



Town of Sudbury

Zoning Board of Appeals

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MINUTES

DECEMBER 12, 2022 AT 7:00 PM

VIRTUAL MEETING

Zoning Board of Appeals Members Present: Chair John Riordan, Jonathan Gossels, Jennifer Pincus, Associate William Ray, and Associate Benjamin Stevenson

Zoning Board of Appeals Members Absent: Clerk Frank Riepe, Nancy Rubenstein, 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 7:00 PM by noting the presence of a quorum. Ms. Pincus 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 accept the Applicant’s request to withdraw without prejudice the Variance application for 5 Candlewood Circle. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Ray – Aye, and Mr. Stevenson – Abstain.

CONTINUED 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.

Ms. Hastings noted the changes which had been made to the proposed project per the requests of the members of the Zoning Board of Appeals the last time the application was discussed. She indicated the size of the driveway and house had been decreased.

Ms. Pincus raised questions regarding the grading plans.

Michael Cameron of 18 Franklin Place stated he was concerned about the size of the proposed dwelling when compared to the surrounding neighborhood.

There was then discussion regarding the overall height of the proposed dwelling.

Mr. Stevenson questioned the scale of the architecture, noted the view from the street was important, and stated he felt the project could be more friendly to the neighborhood. He suggested breaking up the exterior lines so the building would not look so overpowering.

Mr. Riordan made comments regarding the precedent of the design for such a building.

Mr. Gossels agreed with the other members of the Zoning Board of Appeals.

Mary Lester of 10 Allen Place commented there was not attic space shown on the revised plans.

Glenn Merrill-Skoloff of 18 Allen Place indicated he felt the proposed house was too large for the neighborhood.

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 January 9, 2023. Mr. Ray seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Ray – Aye, and Mr. Stevenson – Aye.

CONTINUED Public Hearing, Case 22-39 – Lee and Christina Greenberg, Applicants and Owners, seek 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 63 Barton Drive, Assessor’s Map G04-0118, Single Residence A-1 and Water Resource Protection Overlay District Zone III Zoning Districts

Lee Greenberg was in attendance to discuss the application with the Zoning Board of Appeals. He indicated his team had submitted updated drawings per the request of the members of the Zoning Board of Appeals.

Mr. Gossels made a motion to approve the Special Permit application for 63 Barton Drive as submitted. Mr. Stevenson seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Ray – Aye, and Mr. Stevenson – Aye.

CONTINUED Public Hearing, Case 22-40 – Lisa Venuto, 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 33 Stonebrook Road, Assessor’s Map J06-0311, Single Residence A-1 and Water Resource Protection Overlay District Zone II Zoning Districts

Lisa and Peter Venuto were in attendance to discuss the application with the Zoning Board of Appeals.

The adjustments which had been made to the revised plans were discussed and there was conversation regarding the proposed bulkhead for the new dwelling unit.

Mr. Stevenson made a motion to approve the Special Permit application for 33 Stonebrook Road as submitted with the following additional condition:

- Prior to the issuance of a Building Permit, the Applicant/Owner shall submit an updated First Floor Plan to the Planning & Community Development Department which identifies the location of the basement bulkhead as being at the rear of the dwelling unit adjacent to the breakfast area.

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

New Business:

Public Hearing, Case 22-44 – Stephen Nace and Shelly Chin, Applicants and Owners, seek to renew Special Permit 21-33 under the provisions of MGL Chapter 40A, Section 9, and Sections 2313 and 6200 of the Town of Sudbury Zoning Bylaw to raise chickens at 79 Brimstone Lane, Assessor’s Map L04-0603, Single Residence C-1 and Water Resource Protection Overlay District Zone III Zoning Districts

Stephen Nace was in attendance to discuss the application with the Zoning Board of Appeals. He stated he simply wanted to renew the Special Permit, but to increase the maximum number of chickens to eight (8).

Mr. Ray made a motion to approve the renewal of the Special Permit application for 79 Brimstone Lane as submitted with the following additional conditions:

- Up to eight (8) chickens.
- Five (5) year extension of the permit.

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

Public Hearing, Case 22-45 – Station Road Auto Body & Garage, Inc., Applicant, and George Sherman and Stephen Jones, Owners, seek to renew Special Permit 15-42 under the provisions of MGL Chapter 40A, Section 9, and Sections 2230, Appendix A, §C, Uses 12, 13, and 14, and 6200 of the Town of Sudbury Zoning Bylaw to operate a motor vehicle sales and rental, general and body repair, and light service facility at 40 Station Road, Assessor’s Map K08-0040, Industrial-2 and Water Resource Protection Overlay District Zone II Zoning Districts

George Sherman was in attendance to discuss the application with the Zoning Board of Appeals. He indicated he simply wanted to renew the original Special Permit and noted nothing had changed since the original approval.

Mr. Ray made a motion to approve the renewal of the Special Permit application for 40 Station Road as submitted with the following additional condition:

- Ten (10) year extension of the permit.

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

Public Hearing, Case 22-46 – Herb Chambers Boston Post Road, Inc., d/b/a Herb Chambers BNW of Sudbury, Applicant, and Herb Chambers 130 Boston Post Road LLC, Owner, seek to amend Special Permits 17-6, 17-7, 17-8, and 17-9 under the provisions of MGL Chapter 40A, Section 9, and Sections 2230, Appendix A, §C, Uses 12, 13, 14, and 25, and 6200 of the Town of Sudbury Zoning Bylaw to enclose an approximately 1,150 square foot roofed area, replace cladding, and install new finishes at 68 Old County Road, Assessor’s Map K11-0004, Industrial-11, Single Residence A-1, and Single Residence C-2 Zoning Districts

Attorney Joshua Fox was in attendance to discuss the application with the Zoning Board of Appeals. He indicated the BMW corporation was requiring their dealerships to make a few modifications to their existing facilities.

Mr. Ray made a motion to approve the application for amendments to Special Permits 17-6, 17-7, 17-8, and 17-9 for 68 Old County Road to enclose a portion of the building, replace cladding, and install new finishes, as submitted, but not for the extension of time on the existing Special Permits. Mr. Stevenson seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Ray – Aye, and Mr. Stevenson – Aye.

Approve Meeting Minutes from November 14, 2022

Ms. Pincus made a motion to approve the minutes from November 14, 2022 as amended. Mr. Riordan seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Ray – Aye, and Mr. Stevenson – Aye.

2023 Meeting Dates

Mr. Riordan made a motion to approve the 2023 hearing schedule and application deadlines as amended. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Ray – Aye, and Mr. Stevenson – Aye.

Administrative Report

Mr. Duchesneau indicated the new Town Manager, Andy Sheehan, would be starting with the Town of Sudbury on February 13, 2022.

Old Business:

CONTINUED 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. Ray made a motion to accept the Applicant's request to withdraw without prejudice the Special Permit application for 1 Union Avenue. Mr. Stevenson seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Ray – Aye, and Mr. Stevenson – Aye.

Mr. Gossels made a motion to adjourn the meeting. Mr. Stevenson seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Ray – Aye, and Mr. Stevenson – Aye. The meeting was adjourned at 9:41 PM.