

MINUTES OF THE PUBLIC HEARING  
SUDBURY BOARD OF APPEALS  
Thursday, January 19, 2012

The Board consisted of:

Elizabeth T. Quirk, Chair; Benjamin D. Stevenson, Clerk; Jonathan G. Gossels; Jeffrey P. Klofft; and Jonathan F.X. O'Brien.

Notice was published in the *Sudbury Town Crier* on January 5 and January 12, 2012, 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.

Barbara Keiler, 32 Atkinson Lane, was present on behalf of her neighbor the applicant, Janice Rudolf, to request a renewal of a special permit for a home business, specifically for art classes and swim instruction that has been in operation since 1997.

Mr. Gossels said that Ms. Rudolf's business is a long-time Sudbury institution and so he would be comfortable extending the time period of the special permit.

Ms. Quirk also noted that Ms. Rudolf has had a long-standing business record and as there have been no complaints filed with the ZBA she also would feel comfortable extending the duration of the special permit to ten years.

No other neighbors were present to speak about the proposal. As there were no further questions from the Board or audience, the hearing was closed.

The following motion was placed and seconded:

MOTION: "To grant Janice Rudolf, owner of property, renewal of Special Permit 07-1, granted under the provisions of Section 2340 of the Zoning Bylaws, to conduct a Home Business, specifically art classes and swim instruction, property located at 37 Atkinson Lane, Residential Zone A-1, provided that:

1. Two classes per day, consisting of a summer art and swim camp, will be allowed, beginning the end of June and running through August. Class hours will be from 9:30-11:00 a.m. and 2:00-3:30 p.m. Class size shall be limited to a maximum of six (6) students at any given class period.
2. Two classes per week, consisting of after-school art classes, will be allowed during the school year only. Class hours will be from 3:30-5:00 p.m. Class size shall be limited to a maximum of six (6) students at any given class period.
3. Two classes per week, consisting of an adult-studio art program, will be allowed during the school year only. Class hours will be from 10:00 a.m.-12:00 p.m. Class size shall be limited to a maximum of eight (8) students at any given class period.

4. No more than one employee, other than family members, will be allowed.
5. The applicant shall comply with all applicable health and safety regulations, and a Red Cross certified lifeguard must be present at all swim classes.
6. All parking will be on the premises; no on-street parking is allowed.
7. No sign will be allowed.
8. This permit is non-transferable and will expire in ten (10) years on January 19, 2022, and the Board will consider renewal upon receipt of proper application on or before that date.”

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

Members present and voting: Elizabeth T. Quirk, Chair; Benjamin D. Stevenson, Clerk; Jonathan G. Gossels; Jeffrey P. Klofft and Jonathan F.X. O’Brien.

REASONS: The petitioner seeks renewal of a special permit to conduct art classes on a year-round basis and swim instruction during the summer months. The Board finds the operation to be in harmony with the general intent and purpose of the Bylaw. Adequate and appropriate facilities are provided for proper operation. The Board further finds that with the conditions imposed, there will be no detriment to the neighborhood or public good. The petitioner has complied with the conditions of the previous permits. Therefore, the Board finds a ten-year renewal period to be appropriate.

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Elizabeth T. Quirk, Chair

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Jonathan F.X. O’Brien

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Benjamin D. Stevenson, Clerk

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Jeffrey P. Klofft

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Jonathan G. Gossels