



# Town of Sudbury

## Zoning Board of Appeals

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### MINUTES

August 4, 2025 AT 7:00 PM

### VIRTUAL MEETING

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

**Zoning Board of Appeals Members Absent:** Michael Hershberg, 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.

**Public Hearing, Case 25-19 – Michael Carpenter, Applicant and Douglas and Andre Graciano Owners, seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Section 2641A and 6200 of the Town of Sudbury Zoning Bylaw to alter an already non-conforming lot at 355 Maynard Road, Assessor's Map E06-0007, Residential-A Zoning, Water Resource District Zoning II and Water Resource District Zoning III Zoning Districts.**

Dan Carr from Stamsky and McNary was present to discuss the application with the board.

- Proposal: convey part of a non-conforming lot at 355 Maynard Road to adjacent conforming lot at 24 Cutting Lane to improve lot perimeter ratio.
- Discussion on the lot shape factor and challenges in complying with setback requirement due to lot shape and size.
- Building Inspector Andrew Lewis confirmed that 24 Cutting Lane would remain conforming post-transfer; 355 Maynard would remain slightly non-conforming but closer to compliance.

Ms. Pincus made a motion to approved the Special Permit application for 355 Maynard Road as presented. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Ms. Pincus – Aye, and Mr. Dorjets-Aye.

**Public Hearing, Case 25-21 – James W. Newton, Applicant and Owner seeks a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2230, Appendix A, §C, Use 5, 2313 and 6200 of the Town of Sudbury Zoning Bylaw to operate a dog kennel at 42 Wolbach Road, Assessor's Map J11-0301, Residential-C2 Zoning District.**

Mr. Newton is seeking a special permit to operate a dog kennel at 42 Wolbach Road.

The Board discussed existing operations, compliance with state and town regulations, and upcoming changes under the new state “Ollie’s Law” effective mid-2026.

Mr. Riordan made a motion to approved the Special Permit application for 42 Wolbach Road with the following conditions:

- limit of 18 dogs
- only Lots J11-0301 and J11-0300 will be used
- no commercial breeding or sales,
- no more than 10 dogs supervised simultaneously during walks
- dog pick-up/drop-off to be managed by the operator to minimize traffic
- compliance with current and future regulations
- approval for a limited term through December 31, 2026,

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

**Public Hearing, Case 25-22 – Susan Moylan Brennan, Applicant and Owner seeks a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2230, Appendix A, §C, Use 5, 2313 and 6200 of the Town of Sudbury Zoning Bylaw to operate a dog kennel at 8 Tanbark Road, Assessor’s Map H05-0590, Residential-A Zoning, Water Resource District Zoning III Zoning Districts.**

Susan Brennan applicant and Owner was present to discuss the application with the Board.

- Ms. Brennan is seeking a permit for boarding 6–8 dogs and daycare for 4–5 dogs during weekdays, with increased boarding capacity (10–12 dogs in total) during holidays only.
- Operation is home-based, with dogs inside house and fenced backyard. Small-scale, sole proprietorship with previous informal compliance and inspection by Animal Control Officer.
- Public comments received mixed opinions:
  - Neighbors voiced concerns about noise levels affecting their health, privacy, quality of life, impact on property values, and proximity to wetlands.
  - Supporters emphasized professionalism, care quality, minimal noise, and concern for kennel's livelihood.
- Given the complexity and community input, the Board voted to continue the hearing to the September 8, 2025 meeting to allow full participation by all Board members and to hear a rebuttal from the applicant. The hearing record will be closed to public comment, but the applicant may submit additional information prior to the continued hearing.

Mr. Riepe made a motion to continue the Special Permit application for 8 Tanbark Road until September 8, 2025. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Ms. Pincus – Aye, and Mr. Dorjets-Aye.

**Public Hearing, Case 25-23 – Joseph & Anne Burke, Applicant and 74 Brookdale Realty Trust, Owner seek a Variance under the provisions of MGL Chapter 40A, Section 10, and Section 6130 of**

**the Town of Sudbury Zoning Bylaw to alter a Pre-existing non-conforming lot at 74 Brookdale Road, Assessor's Map M11-0153, Residential-A Zoning District.**

Joseph and Anne Burke were present to discuss their application with the board.

- Variance for 6-foot side setback in residential district to accommodate a two-car garage addition and mudroom entrance to address family needs including enclosed access for a child with developmental disabilities.
- Hardship cited: lot size and shape nonconformity, septic location, existing utilities on particular side citing relocation of those utilities to be costly and impractical.
- Board reviewed architectural plans and hardship justification and noted the existing large distance (109 feet) between neighbor's homes and landscape buffer on property lines.
- Neighbor immediately adjacent expressed no opposition.

Mr. Riepe made a motion to approved the Variance application for 74 Brookdale Road as submitted. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Ms. Pincus – Aye, and Mr. Dorjets-Aye.

**Approve Zoning Board of Appeals Meeting Minutes from June 9, 2025**

Mr. Riordan made a motion to approve the Meeting Minutes from June 9, 2025 as amended. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Ms. Pincus – Aye, and Mr. Dorjets-Aye

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

The meeting was adjourned at 11:00 PM.

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