



Town of Sudbury

Zoning Board of Appeals

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MINUTES

November 4, 2024 AT 7:00 PM

VIRTUAL MEETING

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

Zoning Board of Appeals Members Absent: Associate William Ray

Others Present: Beth Perry, Planning and Zoning Coordinator

Mr. Riordan opened the Zoning Board of Appeals meeting at 7:01 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.

New Business:

Public Hearing, Case 24-26 – Dominic Mangano Applicant and Owner seeks to amend Special Permit 23-42 under the provisions of MGL Chapter 40A, Section 9, and Sections 6200 of the Town of Sudbury Zoning Bylaw to finish attic and add mudroom to basement adding 800 feet of finished space at 5 Easy Street (Assessor's Maps K05-0217), Residential-C1 Zoning and Water Resource District III Zoning Districts.

Dominic Mangano was present to discuss the application with the Board. He explained the changes he would like to make.

Ms. Rubenstein made a motion to approve amending Special Permit 23-42 for 5 Easy Street to the Zoning Board of Appeals as submitted. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg-Aye, Ms. Pincus – Aye and Ms. Rubenstein – Aye

Public Hearing, Case 24-27 – Robert E. and Regina M. Hatcher applicants and owners seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 5500 and 6200 of the Town of Sudbury Zoning Bylaw to build a 493 sq ft accessory dwelling unit at 15 Willis Lake Drive, (Assessor's Map F05-0217), Residential-A1 Zoning and Water Resource District Zoning III Zoning Districts.

Robert and Regina Hatcher were present to discuss the application with the Zoning Board of Appeals. There is a need to aid in the care of family.

A second floor will be added to the new space but it will not be a part of the ADU.

Stacy Oliver, residential designer, SO Design was present to answer some questions regarding the design.

Ms. Rubenstein suggested a change to the roof line.

Ms. Pincus questioned if the entrance was on the front of the house as it makes the house look like a two-family home. She also offered a few design changes.

Howard Wolke, 1 Pinewood offered his support for this application.

Ms. Pincus made a motion to approve the Special Permit application for 15 Willis Lake Drive to the Zoning Board of Appeals with the following conditions:

-Every effort will be made to ensure the addition does not look like a second dwelling.

-The sidewalk would be an extension of the existing sidewalk from the front door

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

Public Hearing, Case 24-28 – TA Sudbury LLC, c/o Wilder Companies applicant and owner seeks a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Section 3290 and 6200, of the Town of Sudbury Zoning Bylaw to modify freestanding signs at 505-525 Boston Post Road, (Assessor’s Map K07-0005, K07-0006 and L07-0014), Limited Business District and Water Resource District Zoning II Zoning Districts.

Josh Fox, Rollins, Rollins and Fox, Mark Hebert, Sr. VP of Development Wilder companies, and Kayte Muse sign designer were present to discuss the application with the Board.

The modification of the freestanding signs are no longer being requested as what is currently there matches the renovations.

The current sign on Nobscot Road will be upgraded rather than replaced.

Westerly Boston Post Road entrance monument sign will be 5 feet tall match in esthetics and only identify the name of the plaza.

There was a question regarding the lighting of the monument sign,

Mr. Riordan made a motion to conditionally approve the Special Permit application for 505-525 Boston Post Road to the Zoning Board of Appeals as follows:

-The smaller monument sign on the west end of the plaza entrance and the pole sign on Nobscot Road will be presented to the Deign review Board for their approval in lieu of any major changes there is no need to return to the Zoning Board of Appeals.

-All lighting will be dark sky compliant.

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

Public Hearing, Case 24-31 – Mark Evangelous, applicant and Mill Brook Park Condominium II, owner seeks a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Section 3200 and 6200, of the Town of Sudbury Zoning Bylaw to modify a preexisting sign at 321-323-325 Boston Post Road, (Assessor’s Map K07-0005, K07-0006 and L07-0014), Village Business District and Water Resource District Zoning III Zoning Districts.

Mark Evangelous of Gemini Sign was present to discuss the application with the Board.

There was some confusion on the frontage requirement.

There was a discussion regarding size and material that was previously used vs what is proposed.

There are no current plans for any type of lighting.

Ms. Pincus made a motion to approve the Special Permit application for 321-323-325 Boston Post Road to the Zoning Board of Appeals as submitted. Mr. Hershberg seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg-Aye, Ms. Pincus – Aye and Ms. Rubenstein – Aye

Public Hearing, Case 24-32 – Tim Butland, applicant and Mike & Ashlee Harrahy, owners seek a Variance under the provisions of MGL Chapter 40A, Section 10, and Section 6130, 2641B and 2620, of the Town of Sudbury Zoning Bylaw to allow a second-floor addition to encroach into the front and rear setbacks at 50 Willis Lake Road, (Assessor’s Map F05-0112), Residential A-1 and Water Resource District Zoning II Zoning Districts.

Tim Butland, TJB Construction, applicant, and Ashlee and Mike Harrahy, owners were present to discuss the application with the Zoning Board of Appeals

To put an addition on ground level would encroach on the septic location, building up is the only way to add more living space.

There was a discussion regarding two lots that have been combined into one.

Ms. Pincus and Ms. Rubenstein did not see the need to issue a variance for a porch.

Jim Kelly 19 Oakwood Avenue called in support of the variance application.

Mr. Riepe made a motion to continue the Variance application for 50 Willis Lake Road to the Zoning Board of Appeals meeting on December 2, 2024. Ms. Rubenstein seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg-Aye, Ms. Pincus – Aye and Ms. Rubenstein – Aye

Public Hearing, Case 24-30 – Karen & Joseph Alarie, applicants and owners, seek a Special Permit under the provisions of MGL Chapter 40A, Sections 9, and Sections 2440, 5500 and 6200 of the Town of Sudbury Zoning Bylaw to build a 624 accessory dwelling unit at 56 Oakwood Avenue,

Assessor's Map F04-0520, Residential A-1 and Water Resource Protection Overlay District Zone III Zoning Districts.

Brian Hann, son-in-law was present to discuss the application with the Board.

There was a discussion on the capacity of the septic system and the layout of the proposed construction.

Jim Kelly 19 Oakwood Avenue called in support of this application.

Mr. Riepe made a motion to continue the Special Permit application for 56 Oakwood Avenue to the Zoning Board of Appeals meeting on December 2, 2024. Mr. Riordan seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg-Aye, Ms. Pincus – Aye and Ms. Rubenstein – Aye

Public Hearing, Case 24-29 – Anthony J. Riley, Attorney for Ava Vernooy, 17 Allene Avenue, seeks to appeal the issuance of Building Permit #B-24-599 under the provisions of MGL Chapter 40A, Sections §§8 and 15, and Section 6100 of the Town of Sudbury Zoning Bylaw on the grounds a building permit is not allowed as of right and it requires a variance for 11 Allene Avenue, Assessor's Map G06-0592, Residential A-1 and Water Resource Protection Overlay District Zone II Zoning Districts.

Anthony Riley, Attorney for Ava Vernooy was present to discuss the appeal with the Board.

He stated his interpretation of the situation.

Bob Dionsi Attorney for Jeff Gray was present to discuss his interpretation of the situation.

The appeal case raised complex legal issues requiring further analysis and consultation.

Mr. Riepe made a motion to continue the Appeal application for 11 Allene Avenue to the Zoning Board of Appeals meeting on December 2, 2024. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg-Aye, Ms. Pincus – Aye and Ms. Rubenstein – Aye

Untimed Items:

Approve Zoning Board of Appeals Meeting Minutes from October 7, 2024

This topic will be discussed at the December 2, 2024 meeting.

Administrative Report

Mr. Riordan commented on the new Accessory Dwelling Unit Law. Mr. Burney had drafted an updated of the bylaw for the boards input.

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

The meeting was adjourned at 11:19 PM.

Note: This summary captures the essential discussions and decisions made during the meeting. For detailed inquiries, please refer to the full meeting transcript.