



City of Waltham

COMMONWEALTH OF MASSACHUSETTS

ZONING BOARD OF APPEALS

LEGAL NOTICE

DATE FILED: September 26, 2023

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 November 21, 2023 AT 7:00 P.M. ON THE FOLLOWING:

Case #: 2023-24. **Petitioner/Owner:** Walnut Street Center, Inc. **Nature of Appeal/Petition:** Application for Variance and Appeal Denial of Building Permit. **Subject Matter:** The Petitioner is a nonprofit corporation which owns and manages residential homes for developmentally disabled individuals. The Petitioner proposes to construct, use, and maintain a single-family residence for five individuals with special needs to live in a non-institutional residence. **Location and Zoning District:** 131 Pond End Road, a/k/a 0 Pond End Road; Residence A-2 Zoning District. **Provisions of Zoning Ordinance Involved:** Article III, §3.711 and Article IV, §4.11. **Specific Relief Sought:**

(1) **Appeal.** The Inspector of Buildings has denied a building permit for a single-family residence at this locus because the lot does not have 80 feet of frontage as required under the existing Zoning Ordinance. The Petitioner appeals this denial as §3.711 of the Ordinance provides that the existing frontage of 60.62 feet conforms to and meets the requirements of §3.711. §3.711 states that the minimum frontage requirements of Article IV shall not apply to any lot for single-and two-family residential use in Residence A and Residence B Zones that is shown on a deed, on an approved residential subdivisions plan or on a plan bearing the endorsement “approval not required” under the subdivision Control Law, said plan being recorded prior to December 27, 1988, at the Middlesex South Registry of Deeds that conformed to the existing zoning requirements at the time of the recording and has less than the requirements of Article IV but at least 40 feet of frontage in the RA-2 district. Here, the locus lot was created by an “approval not required” plan recorded on August 23, 1968 as Plan No. 910 of 1968. The lot conformed to the existing zoning requirements at the time. The lot has a frontage of 60.62 feet which is less than the 80 feet now required but more than 40 feet as required under this section.

(2) **Variance.** §4.11 states that lots in a Residence A-2 Zoning District shall have a frontage of 80 feet. Here, there the existing and proposed frontage is 60.62 feet.

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:** John Sergi, Mark Hickernell, Glenna Gelineau, Matthew Deveaux, Stephen Taranto. **ASSOCIATE MEMBERS:** Edward McCarthy, Oscar LeBlanc, Sarah Hankins, Joseph Attardo.