



Town of Sudbury

Zoning Board of Appeals

appeals@sudbury.ma.us

Flynn Building
278 Old Sudbury Road
Sudbury, MA 01776
978-639-3387
Fax: 978-639-3314
www.sudbury.ma.us/boardofappeals

MINUTES

October 2, 2023 AT 7:00 PM

VIRTUAL MEETING

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

Zoning Board of Appeals Members Absent: Nancy Rubenstein, and Associate Bill Ray

Others Present: Planning and Zoning Coordinator Beth Perry

Mr. Riordan asked Jeff Rose to sit in as a full member.

Mr. Riordan opened the meeting at 7:03 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:

Public Hearing, Case 23-23 – Victor Nascimento, Applicant and Owner, seeks a Special permit under MGL Chapter 40A, Section 9, and Sections 2445, 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 328 Hudson Road, Assessor’s Map G06-0630, Business, Residential-A Industrial-2 and Water Resource Protection Overlay District Zone II Zoning Districts

Mr. Riepe made a motion to continue the public hearing for the Special Permit application for 328 Hudson Road to the Zoning Board of Appeals meeting on November 6, 2023. 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 23-33 – Marie Mercier, Sign Design Inc. applicant and Herb Chambers owner, seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 3290 and 6200 of the Town of Sudbury Zoning Bylaw to replace and add signage at 68 Old County Road, Assessor’s Map K11-0004, Industrial-1 Zoning Districts.

Mr. Gossels made a motion to continue the public hearing for the Special Permit application for 68 Old County Road to the Zoning Board of Appeals meeting on November 6, 2023. 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 23-34 – Michael J. Bolduc, Applicant and Owner, seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2444, 2445 and 6200 of the Town of Sudbury Zoning Bylaw to build an addition at 32 Hollow Oak Drive, Assessor’s Map G06-0211, Single Residence A-1 and Water Resource Protection Overlay District Zone II Zoning Districts.

Mike Bolduc, Applicant and Owner was present to discuss his application with the Zoning Board of Appeals.

Mr. Riordan asked if there is any substantial detriment to the neighborhood from the proposed project, Mr. Bolduc commented that his neighbors are very supportive.

Mr. Riepe pointed out that the design had been changed from the prior meeting.

The addition will now be within the pre-existing nonconformity. The addition is now with the required distance from the septic.

Mr. Riordan made a motion to approve the Special Permit application for 32 Hollow Oak Drive as submitted on September 25, 2023.

Mr. Rose 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 23-35 – Alex and Samantha Polivy, applicants and owners, seek a Variance under the provisions of MGL Chapter 40A, Section 8, and Sections 2325 and 6100 of the Town of Sudbury Zoning Bylaw to install 37’x16’ pool at 34 Brimstone Lane, Assessor’s Map L04-0402, Single Residence C-1 and Water Resource Protection Overlay District Zone II Zoning Districts.

Alex and Samantha Polivy were present to discuss the application with the Zoning Board of Appeals.

The request for a variance is because of the unique nature of the property, ledge being and issue as well as the placement of the septic.

Mr. Gossels suggested a site plan to see the exact setback distances.

The board suggested perhaps turning the placement of the pool or moving it closer the septic area.

Landscaping was also discussed.

It was requested that a land survey and detailed landscape plan be obtained.

Ms. Pincus made a motion to continue the public hearing for the Special Permit application for 34 Brimstone Road to the Zoning Board of Appeals meeting on October 2, 2023. Mr. Rose seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Gossels, - Aye, Ms. Pincus – Aye, and Mr. Rose – Aye

Untimed Items:

Approve Zoning Board of Appeals Meeting Minutes from September 11, 2023

Mr. Gossels made a motion to approve the minutes from September 11, 2023 as amended. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, and Ms. Rose – Aye.

Administrative Report

Ms. Perry informed the board that there was a new Director of Planning starting on October 16, 2023.

Mr. Riordan mentioned that there is a Special Town Meeting on October 23, 2023

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 Ms. Rose – Aye.

The meeting was adjourned at 8:42 PM.