



Town of Sudbury

Zoning Board of Appeals

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DRAFT MINUTES

July 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 Associate Jeffrey Rose

Zoning Board of Appeals Members Absent: Nancy Rubenstein, Associate Michael Hershberg, and Associate William Ray

Others Present: Beth Perry, Planning and Community Development Coordinator

Mr. Riordan opened the Zoning Board of Appeals meeting at 7:02 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.

Discussion of Possible Amendment to the Zoning By Law: Permitting Commercial Firearms sales- Frank Riepe.

Frank Riepe advised the board of the activities of the Ad Hoc Citizens Committee since Spring Town Meeting at which time a Select Board proposed zoning by law regarding commercial sales of firearms failed to pass with the required two-thirds majority."

Old Business:

CONTINUED-Public Hearing, Case 24-06 – 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 parking at 505-525 Boston Post Road, (Assessor's Map K07-0005, K07-0006 and L07-0014), Limited Business District.

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.

David Kelley reviewed the updated building layout and indicated the new flow of traffic.

Kelley Mejia reviewed the changes to the colors and other elevation changes that were recommended by the Planning Board. The outside building materials will be lighter in color than previously presented to compliment the colors of the renovated Shaw's plaza as well as the development across the street.

Mr. Riepe made a motion to approve the Variance application as amended for 505-525 Boston Post Road to approve a reduction in the required parking to 384. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Gossels - Aye, and Ms. Pincus – Aye

CONTINUED-Public Hearing, Case 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 drive thru at 505-525 Boston Post Road, (Assessor’s Map K07-0005, K07-0006 and L07-0014), Limited Business District

Mr. Gossels made a motion to approve the Special Permit application for 505-525 Boston Post Road for a Drive thru. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Gossels - Aye, and Ms. Pincus – Aye

Public Hearing, Case 24-17 – 57 Longfellow Road, LLC, applicant and owner, seeks a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2400, 2460B and 6200 of the Town of Sudbury Zoning Bylaw to demolish existing house and build appx 4400 sq ft house at 57 Longfellow Road, (Assessor’s Map C07-0207), Residential A-1 and Water Resource District Zoning II Zoning Districts.

Ben Maiden, Owner Paul Mahoney, Project Manager and Steve Poole, Engineer were present to discuss the application with the Board.

The board commented on the elements that they had wanted to see changed from the last plans presented. It was noted that a colored rendering had been requested as it would be a helpful visual tool.

Ms. Pincus and Mr. Gossels both commented that the plans suggest that the basement will be finished.

Paul Mahoney commented on some of the changes that had been made per the boards request, lowered height of basement, lowered height of first floor, redesigned terrace, modified driveway, modified grading, Landscape trees, house color and changed porch roof materials.

Kevin Holst, 19 Elaine Road appreciates the plans doesn’t think it is to big, it is cohesive with the other end of the neighborhood.

Allison Hunter 9 Elaine Road, direct neighbor would like to see trees remain for privacy. Concerned about the elevation affecting their property

Sharon Tentarelli, 5 Curry Lane her house is much smaller thinks the proposed house is to large

Frank Sorret, 58 Longfellow described the size of his house and what it looks like and would like to see something similar built. Believes the proposed plans are disrespectful to the neighborhood.

Ms. Pincus made a motion to continue the Special Permit application for 57 Longfellow Road to the August 5, 2024 Zoning Board of Appeals meeting. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Gossels – Aye and Ms. Pincus – Aye

New Business:

Mr. Gossels left the meeting at this time, Mr. Rose has been asked to sit in as a full member at this time.

Public Hearing, Case 24-11 – Yuri Souza, Target Painting and Contracting, Applicant and Bill Kneeland, Knights of Columbus, Owner seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 3265, 3265A, Chart B, and 6200 of the Town of Sudbury Zoning Bylaw for a sign at 708 Boston Post Road (Assessor’s Maps K05-0015), Business Zoning District-6, Residential A-1 and Water Resource District Zone III Zoning Districts.

Yuri Souza was present to discuss his Special Permit for a sign with the board. He said the sign built was like the signs for Mercedes Benz.

Mr. Riepe asked him if he had been before the Design Review Board, he stated no. Mr. Riordan then read the minutes from the Design Review Board wherein this application was in fact discussed.

Bill Aldrich, 700 Boston Post Road, observed that the sign blocks vision from cars getting onto Rte 20. Mr. Aldrich submitted photos to illustrate."

It was suggested that he withdraw without prejudice.

Mr. Riepe made a motion to withdraw without prejudice the application for 505-525 Boston Post Road. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Ms. Pincus – Aye and Mr. Rose - Aye

Public Hearing, Case 24-18 – Francisca D. Goulart and João Bitencourt, Applicants and Owners seek a Use Variance under the provisions of MGL Chapter 40A, Section 10, and Section 6140 of the Town of Sudbury Zoning Bylaw for a Use Variance to park business vehicles at 33 Douglas Drive (Assessor’s Maps K05-0028), Residential-A Zoning and Water Resource District II Zoning Districts.

Francisca D. Goulart and João Bitencourt were present to discuss the application with the board.

Their business is run out of their house and the vehicles are registered to the business and are parked at the house.

There was a lengthy discussion as to why the applicants did not in lieu thereof "meet the by law's strict criteria".

It was suggested the applicants withdraw without prejudice.

Mr. Riepe made a motion to withdraw without prejudice the Use Variance application for 33 Douglas Drive. Mr. Rose seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Ms. Pincus – Aye, and Mr. Rose - Aye

Public Hearing, Case 24-19 – Don Byrne, Applicant and Marilyn McDonald, Owner seeks a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2313, and 6200 of the Town of Sudbury Zoning Bylaw for a Special Permit to raise chickens at 12 Trillium Way (Assessor’s Maps E06-0602), Residential-A Zoning and Water Resource District II Zoning Districts.

Don Byrne, Applicant and Marilyn McDonald, Owner were present to discuss the application to home chickens.

The ask is to have four chickens initially then getting two more.

There was a discussion regarding the placement of the coop in the front yard.

Ms. Pincus made a motion to approve the Special Permit Application for 12 Trillium Way as presented for 6 chickens with a renewal date of July 1, 2025. Mr. Rose seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Ms. Pincus – Aye, and Mr. Rose - Aye

Public Hearing, Case 24-20 – Amanda Miner applicant and owner seeks a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Section 2445 and 2600, of the Town of Sudbury Zoning Bylaw to renovate and build an appx 26’ x 30’ addition at 47 Lakewood Road, (Assessor’s Map F04-0508), Residential-A Zoning and Water Resource District Zoning III Zoning Districts.

Amanda and Jeff Miner were present to discuss the application with the Board.

They would like to build an appx 26x30 addition to the front of their house.

There was a discussion about this application needing a variance rather than a special permit.

It was suggested the applicants withdraw without prejudice.

Mr. Riepe made a motion to withdraw without prejudice the Special Permit Application for 47 Lakewood Road. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Ms. Pincus – Aye, and Mr. Rose - Aye

Approve Zoning Board of Appeals Meeting Minutes from May 13, 2024

Mr. Riordan made a motion to approve the Meeting Minutes from May 13, 2024 as amended. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Ms. Pincus – Aye and Mr. Rose - Aye

Approve Zoning Board of Appeals Meeting Minutes from June 3, 2024

Will be reviewed at the August 5, 2024 meeting

Approve Zoning Board of Appeals Meeting Minutes from June 17, 2024

Will be reviewed at the August 5, 2024 meeting

Administrative Report

Mr. Pincus made a motion to adjourn the meeting. Ms. Rose seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Ms. Pincus – Aye, and Mr. Rose – Aye

The meeting was adjourned at 11:32 PM.