

MINUTES OF THE PUBLIC HEARING  
SUDBURY BOARD OF APPEALS  
TUESDAY, FEBRUARY 27, 2001

The Board consisted of:

Mark A. Kablack, Chairman  
Patrick J. Delaney III, Clerk  
Thomas W.H. Phelps  
Gilbert P. Wright, Jr.  
Lauren S. O'Brien

Notice was published in the Sudbury Town Crier on February 8 and 15, 2001, posted, mailed and read at this hearing.

Mr. Kablack, Chairman, explained the requirements necessary to substantiate the granting of a special permit. He also explained that if anyone is not satisfied with the Board's decision, they have the right to appeal to Superior Court or District Court within twenty days after the decision has been filed with the Town Clerk, and that possible other appeals may exist under current law.

Judith Burrows was present representing the petitioner in a request for renewal of Special permit 99-4 to conduct a Home Business, specifically the practice of psychiatry at 82 New Bridge Road.

Renewal was being requested under the same conditions as the previous permit. Ms. Burrows reported that the business was operating smoothly with no complaints from abutters.

Mr. Delaney asked whether there were any other employees, other than the owners. Ms. Burrows replied that there were not.

There were no further comments. No abutters were present. The hearing was closed.

After deliberation the following motion was placed and seconded:

MOTION: "To grant Julie Van der Feen, MD, owner of property, renewal of Special Permit 99-4, granted under the provisions of Section III,A,1,c of the Zoning Bylaws, to conduct a Home Business, specifically the practice of psychiatry, property located at 82 New Bridge Road, Residential Zone A-1, provided that:

1. Hours of operation will be Monday-Friday, 8AM-5PM, with two days allowed for extended hours to 8PM.

2. All parking will be located in the area shown on the plan dated June 19, 1997 which is incorporated herein and made a part of this Decision.
3. No more than two client vehicles will be parked in the parking area at any one time.
4. There will be no other employee associated with this business other than the owner.
5. No sign, except for a name on the mailbox, will be allowed.
6. No more than forty (40) vehicle trips per week, associated with this business, will be allowed.
7. No additional exterior lighting will be allowed.
8. This permit is non-transferable and will expire in two (2) years on February 27, 2003, and the Board will consider renewal upon receipt of proper application on or before that date.”

VOTED: In favor: (5) unanimous    Opposed: 0

REASONS: The petitioner seeks renewal of a special permit to conduct the practice of psychiatry. The Board finds the use to be in harmony with the general intent and purpose of the Bylaw. It is in an appropriate location, not detrimental to the neighborhood, and does not by its presence significantly alter the character of the zoning district. The conditions have been imposed to ensure there will be no adverse impact on the neighborhood in terms of visibility, traffic and safety. As a result, the business has been in operation since 1998 without incident. The Board notes that no abutters were present to oppose renewal.

---

Mark A. Kablack, Chairman

---

Patrick J. Delaney III, Clerk

---

Thomas W.H. Phelps

---

Gilbert P. Wright, Jr.

---

Lauren S. O'Brien

ERIC D. POCH & MARY ANN HALLIGAN  
154 Nobscot Road  
01-4

MINUTES OF THE PUBLIC HEARING  
SUDBURY BOARD OF APPEALS  
TUESDAY, FEBRUARY 27, 2001

The Board consisted of:

Mark A. Kablack, Chairman  
Patrick J. Delaney III, Clerk  
Thomas W.H. Phelps  
Gilbert P. Wright, Jr.  
Lauren S. O'Brien

Notice was published in the Sudbury Town Crier on February 8 and 15, 2001, posted, mailed and read at this hearing.

Mr. Kablack, Chairman, explained the requirements necessary to substantiate the granting of a special permit. He also explained that if anyone is not satisfied with the Board's decision, they have the right to appeal to Superior Court or District Court within twenty days after the decision has been filed with the Town Clerk, and that possible other appeals may exist under current law.

Eric Poch was present to represent a petition for special permit to alter and enlarge a nonconforming structure by constructing a 2-car attached garage addition at 154 Nobscot Road. The proposed construction will result in a 5-foot side yard setback deficiency on the side located next to property owned by the Sudbury Water District.

Mr. Poch said he has spoken with William Cossart of the Sudbury Water District who had no objection to the proposed construction. In addition, he has spoken with his direct abutter on the other side of his property as well as his abutters across the street. None had any objections.

The Board reviewed the plot plan, architectural rendering and footprint of the proposed construction which were submitted with the application. Mr. Poch explained that the garage is one phase of a 3-phased construction plan. The existing house is a 50-year old ranch and plans eventually call for a 2-story colonial-style house. The garage has been designed to be architecturally compatible with the house.

It is proposed to create a second driveway entrance to achieve a semi-circle. Should a second driveway entrance not be allowed, another alternative would be to change it to a single entry driveway.

There was no further input or comments from the Board. The hearing was closed.

ERIC D. POCH & MARY ANN HALLIGAN  
154 Nobscot Road  
February 27, 2001  
01-4 Page 2

After deliberation the following motion was placed and seconded:

MOTION: "To grant Eric D. Poch & Mary Ann Halligan, owners of property, a Special Permit under the provisions of Section I,D,3 of the Zoning Bylaws, to alter and enlarge a nonconforming structure by constructing a 24X32 foot attached garage which will result in a side yard setback deficiency of 5 feet  $\pm$ , property located at 154 Nobscot Road, Residential Zone A-1.

This Special Permit shall lapse within one (1) year from date of issuance if construction has not begun by such date except for good cause."

VOTED: In favor: 5 (unanimous) Opposed: 0

REASONS: The petitioners require a special permit due to the nonconforming nature of the property. The Board finds that the proposed alteration, which will create a side yard setback deficiency, will not be substantially more nonconforming than the existing nonconformity to the neighborhood. It further finds that the proposed constructions will be architecturally compatible with plans for the existing structure and will not only upgrade the appearance of the existing structure but will serve to provide shelter for vehicles during inclement weather. The abutter has contacted all of his immediate abutters and none had any objection to his proposed construction.

---

Mark A. Kablack, Chairman

---

Patrick J. Delaney III, Clerk

---

Thomas W.H. Phelps

---

Gilbert P. Wright, Jr.

---

Lauren S. O'Brien