



# Town of Sudbury

## Zoning Board of Appeals

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### MINUTES

December 2, 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 7:03 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.

#### Old Business:

**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.**

Atty Anthony J. Riley was present to plead the appeal for Ava Vernooy

There was a debate on whether the garage is an accessory structure or part of the residential structure

There were concerns about intensification of nonconformity due to lot size

Building Inspector Andrew Lewis clarified the permit was based on compliance with setback and lot coverage requirements.

The Board voted to affirm the decision of the Building inspector’s issuance of Building Permit #B-24-599 Vote: Mr. Riordan – Aye, Mr. Riepe – Nay, 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.**

Karen Alarie was present to discuss the changes that have been made with the Board.

There was clarification on the entrance and window placement

Jim Kelly, 19 Oakwood Ave called in support of the project

It was noted that several emails were also received in support of the project.

Ms. Rubenstein made a motion to approve the application as presented for 56 Oakwood Avenue to the Zoning Board of Appeals meeting on December 2, 2024. Mr. 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 24-32 – 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 changes with the Zoning Board of Appeals

There was a discussion regarding alternative designs to minimize variance needs and stay within budget

Susan Allan, 19 Oakwood Avenue, expressed support for their proposed plan

Jim Kelly 19 Oakwood Avenue, agreed with them needing more space

Kevin Wallace 29 Field Circle, Wrentham hopes the application will be approved

Mr. Riordan made a motion to approve the Variance application for 50 Willis Lake Road. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg-Aye, Ms. Pincus – Aye and Ms. Rubenstein – Abstain

Nancy Rubenstein left the meeting at 9:41pm

**New Business:**

**Public Hearing, Case 24-33 – Sign Design Inc., Applicant and Sarah Realty, LLC, Owner seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 3260, 3265, 3265a and 6200 of the Town of Sudbury Zoning Bylaw to install panel to existing pylon at 100 Boston Post Road (Assessor's Maps K11-0010), Business-1 Zoning District.**

Marie Mercier was present to discuss the application with the Board.

The proposed sign follows size regulations.

Internal lighting was not approved.

Mr. Riordan made a motion to approve the Special Permit application for 100 Boston Post Road. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg-Aye, and Ms. Pincus – Aye

**Public Hearing, Case 24-34 – Mark Particelli, President, Precise Auto Body, Inc. applicant and Station Road Auto Body & Garage, Inc. owner seeks a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2230 and 6200 of the Town of Sudbury Zoning Bylaw to continue business under new ownership at 38-40 Station Road, (Assessor’s Map K08-0040), Industrial Zoning and Water Resource District Zoning II Zoning Districts.**

Mark Patricelli, Precise auto body was present to discuss the application with the board.

There was a discussion about the continuation of the business under new ownership.

There will be no changes to the existing operations.

Mr. Riordan made a motion to approve the Special Permit application for 38-40 Station Road to the Zoning Board of Appeals as submitted. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg-Aye, and Ms. Pincus – Aye

**Public Hearing, Case 24-35 – Frederick Hanna applicant and Brian Huss owner seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Section 2445 and 6200, of the Town of Sudbury Zoning Bylaw to construct a 1,551 sq ft addition at 331 Hudson Road, (Assessor’s Map G06-0576), Residential-A and Water Resource District Zoning II Zoning Districts.**

Frederick Hanna, Applicant, Brian Huss, Owner and Montgomery Nsamba, engineer from Stamski and McNary, Inc. were present to discuss the application with the board.

There was a discussion on who owns and maintains the paper street.

Ms. Pincus made a motion to continue the Special Permit application for 331 Hudson Road to the Zoning Board of Appeals meeting on January 6, 2024. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg-Aye, and Ms. Pincus – Aye

**Untimed Items:**

**Approve Zoning Board of Appeals Meeting Minutes from October 7, 2024, October 21, 2024 and November 4, 2024**

Mr. Riordan made a motion to approve all meeting minutes with amendments where indicated. Mr. Hershberg seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg-Aye and Ms. Pincus – Aye

**Approve Zoning Board of Appeals Meeting Schedule for 2025**

Will be discussed at the next meeting

**Administrative Report**

Mr. Riordan noted the Select Board denied the request for a new liaison to the Zoning Board of Appeals.

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

The meeting was adjourned at 11:30 PM.

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