

**TOWN OF READING, MASSACHUSETTS  
ZONING BOARD OF APPEALS  
DECISION ON THE PETITION OF EDWARD NEWTON  
FOR THE PROPERTY LOCATED AT  
43 BELMONT STREET, READING, MASSACHUSETTS**

**May 10, 2012  
Case Number 12-07**

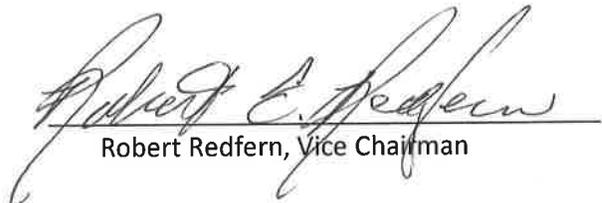
The Zoning Board of Appeals (the "Board") held a Public Hearing on Thursday, May 10, 2012 in the Selectmen's Meeting Room at Town Hall, 16 Lowell Street in Reading, Massachusetts, to hear the petition of Edward Newton (the "Petitioner"). The Petitioner sought a Special Permit under Section 4.3.2.8 of the Zoning By-laws in order to create an accessory apartment on the property located at 43 Belmont Street in Reading, Massachusetts (the "Property").

The Vice Chair opened the hearing and the Board heard testimony that a portion of the dwelling, on the Property, proposed for the accessory apartment was constructed after 1982. Section 4.3.2.8.2a of the Zoning by-laws states "the dwelling in which the accessory apartment is to be located was legally occupied prior to August 1, 1982." After discussion between the Board, the Building Inspector and the Petitioner, the Petitioner requested that his application for a Special Permit be withdrawn without prejudice and, at a later date he will submit a request for Variance for the proposed accessory apartment at the Property.

Upon a motion duly made and seconded, the Board voted unanimously (4-0-0) to grant the Petitioner's request to withdraw without prejudice, his application for Special Permit for an accessory apartment on the property located at 43 Belmont Street, Reading, MA.

Any person aggrieved by this decision of the Board may appeal to the appropriate court pursuant to MGL 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.

ON BEHALF OF THE READING ZONING BOARD OF APPEALS

  
Robert Redfern, Vice Chairman

Zoning Board Members voting on Case Number 12-07  
Damase Caouette, John Jarema, John Miles, Robert E. Redfern