

CASE 10-50  
Paris Trust, LLC  
31 Union Avenue

MINUTES OF THE PUBLIC HEARING  
SUDBURY BOARD OF APPEALS  
Monday, November 1, 2010

The Board consisted of:

Elizabeth T. Quirk, Chair; Stephen A. Garanin, Acting Clerk; Jonathan G. Gossels; Jeffrey P. Klofft; and Benjamin D. Stevenson, Associate.

Notice was published in the *Sudbury Town Crier* on October 14 and October 21, 2010, posted, mailed and read at this hearing.

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

Brett Taylor, was present on behalf of Paris Trust, LLC, to present an application for a special permit to allow an indoor commercial recreation facility at 31 Union Avenue. A recreational facility, Velocity Sports, has been in existence at the address since 2003. The Sudbury Zoning Board of Appeals had granted and renewed a special permit for its operation in the past. A new special permit is being sought to reflect ownership by Paris Trust, LLC. Velocity Sports will remain as tenants.

Mr. Gossels said that this has been a successful existing business over the years and said he was comfortable granting a five year renewal. Other members agreed.

There being no further questions or comments from the Board or audience, the hearing was closed.

MOTION: "To grant Paris Trust, LLC, applicant, renewal of Special Permit 06-46, granted under the provisions of Section 2230,A,C,Use 22, to allow an indoor commercial recreation activity, property located at 31 Union Avenue, Limited Industrial District #1, subject to the following:

1. This permit is non-transferable and will expire in five (5) years on November 1, 2015, 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 requires a Special Permit to operate a recreational facility within a Limited Industrial District. This facility has been in operation for seven years. The facility is surrounded by other commercial activities and is therefore considered to be in an appropriate location which does not alter the character of the zoning district. Adequate and appropriate facilities have been provided for proper operation. There is ample parking and adequate traffic circulation to ensure safe vehicular movement throughout the parking area. Since the facility operates at off-peak hours from the surrounding commercial activity the Board anticipates no traffic congestion in the area.

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Elizabeth T. Quirk, Chair

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Jeffrey P. Klofft

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Stephen A. Garanin, Acting Clerk

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Benjamin D. Stevenson

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Jonathan G. Gossels

CASE 10-51  
Thomas E. Powers  
Lot 5A Old Lancaster Road

MINUTES OF THE PUBLIC HEARING  
SUDBURY BOARD OF APPEALS  
Monday, November 1, 2010

The Board consisted of:  
Elizabeth T. Quirk, Chair; Nancy G. Rubenstein, Clerk; Stephen A. Garanin; Jonathan G. Gossels; and Benjamin D. Stevenson, Associate.

Notice was published in the *Sudbury Town Crier* on October 14 and October 21, 2010, posted, mailed and read at this hearing.

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

The Board was in receipt of a letter from Attorney Gerald S. Cournoyer, Jr. dated November 1, 2010 and written on behalf of Thomas E. Powers who is appealing the Sudbury Building Inspector's determination regarding property located at Lot 5A Old Lancaster Road, requesting that the hearing for ZBA Case 10-51 be opened and continued to a later date and requesting an extension of time by which the ZBA will render a decision to February 11, 2011.

A motion was made to accept the request to open and continue the hearing and to accept an extension of time by which the ZBA will render a decision on the appeal to February 11, 2011.

The public hearing of the ZBA was continued to Monday, December 6, 2010 at 7:30 p.m. at the Town Hall.

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Elizabeth T. Quirk, Chair

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Jonathan G. Gossels

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Nancy G. Rubenstein, Clerk

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Benjamin D. Stevenson, Associate

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Stephen A. Garanin