



# Town of Sudbury

## Zoning Board of Appeals

Flynn Building  
278 Old Sudbury Road  
Sudbury, MA 01776  
978-639-3387  
Fax: 978-639-3314

appeals@sudbury.ma.us

www.sudbury.ma.us/boardofappeals

### MINUTES

**AUGUST 3, 2020 AT 7:00 PM**

### VIRTUAL MEETING

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

**Members Absent:** None

**Others Present:** Director of Planning and Community Development Adam Duchesneau and Planning and Zoning Coordinator Beth Perry

Mr. Riordan opened the meeting at 7:01 PM by noting the presence of a quorum. Mr. Riordan 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.

**Public Hearing, Case 20-20 – Tom and Sherri Lowery, Applicants and Owners, seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2313 and 6200 of the Town of Sudbury Zoning Bylaw to raise up to seven (7) hens at 38 Haynes Road, Assessor's Map D09-0024, Single Residence A-1 Zoning District**

Sherri Lowery, Applicant and owner, was in attendance to discuss the application with the Zoning Board of Appeals. She explained the map submitted and where the coop would be situated on the property.

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

The use is in an appropriate location, is not detrimental to the neighborhood, and does 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. Gossels made a motion to approve the Special Permit application as submitted for 38 Haynes Road for seven (7) chickens for one (1) year. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Ray – Aye, Mr. Gossels – Aye, Mr. Riepe – Aye, and Ms. Rubenstein – Aye.

**Public Hearing, Case 20-21 – Scott and Janice Ritter, Applicants and Owners, seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2313 and 6200 of the Town of Sudbury Zoning Bylaw to raise up to eight (8) hens at 14 Russet Lane, Assessor’s Map M10-0110, Single Residence A-1 Zoning District**

Janice Ritter, Applicant and owner, was in attendance to discuss the renewal of Special Permit for the chicken coop with the Zoning Board of Appeals.

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

The use is in an appropriate location, is not detrimental to the neighborhood, and does 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 Special Permit application for 14 Russet Lane to increase the number of chickens to eight (8) with a permit renewal for five (5) years. Ms. Rubenstein seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Ray – Aye, Mr. Gossels – Aye, Mr. Riepe – Aye, and Ms. Rubenstein – Aye.

**Case 20-22 – Brian Beaulieu, Applicant and Owner, seeks a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2440, 2445, and 6200 of the Town of Sudbury Zoning Bylaw to add a front deck/porch to a pre-existing nonconforming single-family dwelling within the front yard setback at 10 Richard Avenue, Assessor’s Map G06-0553, Single Residence A-1 Zoning District**

Applicant and owner Brian Beaulieu was in attendance to discuss the application with the Zoning Board of Appeals. He explained the proposed front porch would not extend past the steps that are currently there. Mr. Beaulieu indicated the intent of the porch was to protect the front stairs from inclement weather.

Mr. Riepe asked for confirmation as to how far off the front of the house the porch would extend. Mr. Beaulieu indicated it would extend 5 feet 6 inches off the front of the house.

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

The use is in an appropriate location, is not detrimental to the neighborhood, and does 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 Special Permit application for 10 Richard Avenue with the condition that the decking of the porch should only extend 5 feet 6 inches off the front of the house. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Ray – Aye, Mr. Gossels – Aye, Mr. Riepe – Aye, and Ms. Rubenstein – Aye.

#### **Discussion regarding Proposed Zoning Bylaw Amendment regarding Storage Trailers/Containers**

Mr. Riordan requested this discussion be postponed until the next Zoning Board of Appeals meeting September 14, 2020.

#### **Approve Meeting Minutes for July 13, 2020**

Mr. Duchesneau stated the draft minutes from the previous meeting had not yet been prepared but would be ready for review at the Zoning Board of Appeals meeting on September 14, 2020.

#### **Administrative Report**

Mr. Duchesneau indicated the Annual Town Meeting would begin on September 12, 2020 9:00 AM.

Mr. Gossels made a motion to adjourn the meeting. Mr. Riepe seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Ray – Aye, Mr. Gossels – Aye, Mr. Riepe – Aye, and Ms. Rubenstein – Aye. The meeting was adjourned at 8:12 PM.