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TOWN OF READING
ZONING BOARD OF APPEALS
DECISION ON THE PETITION OF
GAETANO FODERA, aka G&M REALTY TRUST
FOR THE PROPERTY LOCATED AT
10 FRANKLIN STREET, READING, MA 01867

October 3, 2018
Case No. 18-17

The Zoning Board of Appeals (the "Board") held a public hearing on Wednesday, October 3, 2018 at 7:00 p.m. in the Selectman's Meeting Room at Town Hall, 16 Lowell Street in Reading, Massachusetts to hear the petition of Gaetano Fodera, aka G&M Realty Trust (the "Petitioner"). The Petitioner sought a Special Permit for an attached Accessory Apartment under Sections 5.3.2 and 5.4.7 of the zoning bylaws in order to convert 739 square feet of finished space within the existing detached barn at the premises for use as an accessory apartment, on the on the property located at 10 Franklin Street, Reading, Massachusetts (the "Property").

The Property is a 20,478 square foot lot located in an S-20 district and includes an existing 3,288 square foot single family home, and the proposed accessory apartment adjacent to the residential dwelling, which is a former barn currently being uses as storage. No construction or addition to gross floor area was proposed.

The proposed addition is depicted on the submitted Certified Plot Plan (the "Plot Plan") dated October 11, 2017, prepared and certified by Andrew C. Bramhall, P.L.S. of Benchmark Survey, 41 Elm Street, Suite 4A, Stoneham, MA. 02180. Architectural drawings and layouts, numbered A-1.1,1.2; A-2.1,2.2; and C-1.1, prepared and stamped by Ramasastry Satyaprasad, dated June 4, 2017, showing the existing principal and proposed detached accessory apartment submitted as part of the application and reviewed by the Board.

Section 5.4.7.3 of the Reading Zoning By-laws provides the Performance Standards that shall apply to all Accessory Apartments. The Board discussed the standards with the Petitioner. Following discussion and comment by Board members and, opening and closing the hearing to public comment, the Board concluded that the proposed dwelling with accessory apartment, as shown on the aforementioned plot plan and architectural drawings, conforms to the performance standards of the By-law noted herein and is eligible for a Special Permit.

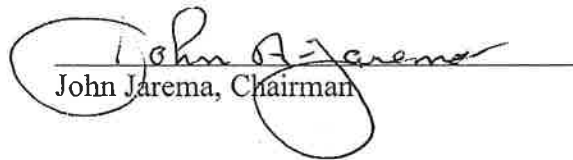
A motion was made and seconded, and the Board voted 5-0-0 in the affirmative to grant a Special Permit to the Petitioner under Sections 5.3.2 and 5.4.7 of the Zoning Bylaws in order to convert 739 square feet of finished space within an existing detached barn, into an accessory apartment as reflected in and consistent with (1) aforementioned Certified Plot Plan and, (2) aforementioned Architectural Drawings included with the application. The conditions of the Board's approval shall be as follows:

Any person aggrieved by the decisions 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, 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.

The 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


John Jarema, Chairman

Board Members voting on Case # 18-17:

John Jarema, Nick Pernice, Damase Caouette, Kyle Tornow, Robert Redfern