



Town of Sudbury

Zoning Board of Appeals

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MINUTES

JUNE 9, 2025 AT 7:00 PM

VIRTUAL MEETING

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

Zoning Board of Appeals Members Absent: William Ray and Jeff Rose

Others Present: Planning and Zoning Coordinator Beth Perry

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.

CONTINUED-Public Hearing, Case 25-12 – Fast Shapes, Inc. Applicant and Target Realty, LLC. Yuri Souza, Owner, seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 3290 and 6200 of the Town of Sudbury Zoning Bylaw to replace a sign at 708 Boston Post Road, Assessor's Map K05-0015, Single Residence A-1 and Water Resource Protection Overlay District Zone III Zoning Districts.

Rafael Silva, Fast Shapes, Inc. and Lucas Santos, Director of Operations for Target Painting were present to discuss the application with the board.

The sign proposed is smaller than the current sign, and was approved by the Design review Board.

The location of the sign was discussed.

Mr. Riepe made a motion to approved the Special Permit application for 708 Boston Post Road with the following conditions:

- Sign to be positioned parallel to the front property line, no closer than 8 feet (per bylaw) or as otherwise determined in relation to pavement edge.
- Sign must be one-sided and conform in design to approved plans.
- Lighting to be dark-sky compliant garden lights (external).
- Street address (708 Boston Post Road) must be visibly included on the sign.

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

Public Hearing, Case 25-16 – Asbury Sudbury LR, LLC, Applicant and Herb Chambers 83 Boston Post Road, LLC, seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Section 6200 of the Town of Sudbury Zoning Bylaw to transfer ownership at 83 Boston Post Road, Assessor's Map K11-0015, Industrial Zoning District.

Atty Josh Fox, Rollins, Rollins and Fox was present to discuss the application with the board.

The applicant requested transfer of the special permit to Asbury Automotive Group from Herb Chambers.

The original decision (2002) had non-transferable clauses and periodic renewal requirements; these were standard in early automotive dealership permits but phased out in more recent approvals.

Request included removal of renewal and transfer restrictions to facilitate financing and operation.

Ms. Pincus made a motion to approve the Special Permit application for 83 Boston Post Road as submitted. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg – Aye, Ms. Pincus – Aye, and Mr. Dorjets-Aye.

Public Hearing, Case 25-17 – Asbury Sudbury LR, LLC, Applicant and Herb Chambers 130 Boston Post Road, LLC, seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Section 6200 of the Town of Sudbury Zoning Bylaw to transfer ownership at 68 Old County Road, Assessor's Map K11-0004, Industrial Zoning District

Atty Josh Fox, Rollins, Rollins and Fox was present to discuss the application with the board.

The applicant requested transfer of the special permit to Asbury Automotive Group from Herb Chambers.

Ms. Pincus made a motion to approve the Special Permit application for 68 Old County Road as submitted. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg – Aye, Ms. Pincus – Aye, and Mr. Dorjets-Aye.

Public Hearing, Case 25-18 – Sudbury American Legion Post #191, Inc., Michael Fitzgerald Applicant and Owner, seeks a Variance under the provisions of MGL Chapter 40A, Section 10, and Sections 2230 of the Town of Sudbury Zoning Bylaw to use the property as a private clubhouse and meeting hall at 676 Boston Post Road, Assessor's Map K05-0020, Single Residence A-1 and Water Resource Protection Overlay District Zone III Zoning Districts.

Michael Fitzgerald (Commander), Applicant, requested renewal of existing use variance to continue operation as a private clubhouse and meeting hall with two main modifications:

- Permission to install a screened commercial dumpster (previously prohibited).
- Extension of variance duration from five years to ten years, citing difficulty in securing funding for long-term improvements.

The variance covers club use, including community support activities such as fundraising, veteran support, and Meals on Wheels food distribution (local, up to 90 meals per week).

Concerns and issues discussed:

- Non-compliance with previous variance conditions including signage, parking barriers, and lack of annual notification letters to abutters.
- Appearance of signage advertising public bar and food service, perceived as inconsistent with private club status. Signage has since been removed.
- Parking barrier (fence) in disrepair, allowing parking in prohibited areas.
- Need to balance community service mission with neighborhood impact and compliance with variance conditions.
- The Meals on Wheels operation was clarified as a distribution point, with no food preparation or commercial vehicles stationed on-site.
- Public comments from abutters expressed support for the Legion's mission but concern about compliance with variance conditions and public-access-themed signage.
- They opposed elimination of the letter notification requirement and extending the variance to 10 years without ensuring proper oversight.
- Board members emphasized:
 - The importance of ongoing compliance with variance conditions.
 - Concerns about extending the variance term to 10 years due to past and current non-compliance.
 - Suggested renewal for a shorter term (two years) to allow for re-evaluation and better enforcement.
 - Removal of the prior requirement for annual written letters to abutters solicitation complaints but retention of the general prohibition against nuisances.

Mr. Riordan made a motion to approve the Special Permit application for 676 Boston Post Road with the following conditions:

- Use variance renewed for two years
- Dumpster permitted with screening and in existing location.
- Annual written letter requirement to abutters removed
- Parking barrier fence to be repaired within 60 days and maintained thereafter.

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

Approve Zoning Board of Appeals Meeting Minutes from May 12, 2025

Ms. Pincus made a motion to approve the Meeting Minutes from May 12, 2025 as amended. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Mr. Hershberg – Aye, Ms. Pincus – Aye, and Mr. Dorjets-Aye

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

The meeting was adjourned at 10:30 PM.

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