



Town of Sudbury

Zoning Board of Appeals

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MINUTES

JUNE 7, 2021 AT 7:00 PM

VIRTUAL MEETING

Zoning Board of Appeals Members Present: Chair John Riordan, Jonathan Gossels, Jennifer Pincus, Nancy Rubenstein, and Associate Jeff Rose

Zoning Board of Appeals Members Absent: Clerk Frank Riepe

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

Mr. Riordan opened the meeting at 7:02 PM by noting the presence of a quorum. He then indicated Mr. Rose would be sitting in as full member for this meeting in place of Mr. Riepe. Mr. Riordan asked Ms. Rubenstein 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 21-11 – Phillips Edison & Company, Applicant, and Sudbury Crossing Station LLC, Owner, seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 3120 and 6200 of the Town of Sudbury Zoning Bylaw to reduce the number of parking spaces at a property with a pre-existing nonconforming parking situation at 423 & 437 Boston Post Road, Assessor’s Map K08- 0004, Limited Business-6 and Water Resource Protection Overlay District Zone II Zoning Districts

Mr. Riordan stated the Applicant had submitted a written request to withdraw their application without prejudice.

Mr. Riordan made a motion to approve the Applicant’s request to withdraw the Special Permit application for 423 & 437 Boston Post Road without prejudice. Mr. Gossels seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Rose – Aye, and Ms. Rubenstein – Abstain.

Public Hearing, Case 21-14 – Herb Chambers 83 Boston Post Road, LLC, Applicant and Owner, seeks to amend Special Permit 18-42,43,44 under the provisions of MGL Chapter 40A, Section 9, and Sections 2230, Appendix A, Part C, Uses 12, 13, and 14, and 6200 of the Town of Sudbury Zoning Bylaw to modify the hours of operation listed in Condition #2 for 83 Boston Post Road, Assessor’s Map K11-0015 and K11-0099, Industrial-4 Zoning District

Attorney Joshua Fox and Michael Knox were in attendance to discuss the application with the Zoning Board of Appeals.

Mr. Fox indicated the business would like to extend the hours of operation to accommodate their customers. The initial hours were approved as a condition to Special Permit 18-42, 43, and 44.

Mr. Riordan made a motion to approve the Special Permit application for 83 Boston Post Road as submitted. Ms. Rubenstein seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Rose – Aye, and Ms. Rubenstein – Aye.

Public Hearing, Case 21-15 – Peter Veloutsos, Applicant, and Owner, seeks to amend Special Permit 14-12 under the provisions of MGL Chapter 40A, Section 9, and Sections 2420, 2445, 2600, Appendix B, and 6200 of the Town of Sudbury Zoning Bylaw to change window layouts and styles, garage door styles, and staircase and bulkhead locations at 47 Great Road, Assessor’s Map C07-0011, Single Residence A-1 and Water Resource Protection Overlay District Zone II Zoning Districts

Applicant and owner Peter Veloutsos was in attendance to discuss the application with the Zoning Board of Appeals.

There was discussion regarding the plans submitted being the same as those that were submitted in 2014.

There was also discussion regarding the proposed interior work the Applicant would be undertaking at a future time.

Mr. Lewis commented there were a lot of permits open for the property and the intent was to get some of them completed and closed out.

Mr. Riordan made a motion to approve the Special Permit application for 47 Great Road as submitted with the following additional conditions:

- The project shall be completed and inspected by the Building Inspector for full compliance with the plans as submitted on April 29, 2021 by December 31, 2021.
- Include standard Board of Health approval condition.

Mr. Rose seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Rose – Aye, and Ms. Rubenstein – Aye.

Public Hearing, Case 21-16 – Seth Adler, Trustee, Applicant, and BayBath Condo Association, Owner, seek to amend Special Permit 07-48 under the provisions of MGL Chapter 40A, Section 9, and Sections 3265A, 3290, and 6200 of the Town of Sudbury Zoning Bylaw to modify an existing freestanding sign at 215 Boston Post Road, Assessor’s Map K10-0007, Business-16 Zoning District

Applicant and owner Seth Adler was in attendance to discuss the application with the Zoning Board of Appeals.

Mr. Adler indicated the sign that had been presented to the Design Review Board had been modified per their recommendations. Mr. Riordan reviewed the preference of the lighting of signs.

Mr. Riordan made a motion to approve the Special Permit application for 215 Boston Post Road as submitted. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Rose – Aye, and Ms. Rubenstein – Aye.

Public Hearing, Case 21-17 – Warrior Homes LLC, Applicant and Owner, seeks a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2420, 2445, and 6200 of the Town of Sudbury Zoning Bylaw to construct an approximately 60 square foot addition on a pre-existing nonconforming single-family dwelling at 24 Stone Road, Assessor’s Map K06-0307, Single Residence A-1 and Water Resource Protection Overlay District Zone II Zoning Districts

Attorney Joshua Fox and owner Dave Weisman were in attendance to discuss the application with the Zoning Board of Appeals.

Mr. Fox indicated there would be approximately two feet of additional encroachment into the setback as a result of the proposed addition.

Mr. Gossels made a motion to approve the Special Permit application for 24 Stone Road as submitted. Mr. Rose seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Rose – Aye, and Ms. Rubenstein – Aye.

At this time, the Zoning Board of Appeals took a fifteen minutes recess.

Public Hearing, Case 21-18 – 631 Medical Office LLC, Applicant and Owner, seeks a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 2230, Appendix A, Part C, Use 18, and 6200 of the Town of Sudbury Zoning Bylaw to operate a medical center or clinic at 631 Boston Post Road, Assessor’s Map K06-0502, Single Residence C-1 and Water Resource Protection Overlay District Zone III Zoning Districts

Attorney Joshua Fox, owner Jake Parsons, and engineer Vito Colonna were in attendance to discuss the application with the Zoning Board of Appeals.

Mr. Fox noted the project site was roughly an acre in size, and the intent was to take down the existing structure and build a new one. Mr. Fox then reviewed all aspects of the new proposed design.

There was discussion regarding the landscape plan and the proposed vegetative buffering along the eastern property boundary.

Mr. Gossels and Mr. Riordan expressed concerns about the size of the proposed building and impervious coverage on the lot when factoring in the parking area.

Members of the Zoning Board of Appeals expressed concerns regarding the steep slopes at the rear of the property and how this area would be treated.

Mr. Colonna indicated there would be a retaining wall in this location which would be approximately 12 feet at its highest point.

The members of the Zoning Board of Appeals recommended a smaller building with less parking spaces and asked the Applicant to also minimize the amount of grading at the site as well.

Mr. Riordan made a motion to continue the public hearing for the Special Permit application for 631 Boston Post Road to the Zoning Board of Appeals meeting on July 12, 2021. Ms. Pincus

seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Rose – Aye, and Ms. Rubenstein – Aye.

Public Hearing, Case 21-19 – Jean Nam and David Haas, Applicants and Owners, seek a Special Permit under the provisions of MGL Chapter 40A, Section 9, and Sections 5500 and 6200 of the Town of Sudbury Zoning Bylaw to create an Accessory Dwelling Unit at 81 Newbridge Road, Assessor’s Map G11-0109, Single Residence C-2 Zoning District

Applicant Jean Nam and architect Tim Hess were in attendance to discuss the application with the Zoning Board of Appeals.

Mr. Hess explained the Accessory Dwelling Unit was needed for Ms. Nam’s parents to live with them.

There was then discussion as to whether the proposed freestanding Accessory Dwelling Unit also needed a Variance for being a detached structure.

The members of the Zoning Board of Appeals felt the proposed design for the Accessory Dwelling Unit was a good one, but it did not meet the parameters of the Zoning Bylaw.

Susan and Stephen Halperin of 43 Clark Road, and Greg Crescenzi of 40 Clark Road requested the setback dimensions of the proposed Accessory Dwelling Unit be provided on the plans, as well as a map which displayed the proposed project in the context of the surrounding neighborhood.

Ms. Pincus made a motion to continue the public hearing for the Special Permit application for 81 Newbridge Road to the Zoning Board of Appeals meeting on July 12, 2021. Ms. Rubenstein seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Rose – Aye, and Ms. Rubenstein – Aye.

The Coolidge at Sudbury – Phase 2 Comprehensive Permit, 187 Boston Post Road (Assessor’s Map K10-0081) – Release of Performance Bond (Miscellaneous) Request

Holly Grace from B’Nai B’Rith Housing was in attendance to discuss the application with the Zoning Board of Appeals.

Mr. Riordan inquired about the location of the dumpster, it taking up parking spaces, and possibly adding some screening. Ms. Grace stated they would look into this matter to see what could be done.

Mr. Lewis asked about an electrical pole still remaining with temporary wiring at the edge of the property. Ms. Grace indicated they would look into having this removed by the utility company.

Mr. Gossels made a motion to approve the release of the \$12,000 Performance Bond (Miscellaneous) for The Coolidge at Sudbury – Phase 2 Comprehensive Permit. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Rose – Aye, and Ms. Rubenstein – Aye.

Approve Meeting Minutes from April 5, 2021

Ms. Rubenstein made a motion to approve the minutes from April 5, 2021. Ms. Pincus seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Rose – Aye, and Ms. Rubenstein – Aye.

Approve Meeting Minutes from May 10, 2021

The Zoning Board of Appeals decided to take this matter up at their next meeting on July 12, 2021.

Administrative Report

Mr. Riordan discussed holding meetings in-person and virtually.

Mr. Gossels made a motion to adjourn the meeting. Ms. Rubenstein seconded the motion. Roll Call Vote: Mr. Riordan – Aye, Mr. Gossels – Aye, Ms. Pincus – Aye, Mr. Rose – Aye, and Ms. Rubenstein – Aye. The meeting was adjourned at 11:04 PM.