



City of Waltham

COMMONWEALTH OF MASSACHUSETTS

ZONING BOARD OF APPEALS

LEGAL NOTICE

DATE FILED: July 24, 2015

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 AUGUST 25, 2015 AT 7:00 P.M. ON THE FOLLOWING:

Case #: 2015-15. **Petitioner:** BP 99 Third Avenue, LLC and BP Fourth Avenue, LLC. **Owner:** BP 99 Third Avenue, LLC. **Nature of Appeal:** Special Permit for remote parking. **Subject Matter:** The Petitioner requests approval in accordance with Section 5.8 of the Zoning Ordinance for a Special Permit to allow remote parking. The proposed remote parking would include twenty (20) parking spaces to serve uses at 99 Third Avenue, to be located at 77 Fourth Avenue. **Location and Zoning District:** 99 Third Avenue and 77 Fourth Avenue; Commercial Zoning District. **Provisions of Zoning Ordinance Involved:** Article V, Section 5.8. **Specific Manner in Which Subject Matter Varies From Zoning Ordinance:** As proposed, the Property can only accommodate 196 spaces, but the tenants' intend to expand their seating, which will require additional spaces. Due to cost and space limitations, the Petitioner cannot reasonably provide the required parking on the property. Pursuant to the Special Permit (Order #28851), dated 06/28/1999, the property at 77 Fourth Avenue has 58 excess parking spaces available, and the actual use of the spaces at 77 Fourth Avenue is significantly less than this requirement. Through Agreement between the Petitioner and the owner of 77 Fourth Avenue, the parties have agreed to the use of these parking spaces by the Petitioner. 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.