



City of Waltham
COMMONWEALTH OF MASSACHUSETTS

ZONING BOARD OF APPEALS

LEGAL NOTICE

DATE FILED: January 18, 2022

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

Case #: 2022-03. **Petitioner:** LPC Northeast LLC. c/o Lincoln Property Company. **Owner:** 1345 Main Street LLC (as to 1345-1349 Main Street) and Walmal Realty Trust c/o Wolfers Lighting (as to 22 Bear Hill Road). **Nature of Application/ Petition:** Variance – Dimensional. **Subject Matter:** The locus consists of two parcels of land containing 84,113 ± sq. ft. (approximately 1.931 ± acres) located largely at the corner of Main Street and Bear Hill Road. Both parcels are located within a Commercial Zoning District. The Petitioner proposes to combine the two lots, raze the existing structures located thereon, and construct, use, and maintain a six-story office/ research laboratory building (plus three subsurface parking levels and a rooftop penthouse level), requiring variances from the setback, height, and parking requirements of the Zoning Ordinance. **Location and Zoning District:** 1345-1349 Main Street and 22 Bear Hill Road are located in a Commercial Zoning District. **Provisions of Zoning Ordinance Involved:** § 4.11, § 4.12(7), § 4.217, and § 5.21. **Specific Relief Sought:**

Setbacks:

1. As applied to the proposed development, § 4.12(7) states that the front, side, and rear yard setbacks shall be at least half the height of the building (52.5-foot setback required). Here, the proposed setbacks are 38 feet (northerly setback from 34-40 Bear Hill Road), 20 feet (easterly setback from Bear Hill Road), 12 feet (southerly setback from 1335 Main Street), and 38 feet (westerly setback from 1353 Main Street).

Height:

1. § 4.11 Table of Dimensional Regulations states that the maximum height allowed in the Commercial Zoning District is 80 feet. Here, the proposed height will be 83 feet to the top of the sixth story and 105 feet to the top of the rooftop penthouse level, which almost exclusively contains mechanical units serving the building and not occupiable building space. Typically, this rooftop penthouse level is excluded from height pursuant to § 4.217.

But in this case, the level is being included in the height calculation due to exceeding the 25% coverage allowed under § 4.217 (here, proposed rooftop coverage will not exceed 65%).

2. § 4.217 Height exceptions provides that such necessary rooftop mechanical units do not count towards the height of the building if they do not occupy more than 25% of the

ground floor area of the building. Here, the proposed rooftop coverage will be greater than 25% and shall not exceed 65%.

Parking:

1. § 5.21 provides in pertinent part that there shall be 1 parking space per 300 sq. ft. for office uses, which equates to 508 parking spaces required if the building were all office uses. The Petitioner proposes an office and research laboratory mix for the building, which requires considerably less parking than an all-office use. Here, the Petitioner proposes to provide 402 parking spaces, which is sufficient for a mix of up to 70% office space. Further, an additional 185 parking spaces can be provided by valet parking as needed.

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:** Michael Cotton, Mark Hickernell, John Sergi, Glenna Gelineau. **ASSOCIATE MEMBERS:** Edward McCarthy, Oscar LeBlanc, Marc Rudnick, Michael Squillante, Sarah Hankins.

*NOTE: Please check city website for updates <https://www.city.waltham.ma.us/>. The Board may meet remotely through Zoom.