



Town of Sudbury

Zoning Board of Appeals

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MINUTES

AUGUST 1, 2022 AT 7:00 PM

VIRTUAL MEETING

Zoning Board of Appeals Members Present: Chair John Riordan, Jonathan Gossels, Jennifer Pincus, and Nancy Rubenstein

Zoning Board of Appeals Members Absent: Clerk Frank Riepe and Associate Jeff Rose

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

Mr. Riordan opened the meeting at 7:02 PM by noting the presence of a quorum. He then 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.

Old Business:

CONTINUED Public Hearing, Case 22-13 – Charlie and Samantha Karustis, Applicants and Owners, seek a Variance under the provisions of MGL Chapter 40A, Section 10, and Sections 2620, Appendix B, Table of Dimensional Requirements and 6130 of the Town of Sudbury Zoning Bylaw from the minimum side yard setback requirement to construct a detached garage at 5 Candlewood Circle, Assessor's Map H08-0031, Single Residence A-1 and Water Resource Protection Overlay District Zone III Zoning Districts

Ms. Pincus made a motion to continue the public hearing for the Variance application for 5 Candlewood Circle to the Zoning Board of Appeals meeting on October 3, 2022. Ms. Rubenstein seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, and Ms. Rubenstein – Aye.

CONTINUED Public Hearing, Case 22-23 – 15 Longfellow Road, LLC, 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 a pre-existing nonconforming single-family dwelling and construct a larger single-family dwelling at 15 Longfellow Road, Assessor's Map C07-0103, Single Residence A-1 and Water Resource Protection Overlay District Zone II Zoning Districts

Applicant Ben Maiden was in attendance to discuss the application with the Zoning Board of Appeals.

Ms. Rubenstein made a motion to continue the public hearing for the Special Permit application for 15 Longfellow Road to the Zoning Board of Appeals meeting on September 12, 2022. Mr. Gossels seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, and Ms. Rubenstein – Aye.

CONTINUED Public Hearing, Case 22-26 – Red Barn Dog Ops, LLC., Applicant, and Sudbury Crossing Station, LLC, Owner, seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2230, Appendix A, §C, Use 5, 2313, 2400, 4240, and 6200 of the Town of Sudbury Zoning Bylaw to operate a dog kennel at 435 Boston Post Road (space 421), Assessor’s Map K08-0004, Limited Business-6 and Water Resource Protection Overlay District Zone II Zoning Districts

Attorney Joshua Fox, and Applicants Kayla Seely and Jim Riley were in attendance to discuss the application with the Zoning Board of Appeals.

Mr. Riordan reminded the members of the Zoning Board of Appeals and attendees of the Board’s concerns regarding certain breeds of dogs being allowed at this business. He requested Town staff consult with Town Counsel to confirm this type of limitation would be permissible as a condition of a Special Permit for the business.

Mr. Fox summarized the history of the company again. He also noted a breed restriction should not be necessary as there were other locations in Sudbury that provided similar services which do not have breed restrictions.

There was discussion regarding the suggestion of changing the location of the front entrance, however, after re-evaluating the situation, it seemed to make sense to keep the entrance in its original location at the front of the building.

Mr. Riordan suggested a rear entrance for the business might alleviate some of the concern of the dangerous breeds of dogs.

Ms. Pincus made a motion to continue the public hearing for the Special Permit application for 435 Boston Post Road to the Zoning Board of Appeals meeting on September 12, 2022. Mr. Riordan seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, and Ms. Rubenstein – Aye.

New Business:

Public Hearing, Case 22-27 – JBJS Charles LLC c/o Jonatas Storck, 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 a pre-existing nonconforming single-family dwelling and construct a larger single-family dwelling at 58 Massasoit Avenue, Assessor’s Map K09-0425, Single Residence A-1 and Water Resource Protection Overlay District Zone III Zoning Districts

Engineer Joyce Hastings and Applicant Jonatas Storck were in attendance to discuss the application with the Zoning Board of Appeals.

Mr. Riordan noted several emails from members of the public had been received in opposition to the application.

Ms. Hastings stated the basement of the new dwelling unit would be two feet above the water table, but the existing building was currently below the water table.

It was noted the septic system for the property was rated for four bedrooms but the current plans indicated a possible six-bedroom dwelling. During the review of the plans, the members of the Zoning Board of Appeals pointed out several items which needed to be clarified by the Applicant. Ms. Hastings stated the proposed project would also be going before the Conservation Commission in September of 2022.

Glen Merrill-Skoloff of 18 Allen Place indicated he had drainage concerns for the proposed project and how it might impact the surrounding area.

Michael Cameron of 18 Franklin Place noted this would be the second largest home in the neighborhood and he also had wetland impacts concerns regarding the project.

Mary Lester of 10 Allen Place stated she was concerned about the wildlife in the area and the overall size of the proposed house.

Cathy Manwaring of 46 Massasoit Avenue raised concerns about the possibility of increased flooding as a result of the proposed project.

Mr. Gossels made a motion to continue the public hearing for the Special Permit application for 58 Massasoit Avenue to the Zoning Board of Appeals meeting on September 12, 2022. Ms. Rubenstein seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, and Ms. Rubenstein – Aye

Public Hearing, Case 22-28 – Town of Sudbury, Applicant and Owner, seeks a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2400, 2420, 2600, 2620, and 6200 of the Town of Sudbury Zoning Bylaw to alter a pre-existing non-conforming structure (Fire Station #2) at 540 & 550 Boston Post Road, Assessor’s Maps K07-0012 and K07-0026, Limited Industrial-1, Mixed-Use Overlay District, and Water Resource Protection Overlay District Zone II Zoning Districts

Architect Kevin Witzell of Kaestle Boos Associates, Inc. and engineer Hussein Alhady of Samiotes Consultants, Inc. were in attendance to discuss the application with the Zoning Board of Appeals.

There was review and discussion regarding what the current structure looked like and the potential changes that would be made.

Mr. Witzell indicated this was Phase I of the project which would allow the new living area of the Fire Station to be completed first. He noted Phase II of the project, which would add on an expanded garage area, would not happen for several years.

Mr. Gossels made a motion to approve the Special Permit application for 540 & 550 Boston Post Road as submitted. Mr. Riordan seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, and Ms. Rubenstein – Aye.

Public Hearing, Case 22-29 – Jay Gigliotti, Airosmith Development, Applicant, and American Tower Corporation and Sudbury Research Center, LLC, Owners, seek to amend Special Permit 21-22 under the provisions of MGL Chapter 40A, Section 9, and Sections 4300, 4350, and 6200 of the Town of Sudbury Zoning Bylaw to modify a wireless communications facility at 142 North Road, Assessor’s Map C11-0300, Research-1, North Road Residential Overlay District, and Water Resource Protection Overlay District Zones II & III Zoning Districts

Ms. Rubenstein made a motion to continue the public hearing for the Special Permit application for 142 North Road to the Zoning Board of Appeals meeting on October 3, 2022. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, and Ms. Rubenstein – Aye.

Discussion regarding Possible Amendments to the Village Business Zoning District

The members of the Zoning Board of Appeals decided to defer discussion on this matter until their September 12, 2022 meeting.

Approve Meeting Minutes from July 11, 2022

Ms. Rubenstein made a motion to approve the minutes from July 11, 2022. Mr. Gossels seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, and Ms. Rubenstein – Aye.

Administrative Report

There were no topics discussed under this item.

Mr. Gossels made a motion to adjourn the meeting. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, and Ms. Rubenstein – Aye. The meeting was adjourned at 10:40 PM.