



a Town of Sudbury

Zoning Board of Appeals

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MINUTES

FEBRUARY 3, 2025 AT 7:00 PM

VIRTUAL MEETING

JOINT MEETING WITH EARTH REMOVAL BOARD

Zoning Board of Appeals Members Present: Chair John Riordan, Clerk Frank Riepe, Michael Hershberg, Jennifer Pincus, and Associate William Ray

Zoning Board of Appeals Members Absent: Jeffrey Rose and Benjamin Stevenson

Earth Removal Board Members Present: Chair Jonathan Patch, Bryan Gammons, Michael Hershberg and William Ray

Earth Removal Board of Appeals Members Absent: Jeffrey Rose and Benjamin Stevenson

Others Present: Planning and Zoning Coordinator Beth Perry

Mr. Riordan opened the Zoning Board of Appeals meeting at 7:04 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. Patch opened the Earth Removal Board meeting at 7:10 PM by noting the presence of a quorum.

Untimed Items:

Earth Removal Board Reorganization

Mr. Patch stated he would be happy to continue as chair for another year.

Mr. Ray made a motion to reappoint Jonathan Patch as Chair. Mr. Hershberg seconded the motion. Roll Call Vote: Mr. Patch – Abstain, Mr. Gammons – Aye, Mr. Hershberg – Aye, and Mr. Ray- Aye.

Approval of the 2024 Annual Report for the Earth Removal Board

Mr. Patch made a motion to approve the 2024 Annual Report for the Earth Removal Board. Mr. Ray seconded the motion. Roll Call Vote: Mr. Patch – Aye, Mr. Gammons – Aye, Mr. Hershberg – Aye, and Mr. Ray – Aye.

Review and Vote on Rules and Regulations – Earth Removal Board

Mr. Ray made a motion to approve the Rules and Regulations for the Earth Removal Board for 2024. Mr. Patch seconded the motion. Roll Call Vote: Mr. Patch – Aye, Mr. Gammons – Aye, Mr. Hershberg – Aye, and Mr. Ray – Aye.

Mr. Patch made a motion to adjourn the Earth Removal Portion of the meeting at 7:16. Mr. Ray seconded the motion. Roll Call Vote: Mr. Patch – Aye, Mr. Gammons – Aye, Mr. Hershberg – Aye, and Mr. Ray – Aye.

Zoning Board of Appeals Reorganization

Mr. Riordan indicated he would be willing to remain as Chair for one more year.

Mr. Riepe made a motion to reappoint Mr. Riordan as Chair of the Zoning Board of Appeals. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg - Aye, Ms. Pincus – Aye, and Mr. Ray - Aye.

Mr. Riepe indicated he would be interested in remaining as the Clerk.

Mr. Riordan made a motion to appoint Mr. Riepe as Clerk of the Zoning Board of Appeals. Mr. Ray seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Abstain, Ms. Pincus – Aye, Mr. Hershberg - Aye and Mr. Ray – Aye.

Approval of the 2024 Annual Report for the Zoning Board of Appeals

Ms. Pincus made a motion to approve the 2024 Annual Report for the Zoning Board of Appeals. Mr. Hershberg seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg – Aye, Ms. Pincus – Aye, and Hershberg -Aye.

Review and Vote on Rules and Regulations – Zoning Board of Appeals

Mr. Riepe made a motion to approve the Rules and Regulations for the Zoning Board of Appeals for 2024. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg – Aye, Ms. Pincus – Aye, and Mr. Ray – Aye.

Review and Vote on Supplemental Rules for Comprehensive Permits

Mr. Riordan made a motion to approve the Supplemental Rules for Comprehensive Permits for the Zoning Board of Appeals for 2024. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Ms. Pincus – Aye, Mr. Hershberg – Aye and Mr. Ray - Aye

Mr. Riordan noted the requirements for Special Permits and Variances as discussed in the Zoning Bylaw.

Old Business:

CONTINUED-Public Hearing, Case 24-25 – Fredrick 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.

Fred Hanna, applicant was present to discuss the applicant with the Board.

There was a discussion on whether a special permit or variance was appropriate due to the paper road.

Mr. Riordan made a motion to withdraw the Special Permit application for 331 Hudson Road. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg-Aye, Ms. Pincus – Aye and Mr. Ray – Aye

Public Hearing, Case 25-04 – Frederick Hanna applicant and Brian Huss owner seek a Variance under the provisions of MGL Chapter 40A, Section 10, and Section 2430 and 6200, of the Town of Sudbury Zoning Bylaw to construct a 1,551 sq ft addition 4.4 feet from the property line at 331 Hudson Road, (Assessor’s Map G06-0576), Residential-A and Water Resource District Zoning II Zoning Districts.

There was a discussion on whether a special permit or variance was appropriate due to the paper road.

Consensus of the board is to grant a variance due to unique property conditions.

Mr. Riordan made a motion to approve the Variance application for 331 Hudson Road as submitted on January 10, 2025. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg-Aye, and Ms. Pincus – Aye

New Business:

Public Hearing, Case 25-01 – Evan Ruppell, Applicant and Owner seeks to renew a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2313, and 6200 of the Town of Sudbury Zoning Bylaw to raise chickens at 28 Firecut Lane (Assessor’s Maps G04-0441), Residential A-1 and Water Resource District Zone III Zoning Districts

Evan Ruppell, Applicant and Owner was present to discuss the application with the Zoning Board of Appeals.

There was a discussion regarding the experience with the chicken coop thus far.

Mr. Riepe made a motion to approve the Special Permit application as submitted for 28 Firecut Lane to the Zoning Board of Appeals with the following conditions:

-Permit will expire on February 3, 2027

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

Public Hearing, Case 25-02 – Connie Steward, Applicant seeks to appeal planning board decision for conditional approval of Site Pan and Stormwater managements permits under the provisions of MGL Chapter 40A, Section 8, and Sections 6100 and 6390A of the Town of Sudbury Zoning Bylaw for Lots 1 & 2 at Harvey Farm Lane (Assessor’s Maps H10-201 and H10-202), Single Residence C-1 Zoning District.

Mr. Riepe made a motion to immediately continue at the request of the applicant via her lawyer dated for the appeal for Lots 1 & 2 at Harvey Farm Lane until March 3, 2025. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg-Aye, Ms. Pincus – Aye and Mr. Ray – Aye

Public Hearing, Case 25-03 – 58 Massasoit Avenue, Sudbury, LLC C/O Jonatas Storck a/s/a Jonatas Stork, Applicant and Owner seek to modify Special Permit 22-27 under the provisions of MGL Chapter 40A, Section 9, and Sections 2460 and 6200 of the Town of Sudbury Zoning Bylaw to approve a slight pitch change at 58 Massasoit Avenue (Assessor’s Maps K09-0425), Single Residence A-1 and Water Resource District Zoning III Zoning Districts.

Atty Robert Dionisi was present to discuss the application with the Zoning Board of Appeals

There was a discussion regarding the proposed slight pitch change.

Ms. Pincus pointed out that what has already been built is not according to the original plans that were approved by the board.

Neighbors: Michael Cameron, 18 Franklin Place, Glenn Skoloff, 18 Allen Place, Mary Lester 10 Allen Place all expressed their frustration with what is being build and the lack of care from the builder.

Mr. Ray made a motion to continue the Special Permit Application for 58 Massasoit Avenue until April 7, 2025. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg-Aye, Ms. Pincus – Aye and Mr. Ray – Aye

Other Untimed Items:

Associate Member application for Alexander Dorjets

Mr. Dorjets was present to answer question from the board.

Mr. Riordan made a motion to request the Planning Director submit a letter of recommendation to the Select Board. Mr. Ray seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg – Aye, Ms. Pincus – Aye and Mr. Ray - Aye

Approve Zoning Board of Appeals Meeting Minutes from December 2, 2024

Mr. Riepe made a motion to approve the Meeting Minutes from December 2, 2024. Mr. Riordan seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg – Aye, Ms. Pincus – Aye, and Mr. Ray – Aye.

Approve 2025 Meeting Schedule

Mr. Riepe made a motion to approve the 2025 Meeting Schedule. Mr. Riordan seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg – Aye, Ms. Pincus – Aye, and Mr. Ray – Aye.

Administrative Report

Adam Burney will provide an update on the accessory dwelling unit bylaw revision at the next meeting

Status of Appeal filed on 11 Allene Avenue Decision

This will be discussed at the next meeting.

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

The meeting was adjourned at 10:46 PM.

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