

IN BOARD OF SELECTMEN  
SATURDAY, MARCH 27, 1976

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Present: Chairman John E. Taft, William F. Toomey, and John C. Powers

The Statutory requirements as to notice having been complied with, the special meeting was called to order at 10:00 a.m.

Continued Hearing - Site Plan Application #76-162, Robert Quirk Realty Trust,  
Village Green 29 Hudson Road

Present: Robert D. Quirk, owner of Village Green; Patrick Todd and Donald Wagoner, prospective tenants of Building #8; Edwin Blackey, Chairman, Historic Districts Commission; Thomas French, Assistant to Town Counsel

The Board, on March 24, 1976, voted to take the matter of Site Plan Application #76-162 of Robert Quirk Realty Trust, Village Green, 29 Hudson Road, under advisement and to schedule a special meeting on Saturday, March 27, 1976, at which to act on the site plan.

The Board now reviewed the following reports: from the Board of Health, dated March 25, 1976, which indicated that Board's conditional approval; from the Building Inspector/Zoning Enforcement Agent, dated March 25, 1976, on the subject of parking tabulations for the Star Market Plaza and Wayside Plaza; and from the Executive Secretary, dated March 26, 1976, which proposed a draft motion relative to the above-referenced site plan.

Following discussion, it was on motion unanimously

VOTED: To deny site plan application #76-162, Robert Quirk Realty Trust, Village Green, 29 Hudson Road, as shown on a plan dated February 20, 1976 drawn by Colburn Engineering Co., because of:

1. Zoning Bylaw Violations: Buildings #4 and #8 exceed the height limitation and Buildings #1, 2, 3, and 6 exceed the story limits of Bylaw IX, IV; Building #3, a non-conforming structure, has been relocated and extended without authorization of the Board of Appeals (IX, I, C); the development of the property has significantly deviated from the previous site plan approved May 14, 1973 without prior amendment of that plan (extensions and additions to Buildings #3, 4, 5, 6, 7, 8, and between Buildings #3 and 8 and by the removal of parking spaces) (IX, V, A).

2. Site drainage is detrimental to adjoining property (SE and SW corners) and includes structures located on adjoining property without permission (IX, V, A).

3. Insufficient parking spaces (IX, V, B).

It was further

VOTED: That approval of this site plan would require as a minimum:

1. Height violations: Lower roof line to meet 35-foot limit or secure Board of Appeals (B of A) variance.
2. Story violations: Reduce third floors to one-half story, as defined in March 19, 1976 memorandum of Thomas French, Assistant to Town Counsel, or secure B of A variance.
3. Building #3 relocation: Secure B of A variance.
4. Building #3 extensions (Building #3A): Remove or secure Board of Appeals variance and Historic Districts Commission (HDC) approval.
5. Dormers on Buildings #5, 6, and 7 and addition to Building #6: Remove or secure HDC approval.
6. Rear porch deck and roof on Buildings #4, 5, 6, 7 and 8: Remove or secure HDC approval and warrant that it will not be used for business or storage space.
7. Concrete foundation between Buildings #3 and 8: Remove or fill.
8. Mezzanine in Building #8: Reduce to one-third limit.
9. Chimney, exhaust fan, air conditioning, and air make-up vent on Buildings #7 and 8: Remove, relocate inside, or secure HDC approval.
10. Buildings #1 and 2 and other aspects of site: Carry out all terms of agreement with HDC signed by Robert D. Quirk on November 13, 1972.
11. Screening of site: Contract for screening of easterly, southerly, and westerly sides of site as approved by HDC on October 12, 1973 or subsequently.
12. Boundary lines: Provide certified engineering report delineating boundary lines of the Village Green project and this site and location of drainage structures.
13. Drainage: Remove SE and SW surface drainage and provide agreement with abutter on present drainage structure or relocate onto site.
14. Walkways and lighting: Delineate clearly and secure HDC approval.
15. Parking: Provide more or restrict building usage to match 121 spaces shown on plan.

It was further

VOTED: To request the Building Inspector/Zoning Enforcement Agent to amend the Cease and Desist Order issued to Robert Quirk Realty Trust dated February 20, 1976:

1. By deleting item 2 and inserting the following:
  2. Building #3 is a prior non-conforming building and cannot be structurally altered or enlarged without a variance from the Board of Appeals (Sudbury Bylaws, Article IX, Section I, C).

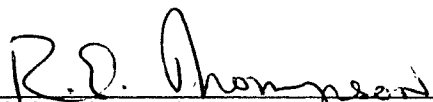
2. Permitting only the work listed above if the owner states in writing that he is doing the work to specifically carry out, by item, one or more of the 15 items listed above.

3. Permitting only the completion of the sewerage system as approved by the Board of Health on March 24, 1976 and with the understanding in writing by the owner and by the restaurant developer that this work is being done at their own peril and risk of obtaining proper licenses, permits, or other approvals required by statute or bylaw.

There being no further business to come before the Board, it was on motion unanimously

VOTED: To adjourn the meeting at 11:30 a.m.

Attest:

  
Richard E. Thompson  
Executive Secretary/Clerk