



# Town of Sudbury

## Zoning Board of Appeals

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### MINUTES

JANUARY 4, 2021 AT 7:00 PM

### VIRTUAL MEETING

### JOINT MEETING WITH EARTH REMOVAL BOARD

**Zoning Board of Appeals Members Present:** Chair John Riordan, Jonathan Gossels, Frank Riepe, Nancy Rubenstein, Associate David Booth, and Associate Jennifer Pincus

**Zoning Board of Appeals Members Absent:** None

**Earth Removal Board Members Present:** Chair Jonathan Patch, David Booth, Jonathan Gossels, Jennifer Pincus, and Benjamin Stevenson

**Earth Removal Board 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 7:13 PM by noting the presence of a quorum. Mr. Riordan asked Ms. Rubenstein 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.

Mr. Patch opened the Earth Removal Board meeting at 7:24 PM.

#### **Earth Removal Board Reorganization**

Mr. Patch made a motion to nominate Mr. Patch to serve as Chair of the Earth Removal Board. Mr. Stevenson seconded the motion. Roll Call Vote: Mr. Patch – Aye, Mr. Booth – Aye, Mr. Gossels – Absent, Ms. Pincus – Aye, and Mr. Stevenson – Aye.

Mr. Patch made a motion to nominate Mr. Stevenson to serve as Clerk of the Earth Removal Board. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Patch – Aye, Mr. Booth – Aye, Mr. Gossels – Absent, Ms. Pincus – Aye, and Mr. Stevenson – Aye.

#### **Review and Vote on Rules and Regulations – Earth Removal Board**

Mr. Patch made a motion to adopt the existing Earth Removal Board Rules and Regulations. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Patch – Aye, Mr. Booth – Aye, Mr. Gossels – Absent, Ms. Pincus – Aye, and Mr. Stevenson – Aye.

### **Approval of the 2020 Annual Report for the Earth Removal Board**

Mr. Patch made a motion to approve the 2020 Annual Report for the Earth Removal Board. Mr. Stevenson seconded the motion. Roll Call Vote: Mr. Patch – Aye, Mr. Booth – Aye, Mr. Gossels – Absent, Ms. Pincus – Aye, and Mr. Stevenson – Aye.

At this time Mr. Patch and Mr. Stevenson left the meeting.

### **Continued Public Hearing, Case 20-33 – Matthew DiManno, 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 front porch and expanded garage on a single-family dwelling at 69 Pinewood Avenue, Assessor’s Map F04-0719, Single Residence A-1 and Water Resource Protection Overlay Zone III Zoning Districts**

Applicant and owner Matthew DiManno and Ashlyn DiManno were in attendance to discuss the application with the Zoning Board of Appeals.

Mr. Riordan verbally reviewed each page of the updated plan set in brief and asked if there were any questions.

Ms. Rubenstein and Ms. Pincus both commented they appreciated the changes which had been made to the proposed design.

Ms. Rubenstein made a motion to approve the Special Permit application for 69 Pinewood Avenue as presented with the steeper roof pitch for the dormer over the garage. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Absent, Ms. Pincus – Aye, Mr. Riepe – Aye, and Mrs. Rubenstein – Aye.

At this time Mr. Gossels joined the meeting.

### **Public Hearing, Case 21-01 – Nancy Dickinson, Applicant, and Armen and Sheena Kaleshian, Owners, seek 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 covered entry porch on a single-family dwelling at 191 Pratt’s Mill Road, Assessor’s Map G05-0012, Single Residence A-1 and Water Resource Protection Overlay Zone II Zoning Districts**

Applicant Nancy Dickinson of Dickinson Architects, and owners Sheena and Armen Kaleshian were in attendance to discuss the application with the Zoning Board of Appeals.

Mr. Riordan asked if the owners intended to cut down any trees and the owners reassured him that would not be the case.

Ms. Rubenstein made a motion to approve the Special Permit application for 191 Pratt's Mill Road as presented. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Riepe – Aye, and Mrs. Rubenstein – Aye.

### **Zoning Board of Appeals Reorganization**

Mr. Riordan indicated he would not mind remaining on as the Chair.

Ms. Rubenstein made a motion to appoint Mr. Riordan as Chair and Mr. Riepe as Clerk of the Zoning Board of Appeals. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Booth – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Riepe – Aye, and Mrs. Rubenstein – Aye.

#### **Review and Vote on Rules and Regulations – Zoning Board of Appeals**

Ms. Riordan made a motion to approve the current Rules and Regulations. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Booth – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, and Ms. Rubenstein – Aye.

#### **Review and Vote on Supplemental Rules for Comprehensive Permits**

Mr. Riepe made a motion to adopt the existing Supplemental Rules for Comprehensive Permits. Ms. Rubenstein seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Booth – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, and Ms. Rubenstein – Aye.

#### **Vote to Approve Warrant Article: Zoning Board of Appeals Revolving Fund**

Mr. Riepe made a motion to approve the Revolving Fund amount and purpose for the May 2021 Annual Town Meeting. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Booth – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, and Ms. Rubenstein – Aye.

#### **Interviews with Candidates for Full and Associate Member Positions on the Zoning Board of Appeals**

Jeff Rose was in attendance to discuss his desire to become a member of the Zoning Board of Appeals as a full or associate member.

#### **Approval of the 2020 Annual Report for the Zoning Board of Appeals**

Mr. Riordan made a motion to approve the 2020 Annual Report for the Zoning Board of Appeals. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Booth – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, and Ms. Rubenstein – Aye.

#### **Approve Meeting Minutes from December 7, 2020**

Mr. Riordan made a motion to approve the minutes from December 7, 2020. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, and Ms. Rubenstein – Aye.

#### **Administrative Report**

Mr. Duchesneau advised the Zoning Board of Appeals that Town staff would likely be continuing to work remotely until at least April of 2021.

At this time Mr. Gossels left the meeting.

Mr. Riepe made a motion to adjourn the meeting. Ms. Rubenstein seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Booth – Aye, Mr. Gossels – Absent, Ms. Pincus – Aye, Mr. Riepe – Aye, and Ms. Rubenstein – Aye. The meeting was adjourned at 9:44 PM.