

TOWN OF READING
ZONING BOARD OF APPEALS
DECISION ON THE PETITION OF PATRICIA SIMEONE
FOR THE PROPERTY LOCATED AT
1 HAVEN STREET, READING, MASSACHUSETTS

July 11, 2013
Case No. 13-14

The Zoning Board of Appeals (the "Board") held a public hearing on Thursday, July 11, 2013, in the Selectmen's Meeting Room at Town Hall, 16 Lowell Street in Reading, Massachusetts, to hear the petition of Patricia Simeone (the "Petitioner"). The Petitioner sought a Special Permit under Section 4.2.2 of the zoning by-laws to operate INDIGO which will provide services such as permanent makeup and laser free tattoo removal on the property at 1 Haven Street, Reading, Massachusetts (the "Property").

The Property is located in a Business B district. The second floor of the building of the Property is a commercial space for which the Petitioner has executed a retail lease. The Petitioner explained that she proposes to use the Property to operate her business, INDIGO, which provides services such as permanent makeup and laser free tattoo removal. She explained that her services will include permanent makeup, otherwise known as intradermal pigmentation, which is the art of applying micro insertions of pigments into the dermal layer of the skin. She explained that it is used for a variety of permanent cosmetic enhancements such as permanent eyebrows, eyeliner, scar camouflage and areola restoration. She explained that she will also offer laser free tattoo removal which involves the abrasion of the tattoo and applying an all natural salt/saline topical solution (tattoo vanish).

Following the presentation by the Petitioner, discussion and comment by Board members and, then opening the hearing to public comment, the Board concluded the operation of INDIGO which provides services including permanent makeup and laser free tattoo removal on the second floor of 1 Haven Street was similar to the Consumer Services Use currently listed in Table 4.2.2 Table of Uses in the Zoning By-Laws.

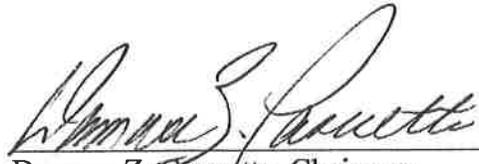
Accordingly, a motion was made and seconded, and the Board voted unanimously (5-0-0) to grant the Petitioner's request for a Special Permit under Section 4.2.2 of the Zoning By-Laws to operate INDIGO contingent upon approval by the Board of Health.

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



Damase Z. Caouette, Chairman

Zoning Board Members voting on Case # 12-13

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