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**TOWN OF READING**  
**ZONING BOARD OF APPEALS**  
**DECISION ON THE PETITION OF**  
**DANIEL AND MICHELLE GRAPPI**  
**FOR THE PROPERTY LOCATED AT**  
**23 TEMPLE STREET, READING, MA 01867**

**AUGUST 05, 2020**  
**Case No. 20-08**

The Zoning Board of Appeals (the "Board") held a public hearing on Wednesday, August 5, 2020 at 7:00 p.m. remotely online via Zoom Meeting to hear the petition of Daniel and Michelle Grappi (the "Petitioner"). The Petitioner sought a Special Permit under Sections 7.0, 7.3, and 7.3.2 of the Zoning By-Laws to construct a two-story addition with a non-conforming front yard setback to an existing non-conforming dwelling on the property located at 23 Temple Street in Reading MA (the "Property")

The property is located in the Single-Family S-15 residential district of Reading. The existing lot is considered legal non-conforming, due to the fact that it does not meet the current frontage for the zoning district it is in. The existing dwelling, an OLD-STYLE house, circa 1900 is deemed a legal, non-conforming structure due to the less than required minimum front yard setback to the property line. The Petitioner's architect, Nancy Twomey, was present at the meeting. It was stated that the Petitioner is seeking a Special Permit for a two-story addition at the South-East side of the exiting dwelling. The existing dwelling with proposed addition is depicted on a Certified Plot Plan ("the Plot Plan") prepared and certified by John D. Sullivan III Professional Surveyor No. 41586, P.O. Box 2004, Woburn MA 01888, dated June 30, 2020. Architectural layouts and elevations for the proposed addition, consisting of sheets 1 through 9, dated June 30, 2020, prepared by Twomey Design 23 California Road Reading, MA 01867, were also submitted with the Petitioner's application.

The board discussed the proposal and deemed the house would not add to the existing non-conformity, is in keeping with the character of the existing house, and does not take away from the character of the neighborhood, while taking into consideration the wetlands at the back of the property.

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 discussion with the Petitioner and comment among the Board members, the meeting was opened to public comment and, with no input from the public forthcoming, 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 and existing dwelling. The Board voted 4-0-0 in the affirmative to grant a Special Permit in order to construct an addition to the dwelling at 23 Temple Street, as shown on the previously noted Certified Plot Plan and Architectural plans submitted, with the following conditions attached.

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.
1. The Petitioner's final construction plans for the new structure shall be submitted to the Building Inspector, along with the as-built foundation plan(s), prior to the issuance of a Building Permit.
2. The Petitioner shall submit as-built plans to the Building Inspector showing the completed construction immediately after the work is completed and prior to the issuance of an Occupancy Permit.

Any person aggrieved by the decisions 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

Board Members voting on Case #20-08:  
James Maughan (yes), Nick Pernice (yes), Hillary Mateev (yes), Robert Redfern (yes)