

MINUTES
SUDBURY BOARD OF APPEALS
MONDAY, SEPTEMBER 23, 2002

The Board consisted of:

Patrick J. Delaney III, Acting Chairman
Richard L. Burpee, Acting, Clerk
Thomas W.H. Phelps
Jonathan G. Gossels
Stephen M. Richmond

Request for Extension of Special Permits:

ESS Sudbury Athletic Academy LLC – 141 Boston Post Road
Case Nos. 00-32 & 00-33

(Stephen M. Richmond abstained from this item due to a conflict of interest)

Attorney Joshua Fox was present to request an extension for the ESS Sudbury Athletic Academy Special LLC Special Permits 00-32 and 00-33. He explained that the permits granted by the Board of Appeals in January 2001 were appealed and finally resolved in September 2002.

Since that time he said ESS was unable to move forward because of financing and other considerations. In addition, as a result of the settlement and the conditions placed on the project by other Town Boards, ESS has not been able to move from the plan drafting phase into the construction phase. It is hoped that this will occur within the next several months.

As a result, ESS is requesting a one-year extension of the special permits to September 17, 2002.

Mr. Delaney indicated the Board is familiar with this project and, given the circumstances, the request for extension is reasonable. The other Board members concurred.

The following motion was placed and seconded:

MOTION: “To grant ESS Sudbury Athletic Academy LLC a one (1) year extension of Special Permits 00-32 and 00-33, said permits to lapse on September 17, 2003 if construction has not begun by such date.”

VOTED: In favor: (4) (unanimous) Members voting: Delaney, Burpee, Phelps, Gossels

Request for Modification of Special Permit

Robert & Nancy Hershfield – 88 Butler Road
Case Number: 01-36

Robert Hershfield was present to request a modification of his special permit. Condition 1 requires the old structure to be demolished with 6 weeks from issuance of a Certificate of Occupancy.

Mr. Hershfield would like to retain the existing porch on the old structure and use it as a freestanding porch. He pointed out the location of that porch.

The Board had no objection to this request and the following motion was placed and seconded:

MOTION: "To amend the Decision for Case 01-36 to exclude the existing porch as part of the demolition of the old structure."

VOTED: In favor: 5 (unanimous) Members voting: Delaney, Burpee, Phelps, Gossels, Richmond

Interview applicants for Board of Appeals Associates Vacancies

The Board interviewed Maile Hulihan and Richard Vetstein for the vacancies, which currently exist. Following those interviews it was agreed to forward their names to the Selectmen for their review and interview.

There being no further business the meeting was adjourned.

Patrick J. Delaney III, Acting Chairman

Richard L. Burpee, Acting Clerk

Thomas W.H. Phelps

Jonathan G. Gossels

Stephen M. Richmond