

TOWN OF READING

**ZONING BOARD OF APPEALS
DECISION ON THE PETITION OF GO GREEN, LLC
FOR THE PROPERTY LOCATED AT
281 MAIN STREET, READING, MASSACHUSETTS**

**November 8, 2012 and December 6, 2012
Case No. 12-17**

The Zoning Board of Appeals (the "Board") held a public hearing on Thursday, November 8, 2012, at 7:00 p.m. and continued to Thursday, December 6, 2012 at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall, 16 Lowell Street in Reading, Massachusetts, to hear the petition of Go Green, LLC (eCars) (the "Petitioner"). The Petitioner sought a Variance under Sections 5.0, 5.1.2, of the zoning bylaws in order to create a new side yard setback of 6.5' rather than the existing setback of 16.5' on the property located at 281 Main Street in Reading, Massachusetts.

On November 8, 2012, the Chair opened the public hearing and John Zaeder and Daniel Enxing of eCars made a presentation to the Board. Rich O'Conner, site Civil Engineer for both eCars and Perfecto's Café was also in attendance. The Petitioner sought a variance under section 5.1.2 of the zoning bylaws in order to convey a 10-foot wide parcel to its neighbor, Perfecto's Café, for parking. The required setback in Business "A" district is 10.0.' The conveyance would result in a side set back of only 6.5.' The Board reviewed the requirements for a Variance with the Petitioner as well as the required setback. After hearing from the applicants and their engineer, the Board, at the request of the Petitioner, voted to continue the hearing until December 6, 2012 in order to hear from a representative of Perfecto's Café and for Petitioner to consider alternative parking designs.

On December 6, 2012, the Chair reopened the continued public hearing. The Board was in receipt of a letter from the Petitioner who sought to withdraw the application for a Variance in Case # 12-17. The letter, dated December 4, 2012, is attached hereto.

A motion was made and seconded, the Board moved 5-0-0 in the affirmative to accept the Petitioner's request to withdraw Case # 12-17 from further consideration.

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.

ON BEHALF OF THE READING ZONING BOARD OF APPEALS


Damase Z. Caouette, Chairman

Zoning Board Members voting on Case # 12-17

Damase Caouette, Robert Redfern, John Jarema, David Traniello, Kathleen Hackett