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TOWN OF READING
ZONING BOARD OF APPEALS
DECISION ON THE PETITION OF EVELYN SIDEROPOULAS
FOR THE PROPERTY LOCATED AT
21 LINCOLN STREET, READING, MASSACHUSETTS

July 15, 2020
Case No. 20-06

The Zoning Board of Appeals (the "Board") opened and held a public hearing on Wednesday, July 15, 2020 at 7:00 p.m. via ZOOM virtual meeting, in lieu of a meeting in the Select Board's Meeting Room in Reading Town Hall, to hear the petition of Evelyn Sideropoulos (The "Petitioner"). The Petitioner sought a Special Permit under Sections 7.3 and 7.3.2 of the Zoning By-laws to construct a new side addition to an existing non-conforming two-family dwelling on the property located at 21 Lincoln Street in Reading, Massachusetts (the "Property").

The Property is located in the S-15 residential district of Reading. The lot is considered a legal, non-conforming parcel in that it was laid out prior to the current zoning by-laws and, does not meet the required frontage and lot area required by the S-15 zoning district. The existing dwelling is deemed a legal, non-conforming structure due to less than required minimum front, side and rear yard setbacks. Town records indicate the existing dwelling was constructed in 1911. The Petitioner was present at the meeting and was also represented by Mr. Richard Griffin, Architect for the project. Mr. Griffin stated that they are seeking a Special Permit for a proposed addition to the rear and southerly side of the existing dwelling. The existing dwelling with proposed addition is depicted on a Certified Plot Plan ("the Plot Plan") prepared by John J. Russell, PLS, 845 Summer Avenue and stamped by John J. Russell, MA Professional Land Surveyor No. 38717, dated February 10, 2020, Rev 02-20-2020. Architectural plans, layouts and elevations for the proposed addition consisting of five(5) plans 0, A1.0, A1.1, A1.2,A2.0, dated 04/21/2020, prepared by Derby Square Architects, 10 Derby Square, Salem MA 01940 and stamped by MA Registered Architect, Richard Griffin were also submitted with the Petitioner's application.

Section 7.3.2 of the Reading Zoning By-laws states, in relevant part, "For those alterations not eligible for a building permit pursuant to Section 7.3, the Zoning Board of Appeals may grant a Special Permit to reconstruct, extend, alter, or structurally change a nonconforming building or structure upon a finding that such reconstruction, extension, alteration or structural change shall not be substantially more detrimental to the neighborhood than the existing nonconforming building or structure". Following discussions with the Petitioner, a presentation of the proposed improvements by the Mr. Griffin, Project Architect and comment among Board members, the meeting was opened to the public, no comments were forthcoming and the public comment portion of the meeting was subsequently closed.

A motion was made and seconded by Board Members that the proposed addition would not be substantially more detrimental to the neighborhood than the existing dwelling and, would meet the requirements for Special Permit under Section 7.3.2 of the Reading By-laws for a proposed addition to an existing non-conforming dwelling. The Board voted in the affirmative (4-0-0) to grant a Special Permit in order to construct an addition to the dwelling at 21 Lincoln Street as shown on the previously noted Certified Plot Plan and Architectural plans submitted, with the following conditions attached.

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

2. The Petitioner's final construction plans for the proposed addition shall be submitted to the Building Inspector, along with as-built foundation plans, prior to the issuance of a Building Permit for the work.
3. As-built plans of the completed construction 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 the 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 ZONNG BOARD OF APPEALS



Damase Caouette, Chair

Zoning Board Members voting on Case # 20-06
Damase Caouette, Nick Pernice, James Maughan, Robert Redfern

RZBA Case No. 20-06 21 Lincoln Street Spec Perm for Addition: RER