

Town of Reading Zoning Board of Appeals

**The Decision of the Board of Appeals on the Petition of
Thomas & Cynthia Bates
On the Property Located at
18 Fairview Avenue
Reading, Massachusetts
Case No. 16-05**

July 7, 2016

The Zoning Board of Appeals (the Board) opened a public hearing in the Selectmen's Meeting Room at the Town Hall, 16 Lowell Street, Reading, Massachusetts at 7:00 PM on Thursday, May 19, 2016, continued at the request of the Petitioner to Thursday, July 7, 2016, on the petition of Thomas and Cynthia Bates, who sought a Variance under Sections 5.0, 5.1, 5.1.2 Table of Dimensional Controls of the Zoning By-Laws in order to construct an addition (garage) 8.1 feet from the side lot line, rather than the 15.0 feet required, on the property located at **18 Fairview Avenue, Reading, Massachusetts**. The proposed garage does not comply with the required side yard setback of 15'.

After discussion at the first of the two hearings, and a presentation of the statutory variance criteria, the Petitioner submitted a letter requesting that the Board allow the Petitioner to withdraw the application without prejudice.

A motion was made and seconded and the Board voted 5-0-0 in the affirmative to grant the Petitioner's request to withdraw without prejudice, its request for a Variance on the Property located at **18 Fairview Avenue, Reading, Massachusetts**.

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

ON BEHALF OF THE READING ZONING BOARD OF APPEALS


Robert Redfern, Chairman

Board members voting on Case No. 16-05
Chairman Robert E. Redfern, John J. Jarema, Nick Pernice, Erik Hagstrom and David Traniello.