



City of Waltham

COMMONWEALTH OF MASSACHUSETTS

ZONING BOARD OF APPEALS

LEGAL NOTICE

DATE FILED: June 28, 2016

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 16, 2016 AT 7:00 P.M. ON THE FOLLOWING:

Case #: 2016-27. **Petitioner:** Sovereign Consulting, Inc. **Owner:** Colbea Enterprises, LLC. **Nature of Application/Petition:** Application for Variance – Rear yard setback. **Subject Matter:** A Zoning Variance is requested for relief from the rear setback requirements for an Accessory Structure that is 14-feet long by 7-feet wide that will contain the environmental remediation equipment, to treat soil and groundwater contamination at the Shell-Branded Service Station. The Remediation Trailer will remain on the property for an approximate duration of five years until such time soil and groundwater is remediated to cleanup standards promulgated by the Massachusetts Department of Environmental Protection. **Location and Zoning District:** 962 Main Street; Business B Zoning District. **Provisions of Zoning Ordinance Involved:** Section 4.11 – Table of Dimensional Regulations; Section 4.1 – Accessory Structures; Section 3.227 – Retail Gasoline Station; Section 4.232 – Accessory Structure; Section 2.318 - FAR Ratio. **Specific Relief Sought:** Per Section 4.11 the front and side setbacks are zero feet and relief is sought from a 25 feet rear setback to a 10 feet rear setback. Section 4.1 permits accessory structures in Business B Districts by right. Per Section 3.227, the facility falls under the category of Gasoline Retail Station, but does not fall under the category of a convenience store. Per section 4.232 the location of the accessory structure will meet the minimum 10 feet from the principle building. The FAR ratio for the building was determined by excluding parking bays within the building area per section 2.318 (FAR Definition) and meets the minimum requirements. The off-street parking requirements per Section 5.21 include 6 spaces per 1,000 square feet of gross floor areas. Of the existing 11 parking locations, one space will be taken by the remediation system and fence. The existing handicap spot will not be changed. 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, Sarah Hankins.