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**TOWN OF READING, MASSACHUSETTS  
ZONING BOARD OF APPEALS  
DECISION ON THE PETITION OF MELANIE CARLSON  
FOR THE PROPERTY LOCATED AT  
53 HARRISON STREET, READING, MASSACHUSETTS**

**May 16, 2018  
Case Number 18-08**

The Zoning Board of Appeals (the "Board") held a Public Hearing on Wednesday, May 16, 2018 in the Selectmen's Meeting Room at Town Hall, 16 Lowell Street in Reading, Massachusetts, to hear the petition of Melanie Carlson (the "Petitioner"). The Petitioner sought a Special Permit under Reading Zoning Bylaw 6.3 and 7.3, or a Variance pursuant to Reading Zoning Bylaw 6.3 and 7.4, in order to remove an existing garage and construct a new two-story addition with a nonconforming side yard setback on the property located at 53 Harrison Street, Reading, Massachusetts (the "Property").

The Property is located in the S-15 residential district. The existing single-story dwelling on the Property is a legal nonconforming structure. The Petitioner's representative, architect Nancy Twomey, addressed the Board and explained that the proposed project would involve demolishing the existing attached garage and constructing a two-story addition on the Property. Ms. Twomey further explained that the proposed construction would only extend the existing side yard setback of 10.1" and would not create any new nonconformity at the Property. The Property and proposed addition are depicted on a Certified Plot Plan dated April 18, 2018 and drawn and certified by John D. Sullivan, III, PE P.O. Box 2004, Woburn, MA 01880. The Board also reviewed Architectural Drawings A-1 through A-10, dated April 18, 2018 and prepared by Twomey Design, 23 California Road, Reading, MA 01867.

Following the presentation, Board discussion and opening the meeting for public input, a motion was made, duly seconded and the Board made a finding that the appropriate performance standard to determine the matter was Reading Bylaw 7.3.2, and an additional finding that the Petitioner's reconstruction, extension, alteration or structural change was not substantially more detrimental to the neighborhood than the existing nonconforming structure. The Board then voted 5-0-0 in the affirmative to approve the Petitioner's request for a Special Permit. Following the Board's vote, the Petitioner requested that the Board allow her to withdraw her petition for a Variance pursuant to Reading Zoning By-Law 6.3 and 7.4 without prejudice. After a motion was made, and duly seconded, the Board voted in the affirmative 5-0-0 to approve the Petitioner's motion to withdraw without prejudice.

The Special Permit is conditioned upon the following:

1. The Petitioner shall submit to the Building Inspector a Certified Plot Plan of the proposed construction and proposed foundation plans, prior to the issuance of a foundation permit for the work.
2. The Petitioner's final construction plans for the new structure shall be submitted to the Building Inspector, along with the as-built foundation plan(s), prior to the issuance of a Building Permit.

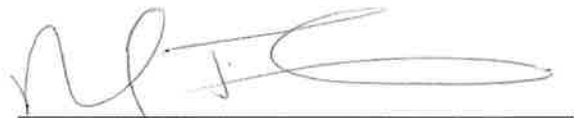
3. The Petitioner shall submit as-built plans to the Building Inspector showing the completed construction immediately after the work is completed and prior to the issuance of an Occupancy Permit.

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.

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 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



David Traniello, Chair

Zoning Board Members voting on Case Number 18-08  
David Traniello, Erik Hagstrom, Robert Redfern, John Jarema, Nick Pernice