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**TOWN OF READING**

**ZONING BOARD OF APPEALS  
DECISION ON THE PETITION OF MBA BUILDING GROUP  
FOR THE PROPERTY LOCATED AT  
119 SALEM STREET, READING, MASSACHUSETTS**

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**June 20, 2018  
Case No. 18-05**

The Zoning Board of Appeals (the "Board") held a public hearing on Wednesday, June 20, 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 MBA Building Group (The "Petitioner"). The Petitioner sought a Special Permit under Section 7.2 of the Zoning By-laws in order to demolish the existing three family dwelling and to construct a new two-family dwelling at the property located at 119 Salem Street, Reading, Massachusetts (the "Property").

The Property is located in the S-15 residential district, and the existing dwelling is a non-conforming structure. The Petitioner's representative at the meeting stated that the Petitioner is requesting a Special Permit under Section 7.2 of the Zoning By-laws to demolish the existing three-family dwelling and construct a new two-family dwelling. The Petitioner's representative explained that the new use of the building as a two-family dwelling would bring the use of the Property more closely in line with the allowed single-family use of the zoning district and that the new dwelling would completely comply with the front, back and side yards dimensional controls of the S-15 district. The new dwelling is depicted on a Certified Plot Plan ("the Plot Plan") prepared and stamped by John D. Sullivan, III, professional engineer, dated October 13, 2017 and on architectural rendering A-1.1 – A-2.1, prepared by Tektonic Architects dated April 16, 2017.

Following discussion and comment among Board members, the meeting was opened to public comment and comments heard. After closing the public hearing, a motion was made and seconded with the finding that the proposed construction will not be substantially more detrimental to the neighborhood, both with respect to use and dimensional controls. The Board then voted 4-0-0 to grant the Petitioner's request for a Special Permit under Section 7.2 of the Zoning By-laws in order to demolish the existing three-family dwelling and construct a new two-family dwelling located at 119 Salem Street in Reading, Massachusetts, as shown on the referenced Plot Plan of land. (Jarema, Caouette, Hagstrom, Pernice affirmative).

The Special Permit is conditioned upon the following:

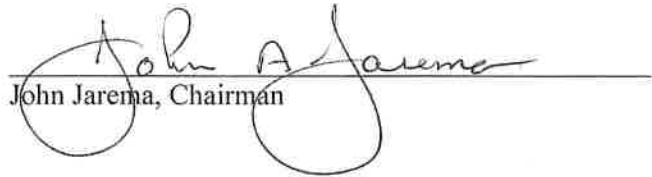
1. The Petitioner shall submit to the Building Inspector a Certified Plot Plan of the proposed construction and proposed foundation plans, prior to the issuance of a foundation permit for the work.
2. The Petitioner's final construction plans for the new structure shall be submitted to the Building Inspector, 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 the 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 Permits 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 ZONNG BOARD OF APPEALS

  
John Jarema, Chairman

Zoning Board Members voting on Case # 18-05  
John Jarema, Damase Caouette, Erik Hagstrom, Nick Pernice