



Town of Sudbury

Zoning Board of Appeals

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MINUTES

OCTOBER 3, 2022 AT 7:00 PM

VIRTUAL MEETING

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

Zoning Board of Appeals Members Absent: Nancy Rubenstein

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

Mr. Riordan opened the meeting at 7:00 PM by noting the presence of a quorum. Mr. Riepe 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

Mr. Riordan made a motion to continue the public hearing for the Variance application for 5 Candlewood Circle to the Zoning Board of Appeals meeting on November 14, 2022. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, and Mr. Rose – Aye.

CONTINUED Public Hearing, Case 22-27 – JBJS Charles LLC c/o Jonatas Storeck, 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

Mr. Riordan 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 November 14, 2022. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, and Mr. Rose – Aye.

CONTINUED 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

Mr. Riordan 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 November 14, 2022. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, and Mr. Rose – Aye.

New Business:

Public Hearing, Case 22-35 – CRJ Roadside Service LLC, Applicant, and John and Kendra Warren, and Christopher Reedy, Owners, seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2230, Appendix A, Table of Principal Use Regulations, Part C, Uses 13 and 14, 2400, 4240, and 6200 of the Town of Sudbury Zoning Bylaw to establish an automotive towing and repair operation at 1 Union Avenue, Assessor’s Map K08-0070, Business-5 and Water Resource Protection Overlay District Zone II Zoning Districts

Mr. Riordan 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 November 14, 2022. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, and Mr. Rose – Aye.

Old Business:

CONTINUED Public Hearing, Case 22-32 – Mustang Development Advisors, Inc. c/o Alex Hathaway, Applicant and Owner, seeks a Variance under the provisions of MGL Chapter 40A, Section 10, and Sections 2450, 2620, Table of Dimensional Requirements, Appendix B, and 6130 of the Town of Sudbury Zoning Bylaw from the minimum lot frontage requirement to re-establish the ability to inhabit an abandoned residential property at 29 Stone Road, Assessor’s Map K05-0024, 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 explained the proposed landscape and stormwater plans for the property.

There was discussion regarding the trees that would be cut.

It was recommended the Town’s Tree Warden sign off on the trees to be removed.

Matthew Siciliano of 1 Washington Drive was concerned about a fence being erected along the 100 foot wetland buffer.

Dennis Lewis of 1 Douglas Drive wanted to confirm the northern third of the subject property would not have any limitations.

Mr. Riordan made a motion to approve the Variance application for 29 Stone Road with the following conditions:

- The removal of the large caliper trees on the subject property as identified on the Proposed Stormwater Plan prepared by Connorstone Engineering dated September 7, 2022 with a date stamp of September 26, 2022, shall be subject to final review and approval by the Town of Sudbury Tree Warden.
- The Applicant/Owner shall submit a plan which displays the area of the subject property which will be conveyed to Denis and Marie Lewis of 1 Douglas Drive.
- After the area of the subject property has been conveyed to Denis and Marie Lewis of 1 Douglas Drive, the new dwelling unit shall still be fully compliant with all setback requirements of the zoning district.

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

New Business:

Public Hearing, Case 22-36 – Metro Sign & Awning c/o John Peterson, Applicant, and 616 Boston Post Road LLC, Owner, seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 3264, 3265, 3265A, 3290, and 6200 of the Town of Sudbury Zoning Bylaw to install new signage at 616 Boston Post Road, Assessor’s Map K06-0012, Limited Business-1 and Water Resource Protection Overlay District Zone II Zoning Districts

Richard Cameron and Deb Hoshall of Sign System Solutions, and John Peterson of Metro Sign & Awning were in attendance to discuss the application with the Zoning Board of Appeals.

Mr. Peterson noted the proposed signs would be simple in order to identify the tenants.

There was discussion regarding the non-conforming aspects of the proposed freestanding and directional signage.

Mr. Riepe made a motion to approve the Special Permit application for 616 Boston Post Road as submitted. Mr. Rose seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, and Mr. Rose – Aye.

Public Hearing, Case 22-37 – Richard Albee, Applicant and Owner, seeks 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 front yard setback requirement to expand a garage at 5 Hunt Road, Assessor’s Map E09-0129, Single Residence A-1 Zoning District

Applicant and Owner Richard Albee and engineer Robert Melvin were in attendance to discuss the application with the Zoning Board of Appeals.

Mr. Albee indicated the initial Variance granted to the property to construct a garage was never acted upon. Since then, there was now a need for a larger expansion of the existing garage.

There was discussion regarding the house looking more like a commercial building if the addition were to be constructed as proposed.

Mr. Riepe made a motion to continue the public hearing for the Variance application for 5 Hunt Road to the Zoning Board of Appeals meeting on January 9, 2023. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, and Mr. Rose – Aye.

Discussion regarding Possible Zoning Bylaw Amendment to Prohibit the Sales, Assembly, and/or Manufacturing of Firearms and/or Components Thereof, Ammunition, and Explosives

It was noted Mr. Duchesneau's email to the Zoning Board of Appeals indicated the Planning Board had declined to bring this matter forward at this time to the next possible Town Meeting (May 2023 Annual Town Meeting). Mr. Riepe stated he would like to continue the process to advance the proposed Zoning Bylaw amendment to the May 2023 Annual Town Meeting via a Citizen's Petition.

There was discussion regarding possible proposed amendments to the Zoning Bylaw regarding parking standards.

Approve Meeting Minutes from September 12, 2022

Mr. Riepe made a motion to approve the minutes from September 12, 2022. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, and Mr. Rose – Aye.

Administrative Report

There were no topics discussed under this item.

Mr. Gossels made a motion to adjourn the meeting. Mr. Rose seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, and Mr. Rose – Aye. The meeting was adjourned at 9:31 PM.