research-1 and Water Resource Protection Overlay District Zones II and III Zoning Districts

Attorney Scott MacNeil, and Michael Deese, and Joshua Walton, licensed engineers from American Tower Assets, were in attendance to discuss the application with the Zoning Board of Appeals.

There was a discussion regarding the conditions for the tower in the original Special Permit, decision 18-18.

Mr. Deese and Mr. Walton explained the inspection review of the tower that had been submitted from their company.

Mr. Riordan made a motion to approve the Special Permit application for 142 North Road with the following conditions:

- The tower shall be inspected annually to verify the structural integrity of the monopole and the safety of the surrounding site.
- The Special Permit is non-transferable and will expire in three (3) years on September 13, 2024.

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

At this time Ms. Rubenstein left the meeting.

Continued Public Hearing, Case 21-23 – Mustang Development Advisors, Inc., Applicant and Owner, seeks 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 demolish an approximately 1,210 square foot single-family dwelling and construct an approximately 4,200 square foot single-family dwelling at 34 Greenwood Road, Assessor’s Map C07-0107, Single Residence A-1 and Water Resource Protection Overlay District Zone II Zoning Districts

Applicants and owners Alex Hathaway and Michael Jarvis were in attendance to discuss the application with the Zoning Board of Appeals.

Mr. Hathaway clarified the square footage of the proposed dwelling unit had been reduced from 4,200 square feet to 3,950 square feet. He also reviewed the changes to the design of the building which had been made per the requests of the Zoning Board of Appeals at the previous meeting.

At this time the Zoning Board of Appeals decided to table further discussion of the application until Ms. Rubenstein might be able to rejoin the meeting. The Zoning Board of Appeals indicated they would take up the matter later in the meeting.

Public Hearing, Case 21-25 – Michael Patti, Applicant, and Andrew Kramer, Owner, seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 3260, 3261, 3290, and 6200 of the Town of Sudbury Zoning Bylaw to install an approximately 56 square foot façade sign on the east side of the building at 215 Boston Post Road, Assessor’s Map K10-0007, Business-16 Zoning District

Michael Patti, Applicant, and Andrew Kramer, owner, were in attendance to discuss the application with the Zoning Board of Appeals. Mr. Patti indicated he had moved the sign from a previous location and had never had the size formally approved.

There was discussion regarding the other signs on the building related to Mr. Patti’s business.

At this time Mr. Duchesneau arrived at the meeting.

The members of the Zoning Board of Appeals stated they would like to see more information on the various sizes of the other existing signs on the building. After additional discussion, the members of the Zoning Board of Appeals agreed they would wait to discuss the application further until they had a formal recommendation on the matter from the Design Review Board regarding the proposed signage.

Mr. Riepe made a motion to continue the public hearing for the Special Permit application for 215 Boston Post Road to the Zoning Board of Appeals meeting on November 8, 2021. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Ms. Pincus – Aye, Mr. Rose – Aye, and Ms. Rubenstein – Absent.

Continued Public Hearing, Case 21-23 – Mustang Development Advisors, Inc., Applicant and Owner, seeks 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 demolish an approximately 1,210 square foot single-family dwelling and construct an approximately 4,200 square foot single-family dwelling at 34 Greenwood Road, Assessor’s Map C07-0107, Single Residence A-1 and Water Resource Protection Overlay District Zone II Zoning Districts

Ms. Pincus indicated that, unfortunately, Ms. Rubenstein would be unable to rejoin the meeting. Mr. Riordan then discussed the options for Mr. Hathaway and Mr. Jarvis, and they requested the Zoning Board of Appeals take a vote on their Special Permit application for 34 Greenwood Road.

Mr. Riepe made a motion to approve the Special Permit application for 34 Greenwood Road as presented in the plans with date stamps of September 7, 2021. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Ms. Pincus – Aye, Mr. Rose – Aye, and Ms. Rubenstein – Absent.

Amendments to Special Permit Application Form

There was no discussion regarding this topic at the meeting and the members of the Zoning Board of Appeals agreed to discuss it at a future meeting.

Approve Meeting Minutes from August 2, 2021

Mr. Rose made a motion to approve the minutes from August 2, 2021. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Ms. Pincus – Aye, Mr. Rose – Aye, and Ms. Rubenstein – Absent.

Administrative Report

Mr. Duchesneau noted the annual Town Forum would be held on October 21, 2021.

Mr. Riepe made a motion to adjourn the meeting. Mr. Riordan seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Ms. Pincus – Aye, Mr. Rose – Aye, and Ms. Rubenstein – Absent. The meeting was adjourned at 9:28 PM.