



City of Waltham

COMMONWEALTH OF MASSACHUSETTS

ZONING BOARD OF APPEALS

LEGAL NOTICE

DATE FILED: August 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 October 4, 2022 AT 7:00 P.M. ON THE FOLLOWING:

Case #: 2022-40. **Petitioner:** Hall Street Partners LLC **Owner:** Roman Catholic Archbishop of Boston. **Nature of Application/ Petition:** Application for Variances. **Subject Matter:** The locus contains 30,898 square feet of land or 0.71 of an acre with an existing building thereon, the Saint Charles Borromeo Church. The Petitioner proposes to re-use, reconstruct and maintain twenty (20) residential dwelling units within the existing structure. **Location and Zoning District:** 51 Hall Street; Residence C Zoning District. **Provisions of Zoning Ordinance Involved:** §§ 3.537, 4.11, 4.12, 5.2, 5.42 and 5.472. **Specific Relief Sought:**

1. **FAR.** § 4.11 states lots in a Residence C Zoning District may have a by right FAR of 0.20 and a FAR of up to 0.60 when a special permit is granted by the City Council. Here the Petitioner proposes to request a special permit with the City Council for a FAR of 1.22.
2. **Lot Coverage.** § 4.11 states structures in the zoning District shall have a maximum lot coverage of 30%. Here the existing lot coverage is 53% and the proposed coverage shall be 40%.
3. **Open Space.** § 3.537 and § 4.11 states that lots in the zoning district shall a minimum open space of 40% when increasing the FAR by special permit up to 1.22 FAR. The existing open space is 30% and the proposed open space shall be 20%.
4. **Dwelling Units per acre.** § 4.11 states structures in the zoning District may have up to 6 units per acre by right. It also provides that the City Council may increase the number of dwelling units up to 18 units per acre when granting an increase in density (FAR) special permit. Here, the Petitioner proposes 20 dwelling units on 0.71 of an acre which equates to 29 units per acre.
5. **Side yard Setbacks.** § 4.11 and 4.12, footnote 3, provides that side yard setbacks shall be ten (10) feet where a building does not exceed two- and one-half stories in height; in all other cases it shall be not less than $\frac{1}{4}$ the height of the building. With three stories now proposed, the side yard setback required is $\frac{1}{4}$ the height of the existing building or 13.23 feet. Here, the south side yard setback is and shall continue to be 7.9 feet.
6. **Rear yard Setback.** § 4.11 states that rear yard setbacks in the zoning district shall be twenty (20) feet. Here the existing and proposed rear yard setback is 3.74 feet.

7. **Height.** § 4.11 states that structures in the zoning district shall have a maximum height of 40 feet. Here the existing and proposed height of the structure is 52.9 feet.
8. **Parking.** § § 5.2, 5.47 provide that that up to 25% of the required parking spaces, 40 parking spaces in this instance, may be designed for small cars or 16 feet by 8 feet. It also provides that the Board may grant a special permit to increase the number of compact parking spaces up to 50%. Here, the Petitioners propose to construct, use and maintain 21 compact parking spaces which are 51% of the proposed 41 parking spaces.
9. **Parking Setback.** § 5.42 states that no paved area, excluding entrances and exits, shall extend within five feet of any lot or street line. Here, the proposed paved parking area shall be 3.7 feet from the lot line and street line on the north side of the locus.

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, Matthew Deveaux. **ASSOCIATE MEMBERS:** Edward McCarthy, Oscar LeBlanc, Marc Rudnick, Michael Squillante, Sarah Hankins.