

05/10/2016
I hereby certify that
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and no appeal from the
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Paul Yeme
Town Clerk

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TOWN OF READING
ZONING BOARD OF APPEALS
DECISION ON THE PETITION OF LEE SULLIVAN AND CHRISTINE SULLIVAN
FOR THE PROPERTY LOCATED AT
24 COREY LANE, READING, MASSACHUSETTS

Case No. 16-04

April 7, 2016

The Zoning Board of Appeals (the "Board") held a public hearing on Thursday, April 7, 2016, at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall, 16 Lowell Street in Reading, Massachusetts, on the petition of Lee Sullivan and Christine Sullivan (the "Petitioners"), who sought a Special Permit under section 7.3.2 of the Zoning By-Laws in order to construct a roofed front entrance with the dimensions of 4.2' x 9.2' on the property located at 24 Corey Lane, Reading, Massachusetts (the "Property").

The Petitioners' property is located in an S-20 District. The dwelling has an existing nonconforming front platform with a front yard setback of 16.6', rather than the 20' front yard setback required by the dimension controls of the S-20 District. Edward Hovsepian of E.H. Construction Co, Inc, on behalf of the Petitioners, gave an explanation of the project, and described that the current platform would be extended from 6' to 9.2' across the front of the home, but would retain the existing 4.2' dimension so as to create no new setback nonconformity. He further explained that the project would involve adding a roof over the proposed platform which would be supported by two architectural columns. The Petitioners submitted and the Board reviewed the following documents which depicted the proposed work: 1) Certified Plot Plan prepared by Cavanaro Consulting, 687 Main Street, Norwell, MA 02061, stamped by Brendan P. Sullivan, P.L.S., dated February 5, 2016, and; 2) Architectural Drawing prepared by Abeles & Associates Architects, Inc, South Natick, MA prepared for E.H. Construction Co. Inc., 25 Pond Brook Circle, Weston, MA 02493, dated February 5, 2016.

Section 7.3.2 of the Zoning By-Laws provides, in relevant part: "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 by Board members and opening the matter to public comment, the Board made a finding that the proposed platform extension, roof installation over the platform and addition of two architectural columns does not increase the nonconforming nature of the structure, or create a new nonconformity requiring a variance, and will not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A motion was made and seconded, and the Board voted 5-0-0 in the affirmative to grant the Petitioners' request for a Special Permit under Section 7.3.2 of the Zoning By-Laws to construct a roofed front entrance with the dimensions of 4.2' x 9.2' on the property located at 24 Corey Lane, Reading, Massachusetts, as depicted in and consistent with the Certified Plot Plan and Architectural Drawing referenced above and submitted by the Petitioners.

The Special Permit is conditioned upon the following:

1. The Petitioners 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.
4. Issuance of a Minor Project Permit and final sign off of that permit by the Conservation Commissioner.
5. Petitioners shall not add any additional platforms to the front of the dwelling.
6. The roofed front entranceway permitted by this decision shall never be enclosed.

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



David Traniello, Acting Chairman

Zoning Board Members voting on Case # 16-04

For: Damase Caouette, John Jarema, Kathleen Hackett, David Traniello, Nicholas Pernice

05, 10, 2016

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