



PARNAGIAN & MARINELLI, PC

58 Winter Street, Sixth Floor
Boston, Massachusetts 02108
pmlawpc.com

617.720.6120
fax 617.720.1491

Steven K. Parnagian * †
Jason R. Marinelli *

Edward P. Reidy*
Of Counsel

Mark A. Charleson * †
Of Counsel

Meaghan E. Hatch * †
Karina T. Krikorian †
*admitted in Rhode Island
†admitted in Massachusetts

JAN 21 2015

January 21, 2015

Via Hand Delivery

City of Waltham
Zoning Board of Appeals
c/o Pam Doucette
119 School Street
Waltham, Massachusetts 02452

Re: Case Number: 2013-14 - 118-120 Willow Street, Waltham, Massachusetts
Extension of Time For Zoning Board of Appeals' "Notice of Decision"

Dear Honorable Members of the Waltham Zoning Board of Appeals:

On behalf of Yuriy Babayan and Inna Babayan, Trustees of the 118-120 Willow Street Realty Trust ("Petitioner"), I respectfully request that the Waltham Zoning Board of Appeals ("Board") grant a further six (6) month extension with respect to the above referenced zoning approval.

As you may recall, the Decision was filed with the Waltham City Clerk on August 22, 2013 and was due to expire on August 22, 2014. In accordance with the Waltham Zoning Code and Section 10 of Chapter 40A of the Massachusetts General Laws, the Board granted Petitioner a six (6) month extension to February 22, 2015. Petitioner has yet to receive a decision from the Waltham City Council and requests a further six (6) month extension to August 22, 2015.

By way of background, the Petition for Special Permit was filed with the Waltham City Clerk's Office on April 14, 2014 and heard before the City Council on May 27, 2014. With the exception of the Public Works Department, the remainder of the City departments signed off on the Petition without comment. The gist of the objection raised by the Public Works Department was the proposed curb cuts and driveways, as a prior request for curbs cuts at the premises was denied. At the conclusion of the hearing, the Petition for Special Permit was referred to the Ordinances and Rules Committee for further consideration.

On July 18, 2014, the Petitioner and I met with Michael L. J. Chiasson, Director of the Waltham Consolidated Public Works Department to address the issue with the proposed curb cut plan ("Plan"). On August 22, 2014, a revised plan was forwarded to Mr. Chiasson for his review. On August 28, 2014, Mr. Chiasson approved the Petitioner's curb cut request.

City of Waltham, Zoning Board of Appeals
January 21, 2015
Page Two

Thereafter, Mr. Babayan and I were scheduled to appear before the Ordinance and Rules Committee on October 20, 2014. Prior to the commencement of the hearing before the Ordinances and Rules Committee, I forwarded correspondence relating to the status of the property to the Chairman and all members of the Committee. A copy of said correspondence is attached hereto.

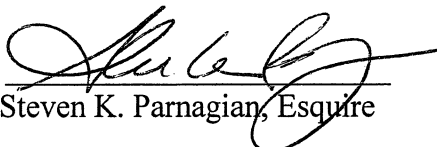
On October 20, 2014 Mr. Babayan and I appeared at the Ordinances and Rules Committee. Prior to the commencement of the hearing, the Committee Chairman, Councilor Robert G. Logan informed me that the matter would not be heard that evening, as the Committee had yet to hear from the City's Law Department with respect to the same. Moreover, the Committee had prioritized other matters for consideration over this matter. In sum, the Clerk of the Committee will inform my client as to when the matter will be considered by the Committee.

To date, the Committee has yet to notify my client that the matter is ready to be heard and/or voted upon.

Based on all of the above, the Petitioner hereby respectfully requests, that the time by which the Board's Decision is to expire be extended for an additional six (6) months. I understand that the Board will consider this request at its regularly scheduled meeting and I will attend to respond to any questions.

Should you require any further information prior to the Boards regularly scheduled meeting, please do not hesitate to contact me. Thank you.

Yuriy Babayan and Inna Babayan,
Trustees of the 118-120 Willow
Street Realty Trust
By their attorneys
Parnagian & Marinelli, PC

By: 
Steven K. Parnagian, Esquire

Enclosure

cc: Yuriy Babayan and Inna Babayan, Trustees w/enclosure

PARNAGIAN & MARINELLI, PC

58 Winter Street, Sixth Floor
Boston, Massachusetts 02108
pmlawpc.com

617.720.6120
fax 617.720.1491

Steven K. Parnagian * t
Jason R. Marinelli *

Mark A. Charleson * t
Of Counsel
Meaghan E. Hatch * t
Karina T. Krikorian t
** admitted in Rhode Island*
t admitted in Massachusetts

COPY

October 8, 2014

Honorable Councilor Robert G. Logan, Chairman
Ordinance and Rules Committee, Waltham City Council
City Clerk's Office
610 Main Street
Waltham, Massachusetts 02452

Re: 118-120 Willow Street, Waltham, Massachusetts
Case# 2013-14

Dear Honorable Councilor Logan:

As you are aware, this office represents Yuriy Babayan and Inna Babayan, Trustees of the 118-120 Willow Street Realty Trust ("Petitioner"), the owners of 118-120 Willow Street, Waltham, Massachusetts 02453 ("Property") concerning the above mentioned matter.

Mr. Babayan and I will be attending the October 20, 2014 Ordinance and Rules Committee meeting to discuss the progress of the matter in further detail.

By way of background, you may recall that the Petition for Special Permit was filed with the Waltham City Clerk's Office on April 14, 2014 and heard before the City Council on May 27, 2014. At the conclusion of the hearing, the Petition was referred to the Ordinance and Rules Committee for further consideration.

Upon review of the Petition, you will note that with the exception of the Public Works Department, the remainder of the City departments signed off without comment. The Public Works Department's objection to the Petition was based upon the fact that the Petitioner's prior request for a curb cut was denied.

On July 18, 2014, the Petitioner and I met with Michael L. J. Chiasson, Director of the Waltham Consolidated Public Works Department to address the city's issue with the proposed curb cut plan ("Plan"). The meeting with Mr. Chiasson was very informative and productive.

Honorable Councilor Robert G. Logan, Chairman
Ordinance and Rules Committee
City of Waltham Council
October 8, 2014
Page Two

On August 22, 2014, an original revised plan was forwarded to Mr. Chiasson for his review. On August 28, 2014, Mr. Chiasson approved the Petitioner's curb cut request. For your convenience, enclosed please find copies of the following documents:

1. My August 22, 2014 correspondence addressed to Mr. Chiasson;
2. Revised curb cut plan dated August 11, 2014; and
3. Correspondence from Mr. Chiasson dated August 28, 2014.

Should you have a question and/or require additional information prior to the October 20, 2014 hearing, please do not hesitate to contact me.

Thank you.

Sincerely,

Steven K. Parnagian

Enclosures

cc: Yuriy Babayan and Inna Babayan, Trustees w/enclosures
Michael L. J. Chiasson w/o enclosures
Councilor Thomas M. Stanley w/enclosures
Councilor Gary J. Marchese w/enclosures
Councilor Stephen F. Rourke w/enclosures
Councilor Diane P. LeBlanc w/enclosures

PARNAGIAN & MARINELLI, PC

58 Winter Street, Sixth Floor
Boston, Massachusetts 02108
pmlawpc.com

617.720.6120
fax 617.720.1491

Steven K. Parnagian * †
Jason R. Marinelli *

Mark A. Charleson * †
CI Counsel
Meaghan E. Hatch * †
Karina T. Krikorian †
** admitted in Rhode Island*
† admitted in Massachusetts

RECEIVED

AUG 25 2014

August 22, 2014

CPW DEPARTMENT

Michael L. J. Chiasson, Director
City of Waltham
Consolidated Public Works Department
165 Lexington Street
Waltham, Massachusetts 02452

Re: Property: 118-120 Willow Street, Waltham, Massachusetts
Owner: Yuriy Babayan and Inna Babayan, Trustees of the 118-120 Willow Street Realty Trust

Dear Mr. Chiasson:

This letter will follow up your August 11, 2014 email to my attention concerning the above mentioned matter.

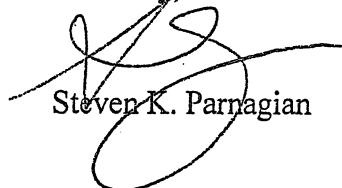
Enclosed please find the following documents:

1. Copy of May 7, 2014 correspondence of Karina T. Krikorian, Esquire of this office to your attention; and
2. An original (revised) Plan as prepared by Alpha Omega Engineering, Inc., dated August 11, 2014 stamped and signed by Allen F. Paige, Registered Land Surveyor.

When we met at the site on July 18, 2013, you mentioned that once the revised Plan was approved, it would only be necessary for my clients to submit the original revised Plan and that the prior Application for the curb cuts (one for each driveway) would not have to be submitted. In the event that you need additional information to act upon the Application for Curb Cuts, please do not hesitate to contact me.

Thank you for all your cooperation and assistance. My clients and I greatly appreciate the same.

Sincerely,



Steven K. Parnagian

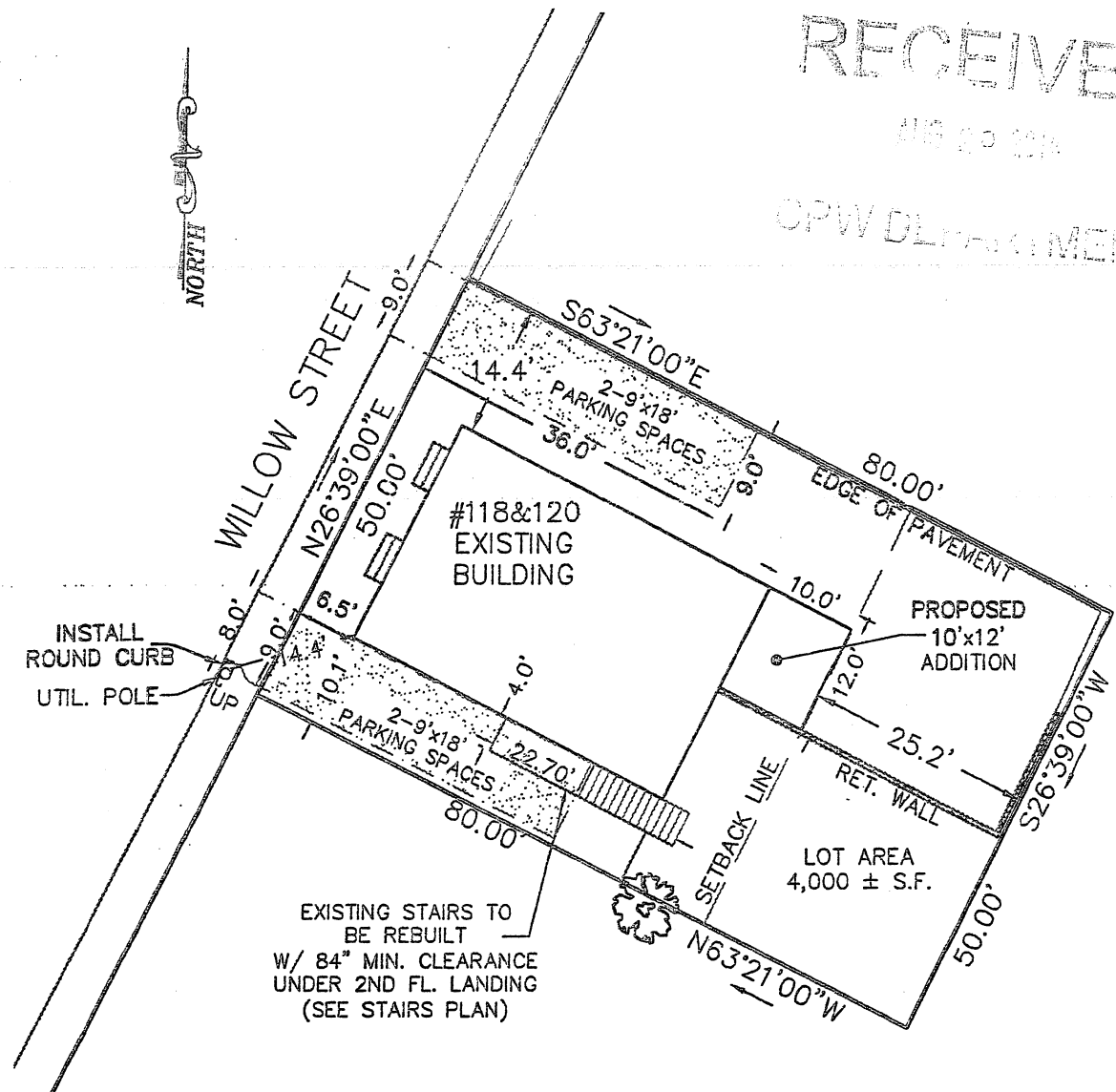
Enclosures

cc: Yuriy Babayan and Inna Babayan w/enclosures

RECEIVED

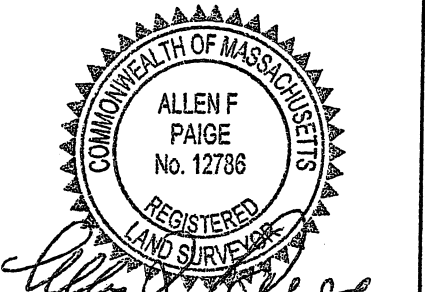
11/20/14

OPW DOCUMENT



PROPOSED ADDITION
 PLOT PLAN
 LOCATED AT
 118-120 WILLOW STREET
 WALTHAM, MA
 APPLICANT/OWNER
 118-120 WILLOW ST. REALTY TR.
 SCALE: 1"=20'
 04/23/2014
 REVISED
 08/11/2014

I CERTIFY THAT THE EXISTING BUILDING IS LOCATED AS SHOWN HEREON AND THAT THE PROPOSED ADDITION LOCATION CONFORMS TO THE DIMENSIONAL SETBACK REQUIREMENT OF THE ZONING BYLAW OF THE CITY OF WALTHAM, MA.



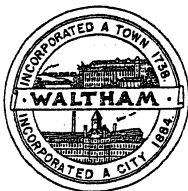
The structure is not located within a Federal Flood Zone per HUD Map # 25017C Community # 0551E dated 06/04/2010

ZONING: BUSINESS B
 FRONT SETBACK: 0'
 SIDE SETBACK: 0'
 REAR SETBACK: 25'
 FAR: .5

DEED REF. LC BOOK: 1402 PAGE: 23
 PLAN LC BOOK: 195 PLAN: 73 CERT: 29340
 RECORDED @ MIDDLESEX CNTY REGISTRY OF DEEDS
 PAREL ID: R062 031 0006



ALPHA OMEGA
 ENGINEERING INC
 CIVIL ENGINEERS, LAND SURVEYORS
 ENVIRONMENTAL CONSULTANTS
 25 HIGHLAND VIEW DR
 SUTTON, Massachusetts 01590
 (508) 865-9551
 Fax: (508) 865-9551



CITY OF WALTHAM
MASSACHUSETTS

Michael L. J. Chiasson
Director of Consolidated Public Works

Clerk, Board of Survey and Planning

August 28, 2014

Mr. Steven K. Parnagian
Parnagian & Marinelli, PC
58 Winter Street
Boston, MA 02180

RE: Curb Cut request 118-120 Willow Street - REVISED Plan date 8/11/2014

Dear Steven:

Please be advised your curb cut opening shown on plan that was re- submitted on 08/22/14, for the above referenced location has been approved.

The revised plan shows all the revisions that were requested and I am satisfied with this plan.

Thank you for your attention to this matter.

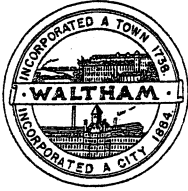
Sincerely,

Michael L. J. Chiasson
Director of Consolidated Public Works

MLJC/jed

Cc: File- Curb Cut- 118-120-Willow Street.
Yuriy and Inna Babayan
Engineering Dept.
Ron Hache

Enc.



CITY OF WALTHAM
MASSACHUSETTS

Michael L. J. Chiasson
Director of Consolidated Public Works

Clerk, Board of Survey and Planning

August 28, 2014

Mr. Steven K. Parnagian
Parnagian & Marinelli, PC
58 Winter Street
Boston, MA 02180

RE: Curb Cut request 118-120 Willow Street - REVISED Plan date 8/11/2014

Dear Steven:

Please be advised your curb cut opening shown on plan that was re-submitted on 08/22/14, for the above referenced location has been approved.

The revised plan shows all the revisions that were requested and I am satisfied with this plan.

Thank you for your attention to this matter.

Sincerely,

Michael L. J. Chiasson
Director of Consolidated Public Works

MLJC/jed

Cc: File- Curb Cut- 118-120-Willow Street.
Yuriy and Inna Babayan
Engineering Dept.
Ron Hache

Enc.