



City of Waltham

COMMONWEALTH OF MASSACHUSETTS

ZONING BOARD OF APPEALS

LEGAL NOTICE Amended Petition

DATE FILED: April 26, 2019

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 June 4, 2019 AT 7:00 P.M. ON THE FOLLOWING:

Case #: 2018-20. **Petitioner/Owner:** Seventy Hall Street Realty Trust. **Nature of Appeal:** Variance and Appeal from Decision of Inspector of Building. **Subject Matter:** The locus consists of a parcel containing +/- .169 acres of land, with two buildings located on it. Petitioner is appealing a cease and desist order from the Inspector of Buildings wherein the Inspector alleges a violation of City of Waltham Zoning Ordinance, Art. 7, §§7.41 & 7.431 and seeking a variance under M.G.L. Ch. 40A §10, and Waltham Zoning Ordinance Art. 3, §3.618 & §3.72. **Location and Zoning District:** 64-70 Hall Street, Residence B District. **Provisions of Zoning Ordinance Involved:** Article 3, §3.618 & §3.72; Article 7, §7.41 & §7.431 and the General Laws of Massachusetts, Chapter 40A, §7 & §10. **Specific Relief Sought:** Article 7, §7.41 states that no building hereafter erected, altered, or relocated shall be used and no change shall be made of the use of any building or of any parcel of land unless an occupancy permit signed by the Inspector of Buildings has been granted to the owner or occupant of such land or building. The Building Inspector alleges that they have no record of an occupancy permit for the conversion of the 64-68 Hall Street building from four (4) to seven (7) units. The Petitioner contends that the conversion of the structure from four (4) units to seven (7) units occurred more than ten (10) years ago and as the Building Inspector never recorded a suit or action in the registry in that time, under M.G.L. Ch. 40A §7, no action can henceforth be brought and the cease and desist is therefore void and unenforceable. Petitioner is also seeking a variance under M.G.L. Ch.40A, §10 to convert the building to 6 units due to the unusual size and shape of the property and its proximity to a Residence C District which allows multifamily use. 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.