

The Board consisted of: Elizabeth T. Quirk, Chair; Nancy G. Rubenstein, Clerk; Stephen A. Garanin; Jonathan G. Gossels; and Jeffrey P. Klofft.

MEETING OF THE ZONING BOARD OF APPEALS

Request for Insubstantial Change: The Villages at Old County Road, 6 Old County Road, Comprehensive Permit #5-28:

Ms. Quirk explained that the Board was in receipt of a letter from Trask Incorporated dated December 21, 2010 requesting an insubstantial change to Comprehensive Permit #5-28 to add an enclosed sunroom to an existing patio at Unit 37, 6 Old County Road, The Villages at Old County Road.

Ben Stevens, President of Trask Incorporated, was present to discuss the request. He said that a prospective buyer was interested in the unit but only with the addition of the sunroom. He reminded the Board that he had requested an insubstantial change to add a sunroom to unit 25 back in the fall of 2009, which the Board had granted, however the sunroom was not built and may never be. He noted that sunrooms were not frequently requested and he did not anticipate many, if any, requests in the future for the remaining units. Mr. Stevens said that Unit 37 faces directly into the project so that the sunroom would be away from Old County Road.

Mr. Gossels said that the last request for the sunroom was granted mainly because the slope of the landscape would make it less likely to be seen from the public way. He felt that this sunroom would be highly visible. He also added that during the permitting process the Board strove to add open space to the development plan.

Mr. Trask felt the sunroom was a nice feature for the unit. He said it would be located at grade level and would be nice-looking, blending in as part of the structure and not an afterthought. He said that the arborvitaes would remain and additional screening could be added by the parking area.

Mr. Klofft said that the sunroom would encourage architectural diversity, but at the expense of open space. However he felt that the loss of open space would be minimal.

Mr. Gossels said that he was not strongly opposed but was concerned that allowing it would encourage other similar requests.

Mr. Trask again said that he did not think that the sunrooms would be sought after.

Ms. Quirk said that since a buyer was interested in the unit perhaps the Board should grant the request to ensure that the development remained successful.

After a brief discussion the Board was in agreement that this modification was an insubstantial change to the original comprehensive permit and a motion was made, seconded and unanimously voted to grant the request for the screened porch for Unit 37 as described in the December 21, 2010 request from Trask Incorporated.

Request for Insubstantial Change: 278 Maynard Road, Comprehensive Permit #10-8:

Director of Planning and Community Development Jody Kablack represented NOAH, Inc. and the Sudbury Housing Trust to request a minor change to Comprehensive Permit 10-8, 278 Maynard Road as shown in the plan Unit 1 Accessible Modification (Option 2A). The Board was previously in receipt of a memorandum dated December 23, 2010 from Toby Kramer of NOAH, Inc. outlining the request which

involves raising the grade of the foundation for Unit 1 to allow the septic to drain naturally into the tank without the use of pumps or other mechanisms. The change would require a shift in the location of the unit's parking spaces. A three foot retaining wall would be built along the drive but the slope would remain the same. Slight changes to the front walkway will result in a larger landscaped area to the West of Unit 1 that would be visible from the street. Ms. Kablack noted that in the original plan the front entry was rather crowded and would have required a special handicapped accessible ramp and decreased landscaping.

Mr. Klofft asked whether there would be a screening plan for the retaining wall. Ms. Kablack said that there would. Mr. Klofft also asked whether parking would be impacted. Ms. Kablack said that in moving the parking area no additional spaces would be added. Mr. Klofft felt that it was an improvement to the look of the property to move the parking off of the side because the building would read more like a single-family house.

Mr. Gossels said that he was inclined to grant the request for the change because it was not a cosmetic change, but a change that would solve a drainage problem. Ms. Quirk agreed.

The Board was in agreement that this modification was an insubstantial change to the original comprehensive permit and a motion was made, seconded and unanimously voted to grant the request as described in the December 23, 2010 memorandum from NOAH Inc. and according to the plan Unit 1 Accessible Modification (Option 2A) as distributed at the meeting.

#### Board Vacancy:

The Board was in receipt of a letter of resignation dated December 14, 2010 addressed to the Board of Selectmen from Board Member Stephen A. Garanin. Mr. Garanin explained that due to time constraints and other personal matters he would no longer be able to commit to serving as a full member of the ZBA. He asked, however, that the Selectmen consider appointing him to the Associate Board of the ZBA so that he could remain involved and sit in on meetings when needed. The Board expressed their great appreciation for Mr. Garanin's service over the past several years and Ms. Quirk said that she would write a letter to the Board of Selectmen with the ZBA's recommendation that Mr. Garanin be appointed to the Associate Board. The Board then discussed recommending that one of the Associate members be moved up to the full Board.

#### Other Business:

The Board signed a copy of the Annual Report for the Zoning Board of Appeals for submission to the Selectmen's Office.

Ms. Quirk announced that she had attended a meeting of the Affordable Housing Roundtable, which was an informative session led by Community Housing Specialist Beth Rust. From the meeting she learned that there could potentially be three 40B applications to be reviewed by the ZBA in the coming year.

Mr. Garanin updated the Board on a discussion he had with a colleague about wind power in residential communities. He gave a file of information that he had been collecting to the ZBA Secretary. The Board discussed broaching the subject with the Sudbury Planning Board to determine whether or not new bylaws should be created to address future requests for installation of wind turbines.

The Board discussed holding its annual meeting in February 2011.

There being no other business the meeting was adjourned.

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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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Jeffrey P. Klofft

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Stephen A. Garanin