



# City of Waltham

COMMONWEALTH OF MASSACHUSETTS

## ZONING BOARD OF APPEALS

### LEGAL NOTICE

Date Filed: December 14, 2021

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 February 1, 2022 AT 7:00 P.M. ON THE FOLLOWING:

**Case #:** 2021-41. **Petitioner/ Owner:** BP 103 Fourth Avenue LLC. **Nature of Application/ Petition:** Application for Dimensional Variance. **Subject Matter:** The Petitioner seeks a variance from Article IV, Section 4.11 of the Waltham Zoning Ordinance ("WZO"), which establishes a required minimum side yard setback equal to half the height of a proposed building. The petitioner proposes to construct a four-story office/laboratory, and general manufacturing (including Good Manufacturing Practices "GMP") building at the Property. Due to the extreme change in grade across the property, among other things, the calculation of average existing grade causes the height of the building as defined in the WZO to be significantly higher than it actually is, thus requiring a minimum side yard setback of 38 feet. The petitioner proposes a side yard setback of 32 feet. **Location and Zoning District:** 103 Fourth Avenue; Commercial Zoning District. **Provisions of Zoning Ordinance Involved:** Section 4.11 establishes the required minimum side yard setback. **Specific Relief Sought:** The Petitioner seeks a variance from Section 4.11 of the Zoning Ordinance in order to construct a four-story office/laboratory, and general manufacturing (including Good Manufacturing Practices "GMP") building at the Property. Due to the extreme change in grade across the property and unusual shape of the lot, among other things, the calculation of average existing grade causes the height of the building as defined in the WZO to be significantly higher than it actually is, thus requiring a minimum side yard setback of 38 feet. The petitioner proposes a side yard setback of 32 feet. Due to the extreme changes in grade on the site, the average existing grade calculation in the WZO means that each building starts out at a height of 13 feet before the building itself begins to be measured. 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:**

Board will be holding meeting Via Zoom: <https://us02web.zoom.us/j/86896710195>

Meeting ID: 868 9671 0195

Please check city website for updates <https://www.city.waltham.ma.us/>