

Town of Reading Zoning Board of Appeals

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The Decision of the Board of Appeals on the Petition of
Arch Land Development
On the Property Located at
163 - 167 South Street
Reading, Massachusetts
Case No. 14-13

2014 SEP 23 P 5:26

August 7, 2014

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, August 7, 2014, on the petition of Arch Land Development, who sought a Variance from Sections 5.0 and 5.1.2 of the Zoning By-Laws in order to create two non-conforming lots in an S-20 district on the property located at 163-167 South Street in Reading, Massachusetts.

The attorney Mr. Brad Latham represented the Petitioner, Mr. William Johnson of Arch Land Development, and presented the Petitioner's request to subdivide the property into two non-conforming lots. Members of the Board heard and commented on the request of the Petitioner. The Chair then opened the hearing for public comment and, after hearing comments from a concerned public, closed the public comment portion of the hearing. After a short recess, at the request of the Petitioner, a continuation of the hearing to a later date was made. A motion was made, duly seconded and a continuation of the hearing was scheduled for September 18, 2014.

A letter dated September 13, 2014 from the Petitioner's Attorney, Latham Law Offices LLC, was received by the Town and the Board requesting that the Petitioner be allowed to withdraw without prejudice his request for a Variance to subdivide the property at 163-167 South Street, Reading into two non-conforming lots. This request was supported by a letter dated September 15, 2014 from the property owner, Mr. Theodore R. Watson.

On Thursday evening September 18, 2014, the Board met and reopened Case No. 14-13 to consider the Petitioner's request to withdraw 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* his request for a Variance for two non-conforming lots on the property located at 163-167 South Street, 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 E. Redfern, Chairman

Board members voting on Case No. 14-13 (Variance)
Chairman Robert Redfern, Vice Chair David Traniello, John Jarema, Erik Hagstrom, Damase Caouette