


A TRUE COPY, ATTEST:

  
LAURA A. GEMME  
TOWN CLERK

TOWN OF READING

RECEIVED  
TOWN CLERK  
READING, MASS.

ZONING BOARD OF APPEALS  
DECISION ON THE PETITION OF THOMAS F. WISE, TRUSTEE  
FOR THE PROPERTY LOCATED AT  
181 SOUTH STREET, READING, MASSACHUSETTS

2015 MAY 26 P 12:09

Case No. 15-04

May 20, 2015

The Zoning Board of Appeals (the "Board") held a public hearing on Thursday, May 20, 2015, at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall, 16 Lowell Street in Reading, Massachusetts, to reconsider the petition of Thomas F. Wise, Trustee (the "Petitioner"), who sought a Special Permit under Sections 5.3.2 and 5.4.7 of the Zoning By-Laws in order to make alterations, construct an addition to an existing single family dwelling and create an Accessory apartment on the property located at 181 South Street in Reading, Massachusetts (the "Property").

The case was originally heard at a public hearing, held in the Selectmen's Meeting Room on April 16, 2015. At this meeting, 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 February 12, 2014, prepared by Bowditch & Crandall, Inc. 8 Holt Street, Belmont, MA 02478 and certified by John W. McEachern, Professional Land Surveyor and depicted on Architectural Drawings, sheets A1 through A11, prepared by Miller Design LLC, 53 Statler Road, Belmont, MA, all submitted with Petitioner's application for Special Permit and made a presentation addressing compliance with the requirements of 5.4.7.3, indicating the Board of Selectmen had previously approved the second access driveway on March 18, 2014. 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 3-1-0 to approve the Petitioner's request.

Subsequent to the April 16, 2015 action by the Zoning Board of Appeals, Town Counsel indicated a super majority opinion of the voting members of the Zoning Board of Appeals was required to approve the Petitioner's request, thus necessitating reconsideration of the April 16, 2015 decision at this meeting.

A motion was made and seconded to reconsider Case 15-04 and was approved by a vote of 5-0-0. A motion was then made and seconded, and the Board voted 4-1-0 to grant the Petitioner's request for a Special Permit under Sections 5.3.2 and 5.4.7 of the Zoning By-Laws to permit the alterations and addition to the existing single family dwelling including the creation of an accessory apartment on the property located at 181 South Street in Reading, Massachusetts, as shown on the above-referenced Plot Plan and Architectural Drawings.

The Special Permit is conditioned upon the following:

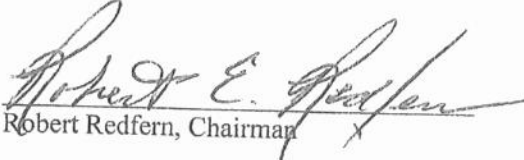
1. The Petitioner shall submit to the Building Inspector a Certified Plot Plan of the proposed construction and proposed foundation plans, prior to the issuance of a foundation permit for the work.

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 # 15-04

For: Damase Caouette, Eric Hagstrom, Robert Redfern, David Traniello  
Against: John Jarema

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**TOWN CLERK**