



City of Waltham

COMMONWEALTH OF MASSACHUSETTS

ZONING BOARD OF APPEALS

LEGAL NOTICE

DATE FILED: June 8, 2020

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 14, 2020 AT 7:00 P.M. ON THE FOLLOWING:

Case #: 2020-14. **Petitioner /Owner:** Biping Huang. **Nature of Application/ Petition:** Application for Special Permit. **Subject Matter:** Petitioner proposes to convert the existing assisted living facility into a two-family residential dwelling. **Location and Zoning District:** 704 Beaver Street; Residence A-3 Zoning District. **Provisions of Zoning Ordinance Involved:** Article III, Sections 3.73, 3.731, 3.732, 3.7223 and Article VII, Section 7.2. **Specific Relief Sought:**

1. On December 10, 2002, the Board of Appeals granted a special permit for the locus property to allow the current non-conforming use of the building, known as 704 Beaver Street, to continue operation as an assisted living facility with 12 beds. Section 3.7221 allows the continuance of a non-conforming use; the property was changed from a single family with roomers to an assisted living facility over 10 years ago (1992) (prior to the adoption of Section 3.128A). The Petitioner now petitions the Board of Appeals to convert the assisted living facility to a two-family residential dwelling pursuant to §3.731, § 3.732 through § 3.734 of the Zoning Ordinance.
2. The Petitioner alternatively requests a special permit pursuant to § 3.7223 to change the non-conforming use as an assisted living facility to a similar use of a not less restricted character, in this instance, a two-family residential dwelling.
3. On December 10, 2002, the Zoning Board of Appeals granted a special permit to allow the use of the locus property as an assisted living facility. The Notice of Decision conditioned the approval of the special permit on, among other conditions, on Condition No. 2 which states, "All construction and use of the premises be in accordance with the following plan (s) introduced as evidence during the hearing; "Plan to Accompany Petition of Cardignee Realty Trust, 704 Beaver Street, Waltham, MA., Scale ; 1"=40', date; June 17, 2002, Ralph J. Bibbo." The Petitioner moves to amend the 2002 Decision by inserting and adding the architectural plans filed with this petition.

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.

- NOTE: if Stay-at-home order is still in effect at time of hearing the Board may meet remotely through Zoom. Please check city website for updates <https://www.city.waltham.ma.us/>