

12/09/2015  
I hereby certify that  
twenty days have elapsed  
since this decision was  
filed in this office  
and no appeal from the  
decision has been filed  
*Rafael Yanez*  
Town Clerk

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ZONING BOARD OF APPEALS  
DECISION ON THE PETITION OF ANITA LALICATA  
FOR THE PROPERTY LOCATED AT  
17 SPRINGVALE ROAD, READING, MASSACHUSETTS

Case No. 15-12

November 5, 2015

The Zoning Board of Appeals (the "Board") held a public hearing on Thursday, November 5, 2015, at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall, 16 Lowell Street in Reading, Massachusetts, to hear the petition of ANITA LALICATA (the "Petitioner"). The Petitioner sought a Special Permit under Sections 5.3.2, 5.4.7.2 of the Zoning By-Laws in order to construct an addition to an existing single family dwelling and create an Accessory apartment on the property located at 17 Springvale Road in Reading, Massachusetts (the "Property").

The Petitioner proposed to make the alterations and addition to the existing single family dwelling and create an accessory apartment in accordance with a Plot Plan dated September 21, 2015, prepared by Hayes Engineering, Inc., 603 Salem Street, Wakefield, MA 01880 and certified by Peter J. Ogren, Land Surveyor and depicted on Architectural Drawings, sheets 1 through 4, prepared by Phoenix Architects, Wakefield, MA dated September 21, 2015, and certified by Peter L. Sandorse, Registered Architect, all submitted with Petitioner's application for Special Permit.

Petitioner was represented at the hearing by O. Bradley Latham, Esquire.

Sections 5.3.2 and 5.4.7.2 of the Zoning By-Laws allow for an attached Accessory Apartment contained within new construction of a single family dwelling by Special Permit and Section 5.4.7.3 allows the Board to grant a Special Permit for such construction where the Board determines that the alterations, addition and accessory apartment meet the requirements of 5.4.7.3.a through 5.4.7.3.k.

The Petitioner through counsel made a presentation addressing compliance with the requirements of 5.4.7.3. After discussion of the requirements by Board members and opening the hearing to public comment, a motion was made and seconded, and the Board voted 5-0-0 to grant the Petitioner's request for a Special Permit under Section 5.3.2, 5.4.7.2 and 5.4.7.3 of the Zoning By-Laws to permit the addition to the existing single family dwelling including the creation of an accessory apartment on the property located at 17 Springvale Avenue, Reading, Massachusetts, as shown on the above-referenced Plot Plan and Architectural Drawings.

The Special Permit is conditioned upon the following:

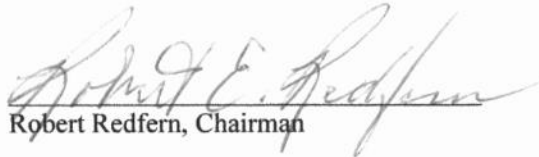
1. The Petitioner shall submit to the Building Inspector a Certified Plot Plan of the proposed construction and proposed foundation plans, prior to the issuance of a foundation permit for the work.
2. The Petitioner's final construction plans for the new structure shall be submitted to the Building Inspector, along with the as-built foundation plans, prior to the issuance of a Building Permit.

3. As-built plans showing the completed construction of the new structure shall be submitted to the Building Inspector immediately after the work is completed and prior to the issuance of an Occupancy Permit.

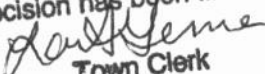
Any person aggrieved by this decision of the Board may appeal to the appropriate court pursuant to M.G.L. c. 40A, § 17, within twenty (20) days after the date of filing this Decision with the Town Clerk. Notice of appeal with a copy of the complaint must also be filed with the Town Clerk within twenty (20) days as provided in § 17.

This Special Permit shall not take effect until a copy of this Decision, bearing certification of the Town Clerk that twenty (20) days have elapsed after the Decision was filed in the Office of the Town Clerk and no appeal has been filed, or if an appeal has been filed within such time, that it has been dismissed or denied, is recorded in the Middlesex South District Registry of Deeds and indexed in the Grantor's Index under the name of the owner of record, or is recorded and noted on the Owner's Certificate of Title. The fee for recording or registering shall be paid by the Owner or Petitioner. Any person exercising rights under a duly appealed Special Permit does so at the risk that a court may reverse the permit and that any construction performed under the permit may be ordered to be undone.

ON BEHALF OF THE READING ZONING BOARD OF APPEALS

  
Robert Redfern, Chairman

Zoning Board Members voting on Case # 15-12  
Robert Redfern, David Traniello, Damase Caouette, Kathleen Hackett, John Jarema  
Associate Member Erik Hagstrom present not voting.

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