



Town of Sudbury

Zoning Board of Appeals

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MINUTES

NOVEMBER 4, 2019 AT 7:30 PM

LOWER TOWN HALL, 322 CONCORD ROAD, SUDBURY, MA

Members Present: John Riordan, Chair; William Ray, Clerk; Jonathan Gossels; Frank Riepe; David Booth, Associate; and Jennifer Pincus, Associate

Members Absent: Nancy Rubenstein

Others Present: Adam Duchesneau, Director of Planning and Community Development and Building Inspector Andrew Lewis

Mr. Riordan opened the public hearing at 7:30 PM by noting the presence of a quorum. He then asked Ms. Pincus to sit in place of Ms. Rubenstein who was absent from the meeting. Mr. Riordan then asked Mr. Ray to read the legal notice as published in the newspaper into the record, which noted the following Zoning Board of Appeals applications and opened all of the public hearings listed below.

Mr. Riordan noted the requirements for Special Permits and Variances as discussed in the Zoning Bylaw.

CONTINUED Public Hearing, Case 19-30 – Nancy Wyrebski, Applicant, and Richard and Jerome Tuck, Owners, seek a Special Permit under the provisions of Sections 2313, 6200, and 2230, Appendix A, C.5 of the Town of Sudbury Zoning Bylaw to operate a dog grooming business/kennel at 621 Boston Post Road, Assessor's Map K06-0028, Business-15 Zoning District

Nancy Wyrebski and Carina Ramos were present to discuss the application with the Board. Ms. Wyrebski stated she and Ms. Ramos had opened their original business in Acton, Massachusetts and the business grew. Ms. Ramos indicated they sought another location in the area and found 621 Boston Post Road. She stated they had conversations with the Town regarding the type of permits they would need approximately one year ago. Ms. Ramos also noted they had received approval from the Board of Health and were notified a few months ago they needed to obtain a Special Permit from the Zoning Board of Appeals for their business use.

Mr. Riordan noted their business use was defined as a dog kennel under the Town's Zoning Bylaw which required a Special Permit.

Mr. Riepe confirmed the business was only for dog grooming, and Ms. Wyrebski and Ms. Ramos confirmed that was correct.

Mr. Ray confirmed all of the dogs would be contained within the building when on-site, and Ms. Wyrebski and Ms. Ramos confirmed that was also correct.

Ms. Pincus asked how long a dog would be on the premises. Ms. Ramos explained a dog would only be

on-site for approximately 2-3 hours and Ms. Wyrebski noted that typically no more than 6 dogs would be at the business at any one time.

Mr. Ray asked if there were any members of the public who wished to speak and no one came forward.

The Board found the use was in harmony with the general purpose and intent of the Zoning Bylaw.

The use was in an appropriate location, was not detrimental to the neighborhood, and did not significantly alter the character of the zoning district.

The Board also found adequate and appropriate facilities would be provided for the proper operation of the proposed use.

The proposed use would not be detrimental or offensive to the adjoining zoning districts or neighboring properties due to the effects of lighting, odors, smoke, noise, sewage, refuse materials, or other visual nuisance.

The Board found the proposed use would not cause undue traffic congestion in the immediate area.

There was then discussion regarding the hours of operation and the maximum number of dogs permitted within the business at any one time.

Mr. Ray made a motion to approve the application in the words of the proposal for a period of one (1) year, and to limit the hours of operation to Monday through Friday from 8:00 AM to 6:00 PM, Saturdays from 8:00 AM to 5:00 PM, and no business operations on Sundays. Ms. Pincus seconded the motion. The vote was unanimous, 5-0.

Public Hearing, Case 19-31 – Ethan Solomon of The Wilder Companies, Applicant, and Unison Realty Partners, Owner, seek to amend Special Permit 11-36 under the provisions of Sections 3261.a), 3265, 3265B, and 3290 of the Town of Sudbury Zoning Bylaw to modify the existing freestanding sign at 5-15 Concord Road, Assessor’s Map K08-0035, Village Business-1 Zoning District

Ethan Solomon and Allyson Reed were present to discuss the application with the Board. Mr. Solomon noted some improvements had recently been made to the business center and as part of that they would like to upgrade the freestanding sign to be consistent with the modifications. Mr. Solomon indicated they were asking to not have a wood carved sign and to be permitted to have varying fonts on the sign panels. He also noted they were requesting approval to have three (3) equal sized panels or to have the third sign panel area split into two smaller sign panels.

There was then discussion regarding allowing the two different sign panel options presented in the application.

Ms. Pincus clarified the main request of the application was to allow the extra square footage of signage for the “Date & Time” business as the freestanding sign would count towards that business’s signage allotment and this would exceed its permissible amount according to the Zoning Bylaw.

Mr. Riepe stated the decision by the Board should be framed to eliminate the need of the Applicant to return before the Zoning Board of Appeals for further modifications to the freestanding sign, including

adjustments to the number of individual sign panels, and the lettering, sizing, coloring, and fonts of each of the sign panels.

Mr. Gossels noted the “Date & Time” business should only be permitted to have the extra 6.3 square feet of signage as requested in the application. Further, Mr. Gossels noted the overall square footage of the freestanding sign shall remain the same.

The Board found the use was in harmony with the general purpose and intent of the Zoning Bylaw.

The use was in an appropriate location, was not detrimental to the neighborhood, and did not significantly alter the character of the zoning district.

The Board also found adequate and appropriate facilities would be provided for the proper operation of the proposed use.

The proposed use would not be detrimental or offensive to the adjoining zoning districts or neighboring properties due to the effects of lighting, odors, smoke, noise, sewage, refuse materials, or other visual nuisance.

The Board found the proposed use would not cause undue traffic congestion in the immediate area.

Mr. Ray made a motion to approve the application in the words of the proposal with the following conditions:

- The following modifications to the freestanding sign shall not require approval from the Board as long as the overall size of the freestanding sign is not adjusted:
 - o Changes in the number of individual sign panels.
 - o Modifications to sign panel lettering, sizing, coloring, and fonts.
- Changes to the size of the overall freestanding sign shall require approval from the Board.
- The “Date & Time” business sign panel on the freestanding sign shall only be allowed to be up to 6.3 square feet. Any increase in size of the sign panel for this business shall require approval from the Board.

Mr. Riepe seconded the motion. The vote was unanimous, 5-0.

Approval of Meeting Minutes for September 9, 2019

Mr. Gossels made a motion to approve the minutes of September 9, 2019 as amended. Mr. Ray seconded the motion. The vote was unanimous, 5-0.

Administrative Report

Mr. Ray asked when the Quarry North/Melone Property project would be coming in for permitting. Mr. Duchesneau clarified that the development would be moving forward under the North Road Residential Overlay District and the 40R Overlay Zoning District in the Town’s Zoning Bylaw which were both recently approved at the May 2019 Town Meeting. He also noted this permitting would be handled by the Planning Board and not the Zoning Board of Appeals.

Mr. Riordan made note of the Broadacres Farm Design Charrette which would be occurring on November 21, 2019 at 6:30 PM in the Lower Town Hall, 322 Concord Road.

Mr. Riordan also stated the Board's 2020 meeting schedule would be discussed at their December 2, 2019 meeting.

Mr. Gossels made a motion to adjourn the meeting. Mr. Riepe seconded the motion. The vote was unanimous, 5-0. The meeting was adjourned at 8:24 PM.