



Town of Sudbury

Zoning Board of Appeals

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April 1, 2024 AT 7:00 PM

VIRTUAL MEETING

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

Zoning Board of Appeals Members Absent: Associate Michael Hershberg, Associate William Ray and Associate Jeffrey Rose

Others Present: Beth Perry, Planning and Community Development Coordinator

Mr. Riordan opened the Zoning Board of Appeals 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.

Old Business:

CONTINUED-Public Hearing, Case 24-04 – Maura Carty, applicant, and Sudbury Swim & Tennis Club, Inc., owner seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2325 and 6200 of the Town of Sudbury Zoning Bylaw to increase the number of Family Memberships from 210 to 300 at 60 Hemlock Road (Assessor's Maps H05-0029), Single Residence A-1 and Water Resource Protection Overlay District Zone III Zoning Districts.

Maura Carty, President Sudbury Swim and Tennis Club, Adrian Charest, and Lori Arthur 68 Hopestill Brown Road, Membership Director Sudbury Swim and Tennis Club were available to discuss the application with the Board.

Ms. Carty reviewed the need to increase the membership numbers. May request s stop sign and is adding other safe guards to help mitigate traffic during Swim Meets.

Mr. Riordan asked how many parking spaces are currently available, Ms. Carty responded 60. The original plans state there is 100 parking spaces.

There was a discussion regarding the current parking lot status.

Lisa Burge, 65 Hemlock Road commented she was very happy to hear of the plans that will be put in place, and appreciated the applicant going to have a conversation with them.

Mr. Riordan made a motion to approve the Special Permit application for 60 Hemlock Road as submitted to the Zoning Board of Appeals with the following conditions:

- Special Permit will expire in 3 years April 1, 2027
- Expansion to 80 parking spaces and 100 by the end of the three years
- Parking spaces to be demarcated to make visible the amount of spaces available
- No pole lamp lightening in the parking lot
- Outdoor lighting will not be directed towards any abutters
- No more than three swim meets a year
- Use of parking signs, neighbor and swim meet attendee notification of parking policy during swim meets
- Increase membership to 260

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

CONTINUED-Public Hearing, Case 24-05, 24-06 and 24-07*– TA Sudbury LLC, c/o Wilder Companies, applicant and owner, seek a Variance under the provisions of MGL Chapter 40A, Section 10, and Section 2600 Appendix B and 6130 of the Town of Sudbury Zoning Bylaw to approve a reduction in the required setback at 505-525 Boston Post Road, (Assessor’s Map K07-0005, K07-0006 and L07-0014), Limited Business District.

***24-05-Setback, 24-06-parking, 24-07-drive thru**

Atty. Josh Fox, Attorney- Rollins, Rollins and Fox, David Kelley, Project Engineer-Meridian Associates, Kelly Mejia, Project Architect-TPG Architecture, Mark Hebert, Owner- Wilder Company were present to discuss the application with the Zoning Board of Appeals.

Atty Fox Presented an updated plan with an increased the setback from 19’ to 35’. The building has been shifted 90 degrees. With the set back now being compliance there is no longer a request to seek a variance.

The atm will remain in the rear of the building and not visible from route 20.

Mr. Riepe commented on parking space that seemed to be dedicated for the bank. There will be a landscape buffer from between the building and the rest of the plaza parking.

The applicants wanted a preliminary approval of the building placement being presented before the work on and present a more robust landscape plan and building elevations.

Atty Fox requested to continue until the May 13, 2024 meeting.

Mr. Riordan made a motion to continue both applications for 505-525 Boston Post Road until the May 13, 2024 meeting. Ms. Rubenstein seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Gossels – Aye Ms. Pincus – Aye, and Ms. Rubenstein –Aye.

New Business:

Public Hearing, Case 24-08 – Metrolube Realty, LLC, applicant, and owner seeks a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2230, Appendix A, §C, Use 14 and 6200 of the Town of Sudbury Zoning Bylaw to Renew special Permit 23-19 for an extension on

construction time frame at 86-92 Boston Post Road (Assessor's Maps K11-0011), Business Zoning District.

Mr. Josh Fox, Attorney- Rollins, Rollins and Fox was present to discuss the application with the Zoning Board of Appeals.

The Franchise has asked to extended to the beginning of construction time to January 1, 2025.

Mr. Gossels made a motion to approve renewal of the Special Permit 23-19 application for 86-92 Boston Post Road to the Zoning Board of Appeals as presented. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye and Ms. Rubenstein – Aye

Public Hearing, Case 24-09 – Herb Chambers Boston Post Road, Inc. d/b/a Herb Chambers BMW of Sudbury, applicant and Herb Chambers 130 Boston Post Road LLC seek a renew Special Permit 22-46 under the provisions of MGL Chapter 40A, Section 9, and Section 6200 of the Town of Sudbury Zoning Bylaw at 68 Old County Road, (Assessor's Map K11-0004), Industrial-11, Single Residence A-1, and Single Residence C-2 Zoning Districts.

Mr. Josh Fox, Attorney- Rollins, Rollins and Fox was present to discuss the application with the Zoning Board of Appeals.

BMW dealership was due to be renewed as stated in the Special Permit 22-46. They are asking for the permit to run in perpetuity. There has not been any issues to date.

Mr. Gossels made a motion to approve renewal of the Special Permit 22-46 for 68 Old County Road on a permanent basis. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye and Ms. Rubenstein – Aye

Public Hearing, Case 24-10 – Jeff Gray, applicant and owner, seeks a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2445 and 6200 of the Town of Sudbury Zoning Bylaw to Demolish and replace garage 11 Allene Avenue, (Assessor's Map G06-0592), Residential A-1 and Water Resource District Zoning II Zoning Districts.

Jeffrey Gray, 11 Allene Avenue was present to discuss the application with the Zoning Board of Appeals.

The current garage is in compliance. It is not functional and a car will not fit in it. The proposed garage will allow for cars to be pulled into it.

Mr. Riordan was of the thought that this may be a Variance request.

The board commented on the size of the proposed garage and if it was really necessary.

Mr. Gray asked to withdraw without prejudice his application.

Ms. Pincus made a motion to accept the withdrawal of the Special Permit application for 11 Allene Avenue. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye and Ms. Rubenstein – Aye

Approve Zoning Board of Appeals Meeting Minutes from March 4, 2024

Mr. Riepe made a motion to approve the Meeting Minutes from March 4, 2024 as amended. Ms. Rubenstein 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. Riepe made a motion to adjourn the meeting. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Ms. Rubenstein - Aye.

The meeting was adjourned at 9:46 PM.