



Town of Sudbury

Zoning Board of Appeals

appeals@sudbury.ma.us

Flynn Building
278 Old Sudbury Road
Sudbury, MA 01776
978-639-3387
Fax: 978-639-3314

www.sudbury.ma.us/boardofappeals

MINUTES

DECEMBER 8, 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 7:02 PM by noting the presence of a quorum.

Public Hearing, Case 25-33 – Joshua and Meredith Phelps, Applicant and Owner seek 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 20 Linden Road, Assessor’s Map H05-0512, Residential-A1 Zoning and Water Resource District Zoning II Zoning Districts.

Meredith Phelps as present to discuss the application with the board.

Current flock: 4 chickens (one hen ~6.5 yrs old remaining from original flock).

Previous permit allowed up to 12 chickens; board has generally been granting up to 10 — applicant agreed to a 10-chicken cap.

Coop maintained cleanly; family disposes of waste and uses shavings for bedding; children assist with chores.

No reported neighbor complaints or nuisance issues.

Mr. Riordan made a motion to approve the Special Permit application for 20 Linden Road for 6 Chickens to expire December 8, 2030. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Ms. Pincus – Aye, and Mr. Dorjets-Aye.

Public Hearing, Case 25-34 – Don Byrne, Applicant and Marilyn McDonald, Owner seek 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 12 Trillium Way, Assessor’s Map E06-0602, Residential-A Zoning and Water Resource District Zoning II Zoning Districts.

Don Byrne, Applicant and Marilyn McDonald, were present to discuss the application with the board.

Current flock: downsized from 7 to 4; applicants requested up to 6 chickens maximum.

Coop is well-maintained, cleaned daily; litter used as mulch; weekly garbage disposal for waste.

Neighbors have expressed positive interest; coop visible/ornamental ("Cluckingham Palace").

Applicants aware no commercial sale of eggs is allowed (eggs may be given away but not sold).

Mr. Riepe made a motion to approve the Special Permit application for 12 Trillium Way for 6 Chickens to expire December 8, 2030. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Ms. Pincus – Aye, and Mr. Dorjets-Aye.

Public Hearing, Case 25-32 – Michael J. Griffin, Applicant and Penobscot Realty Trust seek to renew a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2230, Appendix A, §C, Use 12, 14 of the Town of Sudbury Zoning Bylaw for motor vehicle repair and sales at 684 Boston Post Road, Assessor's Map K05-0019, Business District-6 and Water Resource District Zoning III Zoning Districts.

Large number of vehicles visibly stored on site (conservative headcount ~60+ visible vehicles during site visit).

Vehicles staged tightly around the building: limited or no clear 20-foot fire access lanes on the east/west sides; potential impediments to fire/rescue access.

Evidence of long-term, partially dismantled vehicles, rusted/abandoned vehicles, and stacking of cars making the site appear like a junkyard rather than a mechanic shop or limited restoration operation permitted by prior decisions.

Prior permit conditions (1997 and 2001) included explicit limits: automotive mechanical repairs only, incidental body repairs only, no painting, and no outside storage of junk/parts/inoperable vehicles; automobiles parked to the west limited to owners' cars, cars waiting for service, and no more than two cars for resale.

Michael Griffin was present to discuss the application with the Board.

Personal and medical hardships over the past decade (caregiving responsibilities for a partner with a serious illness; significant medical problems and surgeries) that impeded site management and permit renewals.

Business profile: full-service Volvo specialty/repair work, master technicians (several part-time and full-time certified technicians), restoration and mechanical services including steel/metal work (welding, chassis/frame repair), but no painting performed on site.

Historic use of the property (pre-zoning heavy equipment/repair uses; Quonset-hut shop; prior heavy equipment repairs dating back many decades).

Steps taken and planned to address issues: moving cars to satellite lots (Oxford and Middleborough), clearing front and side areas for access, fencing improvements (proposed 7–8 ft cedar fence with sliding gate along the western frontage), planting buffer landscaping (fruit trees, shrubs) and improving site security (cameras), pursuing insurance and building repairs.

Operational constraints: difficulty obtaining parts for vintage cars, tow-ins, and the shop's work flow; some cars are high-value collector vehicles; some cars are applicant's personal vehicles and are kept on-site.

Enforcement and safety concerns

Fire Department input (via Building Inspector) highlighted need for 20-foot-wide access in front and along sides for emergency vehicle access and potential fire code issues given obstructed access.

Board members noted inability to safely access the building with a fire truck during site visit; called for the Fire Department to inspect and advise.

The Board unanimously agreed not to act to renew the lapsed special permit at this meeting because:

The permit had lapsed for an extended period (last on-file renewal dated 2009), and the current site condition appears materially different from prior permits.

Continuance and conditions set by the board:

Immediate (month-end) deliverable: Applicant must provide the Planning Department and Building Inspector with a complete inventory by the end of the current month (December). Inventory requirements:

- Count of all vehicles on the property (including partial/inoperable vehicles, client/customer vehicles, personal vehicles, and snowplow trucks), with a basic identifier (make/model/year or other brief description), and indicate whether each vehicle is owned by the applicant, a customer, or a personal vehicle.
- Include partial/inoperable vehicles in the inventory if present at the end of the month.

1. Photographic documentation: Board members (or staff) will take photographs of the site in December to establish a baseline. The board expects to compare current photos to conditions in April to assess progress.
2. Site plan / landscape plan due by April: Applicant to provide a simple landscape/buffer plan showing proposed plantings, fence locations, and any other site treatments (e.g., fencing/gate detail) intended to screen and buffer the site from neighbors and Route 20.
3. Fire access: Applicant to address fire access concerns; the Fire Department will be asked to inspect and advise on necessary access/clearance to meet code and emergency response needs.
4. Enforcement monitoring: Building Inspector (enforcement agent for ZBA) will monitor progress; the board reserves the right to reopen the matter earlier than April if necessary (non-compliance or insufficient progress), and to pursue enforcement action/penalties if warranted.

5. Future permit outlook: Board members indicated any future permit (if granted) would likely be short-term (e.g., one year) and include firm, enforceable conditions with measurable milestones. Applicant was advised to plan for a one-year conditional permit if the board is satisfied with progress by April.

Mr. Riordan made a motion to continue the Special Permit application for 684 Boston Post Road to the April 6, 2026 meeting. 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 November 3, 2025

Mr. Riordan made a motion to approve the Meeting Minutes from November 3, 2025 as amended. Mr. Riepe 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 December 1, 2025

Ms. Pincus made a motion to approve the Meeting Minutes from December 1, 2025. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Ms. Pincus – Aye, and Mr. Dorjets-Aye.

Approval of 2026 Meeting Schedule

Mr. Riepe made a motion to approve the 2026 meeting schedule. Mr. Dorjets seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Riepe – Aye, Ms. Pincus – Aye, and Mr. Dorjets-Aye.

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

The meeting was adjourned at 9:23 PM.

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