



City of Waltham

COMMONWEALTH OF MASSACHUSETTS

ZONING BOARD OF APPEALS

LEGAL NOTICE

DATE FILED: June 25, 2014

THE ZONING BOARD OF APPEALS OF THE CITY OF WALTHAM WILL HOLD A PUBLIC HEARING IN THE GOVERNMENT CENTER, 119 SCHOOL STREET, WALTHAM, MA ON JULY 29, 2014 AT 7:00 P.M. ON THE FOLLOWING:

Case #: 2014-15. **Petitioner/Owner:** BP 99 Third Avenue, LLC, c/o Boston Properties. **Nature of Appeal:** Application for Sign Variances. **Subject Matter:** Petitioners seeks six sign variances for the 99 Third Avenue property pursuant to Article VI, Sections 6.51, 6.52, 6.622 and 6.63(c) of the Zoning code. **Location and Zoning District:** 99 Third Avenue, Commercial Zoning District. **Provisions of Zoning Ordinance Involved:** Article VII – variance and Article VI, Sections 6.51, 6.52, 6.622 and 6.63(c). **Specific Manner in Which Subject Matter Varies From Zoning Ordinance:** Request for sign variances pursuant to Article VII to vary the sign criteria set forth in Article VI, Sections 6.51, 6.52, 6.622 and 6.63(c) of the Zoning Ordinance. Section 6.51 states that each business establishment “shall be entitled to not more than one principal sign.” The proposed primary signage for the second tenant space will consist of a wall sign and five awning signs. Section 6.52 states that each business establishment or activity which abuts more than one exterior wall of the building in which it is located may have one secondary wall or individual letter sign(s) on each such exterior wall or walls, provided that no such secondary wall sign shall exceed 18 square feet, and further provided that the area of wall and other signs authorized under Section 6.51 above shall be reduced by the area of such secondary sign or signs. The proposed secondary sign for the first tenant space at the property is 46 sf, exceeding the allowed 18 sf. The secondary sign for the second tenant space is proposed to be 88 sf, exceeding the allowed 18 sf. An additional secondary sign for the third tenant space at the property requires a variance as the tenant space does not abut a second exterior wall. Section 6.622(b) states that in the Commercial District, “no ground sign shall exceed one square foot in area for each linear foot of street line frontage of the lot upon which it is erected, but in no event shall such sign exceed 48 feet in area.” The Petitioner proposes two ground signs (calculated using both sides of the pylons) with an area of 308.5 sf (278.5 sf and 30 sf). Section 6.63(c) states that only one ground sign shall be permitted per lot in the districts where they are allowed. The Petitioner proposes two ground signs. The property is located in the Commercial zoning district. Further information and plans concerning this case may be viewed at the Zoning Board of Appeals’ Office, 119 School Street, Waltham, Massachusetts 02451; Hours: Monday - Friday 8:30-4:30. **MEMBERS:** Chair Barbara Rando, Michael Cotton, Mark Hickernell, John Sergi, Glenna Gelineau. **ASSOCIATE MEMBERS:** Edward McCarthy, Oscar LeBlanc, Marc Rudnick, Michael Squillante, Gordon LaSane.