



# City of Waltham

COMMONWEALTH OF MASSACHUSETTS

## ZONING BOARD OF APPEALS

### LEGAL NOTICE

DATE FILED: October 31, 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 DECEMBER 13, 2016 AT 7:00 P.M. ON THE FOLLOWING:

**Case #:** 2016-42. **Petitioner:** Wendy's Old Fashioned Hamburgers of New York, LLC. **Owner:** Waltham Legacy Holdings LLC. **Nature of Application/Petition:** Application for Special Permit – alter a non-conforming use and Appeal of Decision of the Inspector of Buildings. **Subject Matter:** The Inspector of Buildings has denied a Building Permit for Petitioners to renovate and remodel the existing building at 802 Main Street. Petitioner appeals this denial. Alternatively, the Petitioner seeks a special permit pursuant to §3.7222 of the Ordinance. **Location and Zoning District:** 802 Main Street; Business B Zoning District. **Provisions of Zoning Ordinance Involved:** Article VII, §7.31 & §7.41; Article III §3.722 & §3.72251; and G.L. c.40A §§6, 7, & 8. **Specific Relief Sought:** Wendy's Old Fashioned Hamburgers of New York, LLC operates and maintains a "Wendy's" – a fast food establishment at 802 Main Street. The Petitioner intends to construct, use and maintain interior and exterior renovations to the existing building and site. The Building Inspector has denied a building permit for the proposed renovations as he believes it requires a Special Permit. The Petitioner appeals said Decision as no "change" of use is proposed. Alternatively, the Petitioner seeks a Special Permit from the ZBA to alter a non-conforming use under §3.7222. 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.