

CITY OF WALTHAM

Request for Proposals

Lease of 92 Felton Street

Waltham, Massachusetts

**I Introduction**

The City of Waltham (Lessor) is currently offering for lease, “as is,” the two-story (plus basement) building known as 92 Felton Street, Waltham, Massachusetts, as generally identified on the site plan attached hereto as Appendix A. The building is vacant.

The property consists of a basement (2, 940 sq. ft.) first floor (2,940 sq. ft.) and second floor (2,940 sq. ft.). There are **garages** (1,792 sq. ft) **on the property, but the garages are not part of the leased premises.** The property consists of approximately 22,400 square feet of land. There is space available on the property to provide approximately 34 parking spaces. However, some of these parking spaces will be retained by the City. The City will work with the Lessee to assure that sufficient parking spaces are left for the Lessee’s use.

The building at 92 Felton Street is a masonry structure. The property was built in 1900.

**II Site Information**

Located in the heart of Waltham’s business and civic district, 92 Felton Street is in close proximity to the intersection of Moody and Felton Streets. Moody Street is a short distance from Main Street (Route 20). Main Street is a short distance from major roadways providing access to Boston (approximately nine miles east of the site) and Route 128 (approximately two miles west of the site). There is space available on site for parking approximately 34 vehicles. The parking spaces will have to be delineated on the ground, however, by the successful responder to this request for proposals. The property is easily accessible by bus and train.

The building is being leased “as is”. The Lessor makes no representations or warranties as to the condition of the leased premises.

The building is located in a Commercial Zone. The surrounding neighborhood includes downtown Moody Street, commercial, retail and residential uses.

**III Use**

- A. Lease or disposition of the property is subject to the approval of both the Mayor and City Council.
- B. 92 Felton Street is a unique historical building and is within close proximity to the City’s center of government, accordingly, this property and building needs to be preserved. The City intends to lease this property for uses that preserve the historic nature of the building and for a use that increases the economic development of the downtown/ Felton Street area and as of right in a commercial zone per the attached Tables of Uses. Residential use is prohibited.
- C. Further, the Mayor’s recommendation for use of this property is for artistic uses such as an art studio, art education, indoor/outdoor retail markets or a restaurant or bakery or business and for a use that is

consistent with a downtown use, and for a use that does not derogate or harm the surrounding neighborhoods.

D. **The Mayor is willing to co-sponsor a Community Preservation Act (CPA) application for CPA funding for the exterior of the building and windows.**

E. Apart from recommending to lease to a fraternal club with a bar, to date, the City Council, as a body, has not decided/voted a specific permanent recommendation for the building with respect to lease or sale.

#### IV Required Terms and Conditions

A. The term of the lease shall be for a period ten (10) years followed by two optional additional ten (10) year periods up to a maximum of 30 years total at the sole discretion of the City.

B. The City intends to retain some of the public parking spaces. However, the City will work with the tenant to make sure sufficient parking is available.

C. The Lessee shall be responsible for rent payments that are due annually, payable in advance in monthly installments to be made payable to the City of Waltham and submitted to the Superintendent of Public Buildings.

D. The Lessor, in addition to other rights and remedies, shall have the right to declare the term of the lease ended if the Lessee:

1. defaults in the payment of a rent installment and such default continues for ten (10) days after written notice thereof; or
2. defaults in the performance or observance of any other of the Lessee's covenants, agreements or obligations under the lease and fails to correct such default within thirty (30) days after written notice thereof; or
3. shall be declared bankrupt or insolvent according to law, or if any assignment shall be made of Lessee's property for the benefit of creditors; or
4. fails to secure an occupancy permit within one year from the date the lease is executed.

E. The Lessee shall not assign the lease agreement, nor shall the Lessee sublet any or all of the leased premises without the prior written consent of the City Council and Mayor. Such subletting may only be authorized, in the sole discretion of the City Council and Mayor, for a use that is in compatible with the public purpose and identified allowed uses of this Request for Proposals.

The Lessee shall be required to purchase and maintain fire insurance in the amount of One million dollars (\$1,000,000) and comprehensive public liability insurance in the amount of One million dollars (\$1,000,000) per person/one million dollars (\$1,000,000) per occurrence, with excess liability/umbrella coverage in the amount of three million dollars (\$3,000,000); and with property damage insurance in limits of one million dollars (\$1,000,000) with responsible companies qualified to do business in Massachusetts and in good standing therein insuring the Lessor as well as the Lessee against injury to persons or damage to property as provided and to be in effect during the entire lease term.

F. The Lessee shall be required to present a Certificate of Insurance, identifying **the City as an additional named insured** and requiring 30 days advance notice of any cancellation, to the Lessor at the time of the signing of the Lease and at such other times as the Lessor shall request. The Lessee shall be responsible for the payment of all required premiums to maintain said insurance during the entire lease term.

- G. The Lessee shall also be required to indemnify and hold the City harmless against any and all claims of whatever nature for any injury or damage attributable to the Lessee's use of the leased premises or to any actions of the Lessee, its agents, servants or employees which may cause or contribute to any injury or damage to any person or entity's property.
- H. The Lessee shall be required to purchase and maintain tenant's insurance in an amount sufficient to replace Lessee's personal belongings contained in the leased premises during the lease term and shall be required to present a Certificate of Insurance identifying the city as a co-insured and requiring thirty (30) days advance notice of any cancellation, to the Lessor at the time of the signing of the lease and at such other times as the Lessor shall request.
- I. The Lessee shall be responsible for meeting the Building Code in order to secure an Occupancy Permit.
- J. The Lessee shall perform all improvements regarding tenant fit up at its sole cost and expense.
- K. The use of the subject property is subject to the Zoning Ordinances of the City of Waltham and subject to Section III above. See the attached Tables of Uses for uses that are allowed as-of-right in the Commercial Zone in which the property is located. Residential uses of the leased premises are prohibited by the terms of this RFP and will be prohibited under the terms of any lease executed pursuant hereto.
- L. Lessee's plans must be submitted to and approved by the Waltham Historic Commission for any items within its jurisdiction, prior to submission to the Building Department for a building permit(s).
- M. All plans and specifications for improvements to the property must be approved by the Building Inspector of the City of Waltham prior to the commencement of any work.
- N. All improvements shall be performed by the Lessee in accordance with the City-approved plans and specifications.
- O. No additions or alterations may be made to the exterior or interior of the building without the Mayor's prior written approval.
- P. Over the term of the lease, the Lessee will be required to maintain the building and parking area and make any necessary repairs thereto.
- Q. The Lessee shall be responsible for the cost of installing and using all utilities to the property. Lessee is responsible for its own air conditioning needs subject to the approval of the City's Maintenance Department.
- R. The Lessee shall be responsible for all custodial/janitorial services in the leased premises during the lease term.
- S. The Lessee shall be responsible for shoveling all walkways into the leased premises and insuring that all the exits and entrances are not obstructed.
- T. The Lessee shall be responsible for maintaining the leased premises in good condition, reasonable wear and tear excluded.
- U. The Lessee shall be responsible for the cost of all repairs occasioned by or due to the fault or neglect of the Lessee, its agents, servants or independent contractors hired by it, visitors, guests, invitees, or any other source.

- V. The Lessee is prohibited from any activity that would constitute a violation of the conflict of interest law (G.L.M. 268A).
- W. The Lease, along with this RFP and the Lessee's response thereto, shall constitute the entire agreement for the lease of the property. Any amendment to the lease must be in writing and must be approved in the same manner as the original lease, by both the City Council and Mayor.
- X. The Lessee shall be responsible for securing all municipal, state and federal permits, including but not necessarily limited to, building and occupancy permits.
- Y. The Lessee is obligated to secure an occupancy permit for, at minimum, the first floor of the leased premises within one year of the date on which the lease is executed. As noted above, the Lessee will be taking the building "as is" and the Lessee will be responsible for taking all actions necessary to secure an occupancy permit.
- Z. The Lessee shall be responsible for delineating the parking spaces on the ground, which parking spaces shall be sized and located in accordance with the requirements of the Zoning Ordinance.
- AA. The Lessee shall use the property in such manner as it is compatible with the neighborhood and/or the current use(s) of the building by existing tenants and/or as determined at the sole discretion of the City. No residential use of the leased premises shall be permitted.

## **V Submission Requirements**

- A. All proposals must be delivered to the office of the City Purchasing Agent, Joseph Pedulla, City Hall, 610 Main Street, Waltham, MA no later than **10 AM November 25, 2020**
- B. All proposals shall be in sealed envelopes marked, "Proposal for Lease of Two-Story Building at 92 Felton Street, Waltham."
- C. All proposals not received at the Purchasing Agent's office by the date and time specified shall be rejected.
- D. Each proposal must include the following:
  - 1. A completed Disclosure of Beneficial Interests form, which complies with the requirements of G.L.M. Chapter 7, section 40J. (Blank Form Attached later in this document)
  - 2. A signed affidavit of non-collusion in the form provided by the Purchasing Agent. (Blank Form Attached later in this document)
  - 3. A certification of tax compliance (G.L.M. Chapter 62C, section 49A). (Blank Form Attached later in this document)
  - 4. If the Lessee is other than a natural person, evidence of its legal existence and status, including any recent amendments thereto. Such evidence may include the following:
    - a. Articles of Incorporation
    - b. Trust Agreements
    - c. Partnership Agreements
  - 5. If the proposer is a corporation, a Certificate of Authority conveying a certified vote of the Board of Directors authorizing a designated individual to submit the proposal.
  - 6. A statement of the intended use of the leased premises and how it preserves the historic nature of the building, increases the economic development of the downtown/Felton Street area, such as art studio, art education, indoor/outdoor retail market or restaurant or bakery or business and does not harm or derogate the surrounding neighborhoods.

7. Resumes and position descriptions of all personnel of Lessee who will be responsible for supervising construction work to be performed under the lease.
8. A statement of the amount of rent the Lessee proposes to pay over the course of the lease term and the specific lease term requested.
9. Evidence of the proposer's ability to cover the costs of all rent to be paid, all capital improvements to be made, and all other financial obligations relating to the rental of the property during the entire rental period.
10. A proposed, detailed program of capital repairs and replacements, any other improvements/repairs proposed. Said program shall be attached to and become a part of the lease.
11. A list of past projects in which the proposer has been involved.
12. An inventory of any and all personal property that will be stored or maintained in the leased premises. Such list shall be updated by the Lessee as such personal property is added or removed.
13. For a corporation, a certified copy of the most recent Annual Report and any Amendments subsequent to the most recent filing as recorded with the Secretary of State.
14. The Lessee shall be responsible for maintaining its own insurance covering any personal property located on or in the rental property during the lease term and the Lessee shall indemnify and hold the City harmless from any claims for damages or loss relating to any such personal property.
15. Insurance Certificate showing the requested limits and with the following text in the Description of Service Box: "The City of Waltham is a Named Additional Insured for General Liability"
16. The City reserves the right to request additional documentation and may independently verify information provided.
17. A COVID-19 safety plan that meets state and local regulations and ordinances as determined by the Director of the Waltham Health Department.

## **VI Evaluation Criteria**

All proposals shall be evaluated based on the following criteria:

A. Submission Requirements: All proposals must be properly submitted and contain all of the completed documents and forms as set forth above in V—Submission Requirements. The Purchasing Agent shall determine if the Submission Requirements have been satisfied. The Purchasing Agent shall refer all proposals that meet the Submission Requirements to the Evaluation Committee, as expanded upon below in VI B. Any proposal, which does not contain all the completed documents and forms set forth in Section V- Submission Requirements, shall be rejected.

B. Comparative Evaluation Criteria: An Evaluation Committee, consisting of one representative from the Building Department, Planning Department and Maintenance Department will evaluate all proposals referred to it by the Purchasing Agent. The Evaluation Committee's review will be based on the relative merits of the proposals in terms of the proposed use and the amount of rent to be paid. The Evaluation Committee's review will be based on the relative merits of the proposals in terms of:

- 1 Proposed Improvements (50% of total points) Each proposal shall be given a score of 1 to 5 (with 5 being the highest score) for the physical improvements made to the interior and exterior of the building and grounds and the extent to which it preserves the historic nature of the building, for a use which increases the economic development of the downtown/Felton Street area and as of right in a commercial zone, for an artistic use such as art studio, art education, indoor/outdoor retail market or restaurant or bakery or business and for a use that does not derogate or harm the surrounding neighborhoods.
- 2 Rental stream (50%) of total points) The Evaluation Committee will determine the present value of the rental stream to be generated by each proposal. Each proposal will be given a score of 1 to 5 (with 5 being the highest score) based on the present value of rental payments and the financial strength of the proposer. **In light of the proposed improvements in Item B1 above,**

for the first three (3) years, consideration will be given to a reduced rent. Thereafter, the rent proposals will be evaluated based upon the above stated 1-5 rent standard in B2.

Responses to the RFP should delineate the rent for years 1,2,3; the rent for years 4 through 10; and the rent for any years thereafter. (The amount of years and amount of rent proposed).

C. Evaluation. Once points are established for the proposed improvements and the rental stream of each proposal, the Evaluation Committee will weigh these criteria as listed above. Based on the final scores assigned to each proposal, the Evaluation Committee shall make its recommendation to the Mayor and City Council of the City of Waltham who shall identify the most advantageous proposal.

## VII Award

Lease between the City and the successful respondent is subject to the approval of both the Mayor and the City Council.

## VIII Miscellaneous

- A. The City reserves the right to reject any and all proposals at any time prior to the execution of the lease.
- B. All renovations shall become fixtures and the property of the City of Waltham.
- C. The City of Waltham will conduct **one site visit of the property 10.00AM November 12, 2020**. Interested parties should meet in front of 92 Felton Street at said date and time. This will be the only opportunity to conduct a detailed inspection of the property before the RFP due date.
- D. All questions regarding the RFP should be submitted in writing to the Purchasing Agent no later than 12 noon November 13, 2020. Via Email ONLY: joedulla@city.waltham.ma.us who will respond via addenda to all interested parties. Addenda will also be posted on the City's website. QUESTIONS SHOULD NOT BE SUBMITTED TO CITY COUNCILLORS OR THE MAYOR AS THE RFP PROCESS REQUIRES A SEALED BID PROPOSAL.

Disposition of Real Estate- Lease

### Authority:

### Description of Property:

Purchasing Agent  
City of Waltham  
610 Main Street  
Waltham, MA  
(781) 314-3242

92 Felton Street  
Waltham, MA  
22,400 gross sq. ft. of land  
Two-story building, 8,820 sq. ft. of interior space

### Proposal Deadline:

### Estimated Value, Source of Valuation

**November 25, 2020 at 10:00 am**

Assessed Value: \$612,100  
Appraised Value – October, 2020  
\$7.00 per square foot (warehouse value) based on appraisal by Waltham Board of Assessors, first and second floor. Adjustments are made to account for better/lesser conditions, to a minimum price of \$5.60/SF and a maximum of \$8.40.

### Additional Information:

See attached Assessor's Card

The City plans to lease this two-story building with basement and the lot on which it is located. The garage building on the lot is not included in the leased premises. The building and lot are leased "as is". The City intends to lease this property for uses allowed as of right in a commercial zone and for a use that preserves the historic nature of the building and for an artistic use, such as art studio, art education, indoor/outdoor retail markets, or restaurant or bakery or business. It is the responsibility of the successful proposer to secure any necessary municipal approvals and perform any improvements necessary to occupy the property. Open air parking is available on the property. The Mayor is willing to sponsor a Community Preservation Act (CPA) application for CPA funding for windows and any exterior repairs.

Copies of the Request for Proposals are available at [www.city.waltham.ma.us/bids](http://www.city.waltham.ma.us/bids)

The City reserves the right to reject any and all proposals.

CITY OF WALTHAM, MASSACHUSETTS  
REQUEST FOR PROPOSALS  
PROPERTY FOR LEASE

SEALED PROPOSALS for leasing the building located at 92 FELTON STREET, WALTHAM, MA, will be received at the Office of the Purchasing Agent, City Hall, 610 Main Street, Waltham, MA 02452, until 10:00 am on, Nov. 25, 2020 which time they will be publicly opened and read. **A property inspection date is set for Nov. 12, 2020 at 10:00 am** Copies of the Request for Proposals are available at [www.city.waltham.ma.us/bids](http://www.city.waltham.ma.us/bids)

The City reserves the right to reject any and all proposals.

Joseph Pedulla, MCPPO  
Purchasing Agent  
781-314-3244  
[Jpedulla@city.waltham.ma.us](mailto:Jpedulla@city.waltham.ma.us)

Advertisement



# NON-COLLUSION FORM AND TAX COMPLIANCE FORM

## CERTIFICATE OF NON-COLLUSION

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity or group of individuals. The undersigned certifies that no representations made by any City officials, employees, entity, or group of individuals other than the Purchasing Agent of the City of Waltham was relied upon in the making of this bid

\_\_\_\_\_  
(Signature of person signing bid or proposal)      Date

\_\_\_\_\_  
(Name of business)

### I. TAX COMPLIANCE CERTIFICATION

Pursuant to M.G.L. c. 62C, & 49A, I certify under the penalties of perjury that, to the best of my knowledge and belief, I am in compliance with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

\_\_\_\_\_  
Signature of person submitting bid or proposal      Date

\_\_\_\_\_  
Name of business

#### NOTE

Failure to submit any of the required documents, in this or in other sections, with your bid response package will be cause for the disqualification of your company.

**CERTIFICATE OF VOTE OF AUTHORIZATION**

Date:

I \_\_\_\_\_, Clerk of \_\_\_\_\_ (corporation) hereby certify that at a meeting of the Board of Directors of said Corporation duly held on the \_\_\_\_\_ day of \_\_\_\_\_ at which time a quorum was present and voting throughout, the following vote was duly passed and is now in full force and effect:

VOTED: That \_\_\_\_\_ (name) is hereby authorized, directed and empowered for the name and on behalf of this Corporation to sign, seal with the corporate seat, execute, acknowledge and deliver all contracts and other obligations of this Corporation; the execution of any such contract or obligation to be valid and binding upon this Corporation for all purposes, and that this vote shall remain in full force and effect unless and until the same has been altered, amended or revoked by a subsequent vote of such directors and a certificate of such later vote attested by the Clerk of this Corporation.

I further certify that \_\_\_\_\_ is duly elected/appointed \_\_\_\_\_ of said corporation.  
SIGNED:

(Corporate Seal)

\_\_\_\_\_  
Clerk of the Corporation:

Print Name: \_\_\_\_\_

**COMMONWEALTH OF MASSACHUSETTS**

County of \_\_\_\_\_,

Date:

Then personally appeared the above named and acknowledged the foregoing instrument to be their free act and deed before me, \_\_\_\_\_

Notary Public;

My Commission expires:

### CORPORATION IDENTIFICATION

The bidder for the information of the Awarding Authority furnishes the following information.

If a Corporation:

Incorporated in what state \_\_\_\_\_

President \_\_\_\_\_

Treasurer \_\_\_\_\_

Secretary \_\_\_\_\_

Federal ID Number \_\_\_\_\_ (Required)

If a foreign (out of State) Corporation – Are you registered to do business in Massachusetts? Yes

\_\_\_\_\_, No \_\_\_\_\_

If you are selected for this work you are required under M.G.L.ch. 30S, 39L to obtain from the Secretary of State, Foreign Corp. Section, State House, Boston, a certificate stating that you Corporation is registered, and furnish said certificate to the Awarding Authority prior to the award.

If a Partnership: (Name all partners)

Name of partner \_\_\_\_\_

Residence \_\_\_\_\_

Name of partner \_\_\_\_\_

Residence \_\_\_\_\_

If an Individual:

Name \_\_\_\_\_

Residence \_\_\_\_\_

If an Individual doing business under a firm name:

Name of Firm \_\_\_\_\_

Name of Individual \_\_\_\_\_

Business Address \_\_\_\_\_

Residence \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_  
Name of Bidder

By \_\_\_\_\_

Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Business Address (POST OFFICE BOX NUMBER NOT ACCEPTABLE)

\_\_\_\_\_  
City State

\_\_\_\_\_  
Telephone Number,

\_\_\_\_\_  
Date

NOTE (1): This proposal must bear the written signature of the bidder. If the bidder is a partnership, a partner must sign the proposal. If the bidder is a corporation, a duly authorized officer or agent of such corporation must sign the proposal.

NOTE (2): Failure to submit any of the required documents, in this or in other sections, with your bid response package will be cause for the disqualification of your company.

**DEBARMENT CERTIFICATION**

In connection with this bid and all procurement transactions, by signature thereon, the respondent certifies that neither the company nor its principals are suspended, debarred, proposed for debarment, declared ineligible, or voluntarily excluded from the award of contracts, procurement or non procurement programs from the Commonwealth of Massachusetts, the US Federal Government and /or the City of Waltham. "Principals" means officers, directors, owners, partners and persons having primary interest, management or supervisory responsibilities with the business entity. Vendors shall provide immediate written notification to the Purchasing Agent of the City of Waltham at any time during the period of the contract of prior to the contract award if the vendor learns of any changed condition with regards to the debarment of the company or its officers. This certification is a material representation of fact upon which reliance will be placed when making the business award. If at any time it is determined that the vendor knowingly misrepresented this certification, in addition to other legal remedies available to the City of Waltham, the contract will be cancelled and the award revoked.

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Company Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_, State \_\_\_\_\_, Zip Code \_\_\_\_\_

Phone Number (\_\_\_\_) \_\_\_\_\_

E-Mail Address \_\_\_\_\_

Signed by Authorized Company Representative:

\_\_\_\_\_

Print name \_\_\_\_\_

Date \_\_\_\_\_

**PROVIDE THREE (3) SERVICE APPROPRIATE REFERENCES**

1. Company Name:

Address:

Contact Name:

Phone #

Type of service/product provided to this Company:

Dollar value of service provided to this Company:

2. Company Name:

Address:

Contact Name:

Phone #

Type of service/product provided to this Company:

Dollar value of service provided to this Company:

3. Company Name:

Address:

Contact Name:

Phone #

Type of service/product provided to this Company:

Dollar value of service provided to this Company:

**NOTE**

Failure to submit any of the required documents, in this or in other sections, with your bid response package will be cause for the disqualification of your company.

**DISCLOSURE STATEMENT FOR  
TRANSACTION WITH A PUBLIC AGENCY CONCERNING REAL PROPERTY  
M.G.L. c. 7C, s. 38 (formerly M.G.L. c. 7, s. 40J)**

**INSTRUCTION SHEET**

**NOTE:** The Division of Capital Asset Management and Maintenance (DCAMM) shall have no responsibility for insuring that the Disclosure Statement has been properly completed as required by law. Acceptance by DCAMM of a Disclosure Statement for filing does not constitute DCAMM's approval of this Disclosure Statement or the information contained therein. Please carefully read M.G.L. c. 7C, s. 38 which is reprinted in Section 8 of this Disclosure Statement.

**Section (1):** Identify the real property, including its street address, and city or town. If there is no street address then identify the property in some other manner such as the nearest cross street and its tax assessors' parcel number.

**Section (2):** Identify the type of transaction to which this Disclosure Statement pertains --such as a sale, purchase, lease, etc.

**Section (3):** Insert the exact legal name of the Public Agency participating in this Transaction with the Disclosing Party. The Public Agency may be a Department of the Commonwealth of Massachusetts, or some other public entity. Please do not abbreviate.

**Section (4):** Insert the exact legal name of the Disclosing Party. Indicate whether the Disclosing Party is an individual, tenants in common, tenants by the entirety, corporation, general partnership, limited partnership, LLC, or other entity. If the Disclosing Party is the trustees of a trust then identify the trustees by name, indicate that they are trustees, and add the name of the trust.

**Section (5):** Indicate the role of the Disclosing Party in the transaction by checking one of the blanks. If the Disclosing Party's role in the transaction is not covered by one of the listed roles then describe the role in words.

**Section (6):** List the names and addresses of **every** legal entity and **every** natural person that has or will have a **direct or indirect** beneficial interest in the real property. The only exceptions are those stated in the first paragraph of the statute that is reprinted in Section 8 of this Disclosure Statement. If the Disclosing Party is another public entity such as a city or town, insert "inhabitants of the (name of public entity)." If the Disclosing Party is a non-profit with no individual persons having any beneficial interest then indicate the purpose or type of the non-profit entity. If additional space is needed, please attach a separate sheet and incorporate it by reference into Section 6.

**Section (7):** Write "none" in the blank if none of the persons mentioned in Section 6 is employed by DCAMM. Otherwise list any parties disclosed in Section 6 that are employees of DCAMM.

**Section (8):** The individual signing this statement on behalf of the Disclosing Party acknowledges that he/she has read the included provisions of Chapter 7C, Section 38 (formerly Chapter 7, Section 40J) of the General Laws of Massachusetts.

**Section (9):** Make sure that this Disclosure Statement is signed by the correct person. If the Disclosing Party is a corporation, please make sure that this Disclosure Statement is signed by a duly authorized officer of the corporation as required by the statute reprinted in Section 8 of this Disclosure Statement.

This completed and signed Disclosure Statement should be mailed or otherwise delivered to:

Deputy Commissioner for Real Estate  
Division of Capital Asset Management and Maintenance  
One Ashburton Place, 15<sup>th</sup> Floor, Boston, MA 02108

**DISCLOSURE STATEMENT FOR  
TRANSACTION WITH A PUBLIC AGENCY CONCERNING REAL PROPERTY  
M.G.L. c. 7C, s. 38 (formerly M.G.L. c. 7, s. 40J)**

The undersigned party to a real property transaction with a public agency hereby discloses and certifies, under pains and penalties of perjury, the following information as required by law:

C. (1) REAL PROPERTY:

(2) TYPE OF TRANSACTION, AGREEMENT, or DOCUMENT: .

(3) PUBLIC AGENCY PARTICIPATING in TRANSACTION:  
CITY OF WALTHAM THROUGH ITS MAYOR AND CITY COUNCIL,

(4) DISCLOSING PARTY'S NAME AND TYPE OF ENTITY (IF NOT AN INDIVIDUAL):  
CITY OF WALTHAM

(5) ROLE OF DISCLOSING PARTY (Check appropriate role):

Lessor/Landlord

Lessee/Tenant

Seller/Grantor

Buyer/Grantee

Other (Please describe): \_\_\_\_\_

(6) The names and addresses of all persons and individuals who have or will have a direct or indirect beneficial interest in the real property excluding only 1) a stockholder of a corporation the stock of which is listed for sale to the general public with the securities and exchange commission, if such stockholder holds less than ten per cent of the outstanding stock entitled to vote at the annual meeting of such corporation or 2) an owner of a time share that has an interest in a leasehold condominium meeting all of the conditions specified in M.G.L. c. 7C, s. 38, are hereby disclosed as follows (attach additional pages if necessary):

NAME

RESIDENCE

(7) None of the above- named persons is an employee of the Division of Capital Asset Management and Maintenance or an official elected to public office in the Commonwealth of Massachusetts, except as listed below (insert "none" if none):

(8) The individual signing this statement on behalf of the above-named party acknowledges that he/she has read the following provisions of Chapter 7C, Section 38 (formerly Chapter 7, Section 40J) of the General Laws of Massachusetts:

**DISCLOSURE STATEMENT FOR  
TRANSACTION WITH A PUBLIC AGENCY CONCERNING REAL PROPERTY  
M.G.L. c. 7C, s. 38 (formerly M.G.L. c. 7, s. 40J)**

*No agreement to rent or to sell real property to or to rent or purchase real property from a public agency, and no renewal or extension of such agreement, shall be valid and no payment shall be made to the lessor or seller of such property unless a statement, signed, under the penalties of perjury, has been filed by the lessor, lessee, seller or purchaser, and in the case of a corporation by a duly authorized officer thereof giving the true names and addresses of all persons who have or will have a direct or indirect beneficial interest in said property with the commissioner of capital asset management and maintenance. The provisions of this section shall not apply to any stockholder of a corporation the stock of which is listed for sale to the general public with the Securities and Exchange Commission, if such stockholder holds less than ten per cent of the outstanding stock entitled to vote at the annual meeting of such corporation. In the case of an agreement to rent property from a public agency where the lessee's interest is held by the organization of unit owners of a leasehold condominium created under chapter one hundred and eighty-three A, and time-shares are created in the leasehold condominium under chapter one hundred and eighty-three B, the provisions of this section shall not apply to an owner of a time-share in the leasehold condominium who (i) acquires the time-share on or after a bona fide arm's length transfer of such time-share made after the rental agreement with the public agency is executed and (ii) who holds less than three percent of the votes entitled to vote at the annual meeting of such organization of unit owners. A disclosure statement shall also be made in writing, under penalty of perjury, during the term of a rental agreement in case of any change of interest in such property, as provided for above, within thirty days of such change.*

*Any official elected to public office in the commonwealth, or any employee of the division of capital asset management and maintenance disclosing beneficial interest in real property pursuant to this section, shall identify his position as part of the disclosure statement. The commissioner shall notify the state ethics commission of such names, and shall make copies of any and all disclosure statements received available to the state ethics commission upon request.*

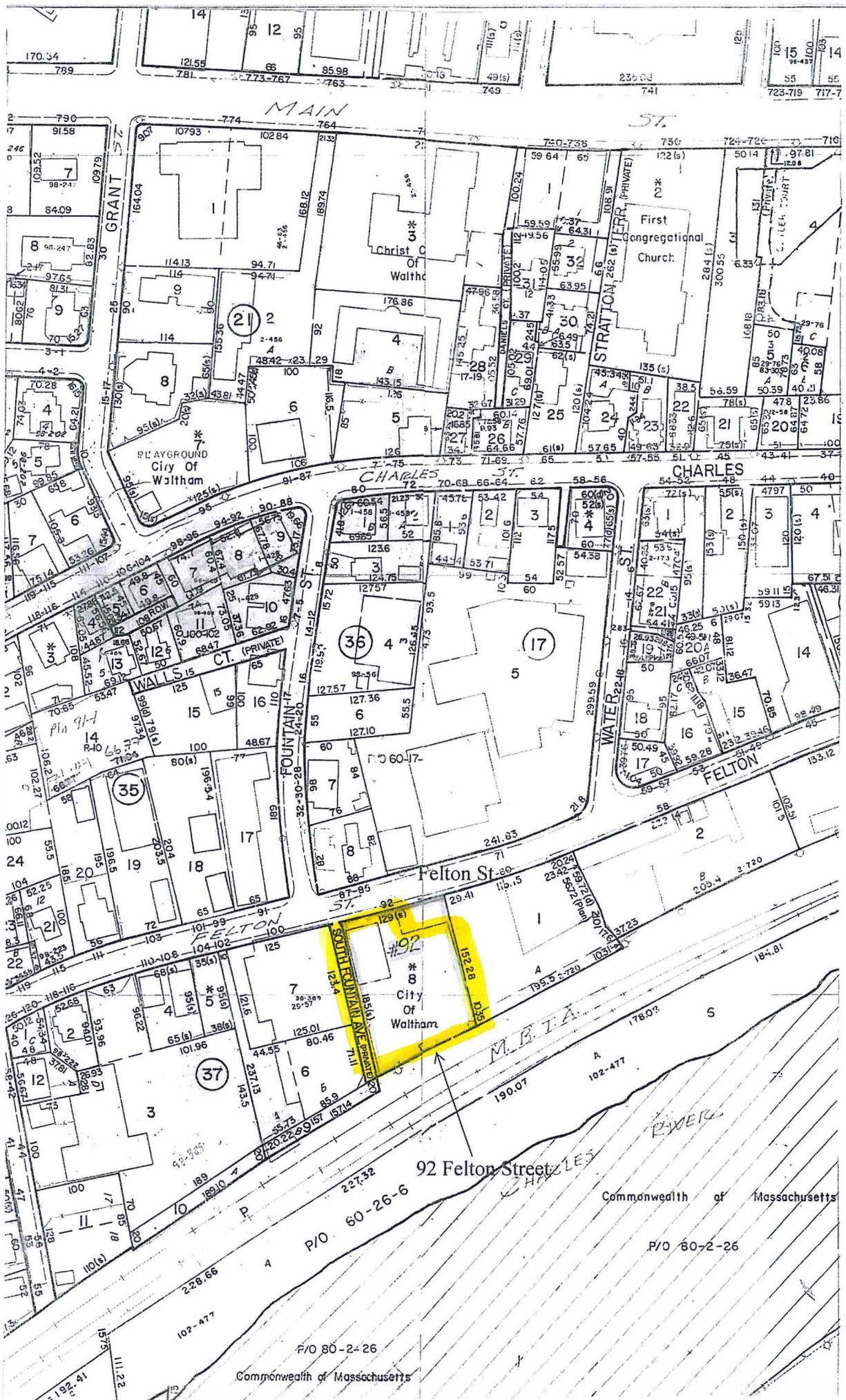
*The commissioner shall keep a copy of each disclosure statement received available for public inspection during regular business hours.*

(9) This Disclosure Statement is hereby signed under penalties of perjury.

Signature: \_\_\_\_\_

Dated: \_\_\_\_\_





MAIN

57

Christ of Waltham

First Congregational Church

PLAYGROUND City Of Waltham

CHARLES ST

CHARLES

WALLS CT. (PRIVATE)

36

17

WATER ST

FELTON

Felton St

92  
City of Waltham

M.B.T.A.

92 Felton Street

Commonwealth of Massachusetts

P/O 60-26-6

P/O 80-2-26

Commonwealth of Massachusetts

R059 037 0008  
Map Block Lot

92 Felton 1 of 2  
Unit CARD

INDUSTRIAL  
City of Waltham

APPRAISED: 590,900  
USE VALUE: 590,900  
ASSESSED: 612,100

PROPERTY LOCATION

No	Alt No	Direction/Street/City
92		FELTON ST, WALTHAM

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value
903	22400.000	217,300		373,600	590,900
<b>Total Card</b>	0.514	217,300		373,600	590,900
<b>Total Parcel</b>	0.514	238,500		373,600	612,100
Source: Market Adj Cost		Total Value per SQ unit /Card: 80.39		/Parcel: 83.28	

Legal Description	Use rAcct
	38827
	GIS Ref
	GIS Ref
Lot Size	
Total Land:	
Land Unit Type:	

Insp Date	01/28/14
Parcel ID	R059.037 0008
PRINT	
Date	10/07/20
Time	11:47:25
LAST REV	
Date	10/07/20
Time	11:45:34
PAT ACCT.	frank 38827



OWNERSHIP

Owner 1:	CITY OF WALTHAM
Owner 2:	
Owner 3:	
Street 1:	610 MAIN ST.
Street 2:	
Twn/City:	WALTHAM
SI/Prov:	MA Cntry Own Occ:
Postal:	02452-5552 Type:

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2021	903	NC	360,500	0	22,400.	373,600	734,100		Year End Roll	9/28/2020
2021	903	PTCH	360,500	0	22,400.	373,600	734,100	734,100	patch	6/23/2020
2020	903	FV	360,500	0	22,400.	373,600	734,100	734,100	Year End Roll	1/8/2020
2020	903	EX	360,500	0	22,400.	373,600	734,100	734,100	Year End Roll	11/20/2019
2020	903	NC	360,500	0	22,400.	373,600	734,100	734,100	Year End Roll	11/8/2019

PREVIOUS OWNER

Owner 1:	
Owner 2:	
Street 1:	
Twn/City:	
SI/Prov:	Cntry
Postal:	

BUILDING PERMITS

Date	Number	Descrip	Amount	C/O	Last Visit	Fed Code	F. Descrip	Comment

NARRATIVE DESCRIPTION

This parcel contains 22,400 SQ. FT. of land mainly classified as MUNICPL with a WAREHOUSE Building built about 1900, having primarily BRICK Exterior and 7350 Square Feet, with 1 Unit, 0 Bath, 0 3/4 Bath, 2 HalfBaths, 0 Rooms, and 0 Bdrm.

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

INCOME INFORMATION

Type	Description	Fir	Qty	Leased Area	Ten	Rent \$	Ov Rent	Econ Inc

!38827!

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z		water				
o		Sewer				
n		Electri				
		Exmpt				
		Census:				
		Flood Haz:				
D	0	test				
		Topo				
s		Street	41	41		
t		Gas:				

Gross Income		X	Totals:		
Vacancy/DL:		X	Net Income:		
Other Income:			Rate Adj:		
Expenses:		X	Vac Adj:		
Reserves:		X	Exp Adj:		
Lease Type:	0	X	Indicated Value:		
Overall Rate:			Surplus:		
			Final Val Card:		
			Val Per Unit Card:		
			Final Val/Parcel:		
			Val Per Uni/Par:		
			Cost/Inc Ratio:		

ACTIVITY INFORMATION

Date	Result	By	Name
1/28/2014	MEASURED	406	ROBBIE MCLAU
5/9/2005	MEASURED	345	JAMES HALL

Sign: VERIFICATION OF VISIT NOT DATA

LAND SECTION

Use Code	Description	LUC Fact	No of Units	Depth / Price Units	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Influ	Neigh Mod	Infl 1 %	Infl 2 %	Infl 3 %	Appraised Value	Alt Class	%	Spec Land	J Code	Fact	Use Value	Notes
903	MUNICPL		22400		SQ. FT.	SITE		0	20.	.830	CF						373,601						373,600	

Total AC/HA:	0.51423	Total SF/SM:	22400	Parcel LUC:	903	MUNICPL	Prime NB Desc:	COMM FAIR	Total:	373,601	Spl Credit:		Total:	373,600
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**EXTERIOR INFORMATION**

Type: 43 - WAREHOUSE  
 Sty Ht: 2 - 2  
 (Liv) Units: 1 Total: 7  
 Foundation: 03 - BRK/STN  
 Frame: 01 - WOOD  
 Prime Wall: 07 - BRICK  
 Sec Wall: %  
 Roof Struct: 04 - FLAT  
 Roof Cover: 04 - TAR + GRAVEL  
 Color: BRICK  
 View / Desir:

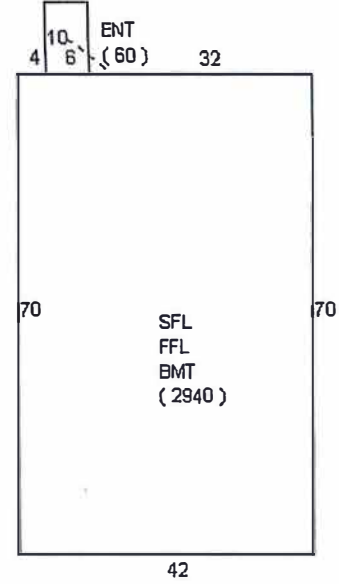
**BATH FEATURES**

Full Bath Rating:  
 A Bath Rating:  
 3/4 Bath Rating:  
 A 3QBth Rating:  
 1/2 Bath: 2 Rating: Average  
 A HBth Rating:  
 OlthrFix Rating:  
 OTHER FEATURES  
 Kits Rating:  
 A Kits Rating:  
 Frpl Rating:  
 WSFlue Rating:

**COMMENTS**

LOT # 92 FELTON STREET : 92 FELTON STREET. BUILDING APPEARS TP BE VACCANT.  
 RESIDENTIAL GRID  
 1st Res Grid Desc: # Units  
 Level FY LR DR D K FR RR BR FB HB L O  
 Other  
 Upper  
 Lvl 2  
 Lvl 1  
 Lower  
 Totals RMS: BRs: Baths: HB: 2

**SKETCH**



**GENERAL INFORMATION**

Grade: C - AVERAGE  
 Year Bilt: 1900 Eff Yr Bilt:  
 Alt LUC: Alt %:  
 Jurisdict: Fact:  
 Const Mod:  
 Lump Sum Adj:

**CONDO INFORMATION**

Location:  
 Total Units:  
 Floor:  
 % Own:  
 Name:

**REMODELING**

Exterior:  
 Interior:  
 Additions:  
 Kitchen:  
 Baths:  
 Plumbing:  
 Electric:  
 Heating:  
 General:

**RES BREAKDOWN**

No Unit	RMS	BRS	FL
Totals			

**INTERIOR INFORMATION**

Avg Ht/FL: STD  
 Prim Int Wal 02 - PLASTER  
 Sec Int Wall: %  
 Partition: T - TYPICAL  
 Prim Floors: 03 - HARDWOOD  
 Sec Floors: %

**DEPRECIATION**

Phys Cond: AG - Avg-Good 31.5%  
 Functional: %  
 Economic: %  
 Special: %  
 Override: %  
 Total: 31.5%

**CALC SUMMARY**

Basic \$ / SQ: 40.00  
 Size Adj: 1.10510206  
 Const Adj: 1.02999997  
 Adj \$ / SQ: 45.530  
 Other Features: 5000  
 Grade Factor: 1.00  
 NBHD Inf: 1.00000000  
 NBHD Mod:  
 LUC Factor: 1.00  
 Adj Total: 317248  
 Depreciation: 99933  
 Depreciated Total: 217315

**COMPARABLE SALES**

Rate	Parcel ID	Typ	Date	Sale Price
Juris. Factor: Before Depr: 45.53				
Special Features: 0 Val/Su Net: 24.47				
Final Total: 217300 Val/Su SzAd: 36.96				

**SUB AREA**

Code	Description	Area - SQ	Rate - AV	Undepr Value
BMT	BASEMENT	2,940	14.230	41,831
FFL	FIRST FLOOR	2,940	45.530	133,859
SFL	SECOND FLOOR	2,940	45.530	133,859
ENT	ENTRY	60	45.000	2,700
Net Sketched Area: 8,880		Total:		312,249
Size Ad	5880 Gross Area	8880 FinArea	7350	

**SUB AREA DETAIL**

Sub Area	% Usbl	Descrip	% Type	Qu #	Ten
BMT	100	FFB	50	A	

**MOBILE HOME**

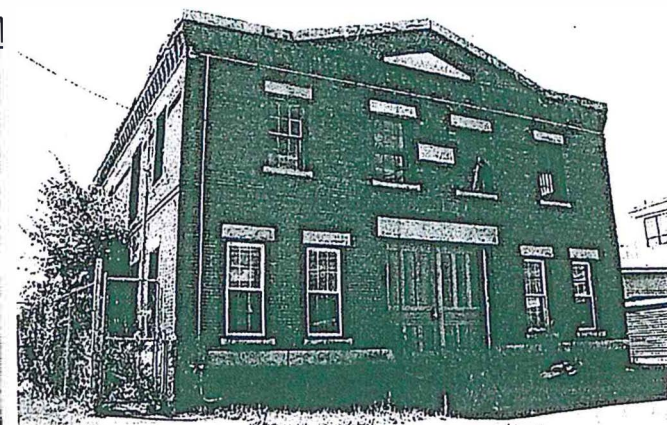
Make: Model: Serial #: Year: Color:  
 PARCEL ID R059 0370008

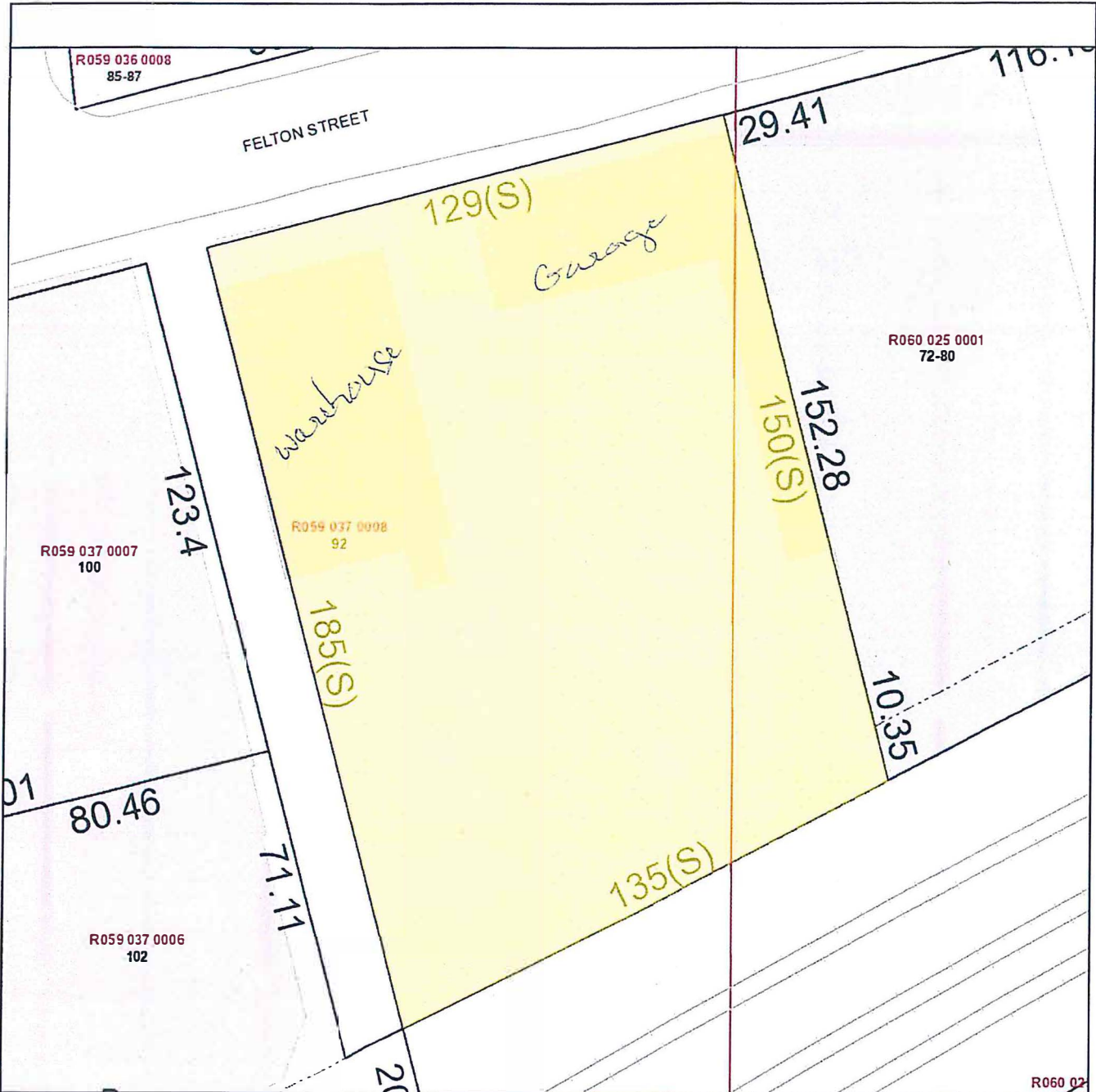
**SPEC FEATURES/YARD ITEMS**

Code	Description	A	Y/S	Qty	Size/Dim	Qual	Con	Year	Unit Price	D/S	Dep	LUC	Fact	NB Fa	Appr Value	JCod	JFact	Juris. Value
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**IMAGE**

AssessPro Patriot Properties, Inc





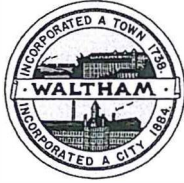
This map is for reference and planning purposes only. It is prepared for the inventory of real property within the City of Waltham and is compiled from tax maps, recorded deeds and plats. Users of this tax map are hereby notified that the aforementioned public primary information sources should be consulted for the verification of the information contained on this map. The City of Waltham and its mapping contractors assume no legal responsibility for the information contained herein.

- - Sub Parc
- - Rail Lines
- City Boundary
- Swimming Pools

- Parcels
- Buildings
- Building Footprints
- Deck

- Private Walkways
- Sidewalks





# City of Waltham

MASSACHUSETTS

## BOARD OF ASSESSORS

### Assessors

FRANCIS P. CRAIG, CHAIR  
ROBERT S. MCGOVERN  
BERNADETTE VAZQUEZ

## MEMORANDUM

TO: Mayor Jeannette McCarthy  
FROM: Francis P. Craig  
DATE: October 13, 2020  
RE: Warehouse rental rate

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Mayor

Our Patriot system, based on the data being received from commercial property owners, has established the rental rate for a warehouse of standard size ( 20,000 SF) to be \$7.00/SF. Adjustments are made to account for better/lesser conditions, to a minimum price of \$5.60/SF and a maximum of \$8.40.

Accordingly, the municipal building at 92 Felton Street, in its current condition and excluding the garages, would have a market rental value of : Finished area- 8880 SF x \$5.60= \$49,728 annual rent, or \$4,144/month.

Frank

## ZONING CODE

### Sec. 3.4. Table of Uses. City of Waltham (Part 1)

[Amended 6-10-1991 by Ord. No. 27154; 6-10-1991 by Ord. No. 27156; 12-12-1991 by Ord. No. 27265; 12-23-1991 by Ord. No. 27265; 3-8-1993 by Ord. No. 27503; 5-9-1994 by Ord. No. 27715; 5-23-1994 by Ord. No. 27732; 1-11-1995 by Ord. No. 27853-A; 3-28-1995 by Ord. No. 27884; 5-22-1995 by Ord. No. 27909; 5-13-1996 by Ord. No. 28125; 5-28-1996 by Ord. No. 28135; 8-4-1997 by Ord. No. 28403; 2-26-2001 by Ord. No. 29197; 5-28-2002 by Ord. No. 29513; 12-23-2002 by Ord. No. 29628; 3-1-2005 by Ord. No. 30012; 4-28-2008 by Ord. No. 30876; 12-22-2008 by Ord. No. 31011; 6-23-2009 by Ord. No. 31147; 6-27-2011 by Ord. No. 31583]

Use With Special Permit Reference	RA-1	RA-2	RA-3	RA-4	RB	RC	RD	HR1	HR2	BA	BB	BC(1)	LC	C	I	C/R	Use Reference
<b>Residential</b>																	
Single-family detached (Sec. 3.606)	Y	Y	Y	Y	Y	Y	Y	Y	Y	S1	S1	N	N	N	N	N	3.21
Two-family detached (Sec. 3.607)	N	N	N	N	Y	Y	Y	N	N	S1	S1	N	N	N	N	N	3.22
Accessory dwelling units (Sec. 3.616)	S2	S2	S2	S2	N	N	N	N	N	N	N	N	N	N	N	N	3.23
Multifamily dwellings (Sec. 3.618)	N	N	N	N	N	Y1	Y1	Y	Y1	Y1	Y1	Y1	N	N	N	N	3.24
Rooming houses	Y	Y	Y	Y	Y	Y1	Y1	Y	N	Y1	Y1	Y1	N	N	N	N	3.25
Lodging houses (Sec. 3.639)	N	N	N	N	N	S1	N	N	N	S1	S1	S1	N	N	N	N	3.26
Hotels/motels (Sec. 3.617)	N	N	N	N	S1	S1	N	N	N	S1	S1	S1	S1	S1	N	N	3.27
Family day-care homes (Sec. 3.609)	Y	Y	Y	Y	Y	Y	Y	Y	Y	S1	S1	S1	N	N	N	N	3.28
Medical offices in residences	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	3.29
Customary home occupations (Sec. 3.611)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	3.210
Accessory uses/residential (Sec. 4.22)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	3.211
Garage, private	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	3.212
Trailer/mobile home	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	3.213
<b>Institutional</b>																	
Churches	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	3.214
Educational uses	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	3.215
Municipal buildings	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	3.216
Cemeteries	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	3.217
Hospitals, sanitoriums, nursing homes, philanthropic institutions (Sec. 3.610)	S1	S1	S1	S1	S1	S1	S1	Y (3.811)	Y (3.811)	S1	S1	S1	N	N	N	N	3.218

**KEY:**

Y = Permitted use as of right  
 N = Not permitted  
 Y1 = Permitted by right and additional intensity of use permitted by special permit from the City Council

S1 = Use permitted only by special permit by City Council  
 S2 = Use permitted only by special permit by Board of Appeals

## ZONING CODE

### Sec. 3.4. Table of Uses. City of Waltham (Part 2)

Use With Special Permit Reference	RA-1	RA-2	RA-3	RA-4	RB	RC	RD	HR1	HR2	BA	BB	BC(1)	LC	C	I	C/R	Use Reference
Assisted living facilities	N	N	S1	S1	S1	S1	S1	Y1	Y1	S1	S1	N	N	N	N	N	3.218A
Public service corporations (Sec. 3.614)	S2	S2	S2	S2	S2	S2	S2	S2	S2	S2	S2	S2	N	S2	S2	N	3.219
Membership clubs (Sec. 3.608)	S1	S1	S1	S1	S1	S1	S1	S1	S1	S1	Y1	Y1	N	Y1	Y1	S1	3.220
Garages, public	N	N	N	N	N	N	N	Y (3.811)	Y (3.811)	Y1	Y1	Y1	Y1	Y1	Y1	N	3.221
<b>Commercial</b>																	
Retail stores (Sec. 3.634)	N	N	N	N	N	N	N	N	N	Y1	Y1	Y1	N	Y1	Y1	N	3.222, 3.27
Body art establishments (Sec. 3.222A)	N	N	N	N	N	N	N	N	N	N	S1	S1	N	S1	S1	N	2.347
Laundromats	N	N	N	N	N	N	N	N	N	N	Y1	Y1	N	Y1	Y1	N	3.223
Business and professional offices and banks	N	N	N	N	N	N	N	Y (3.811)	S1 (3.811)	Y1	Y1	Y1	Y1	Y1	Y1	N	3.224
Organ procurement organization	N	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	3.224A
Drive-in customer service (Sec. 3.635)	N	N	N	N	N	N	N	N	N	S1	S1	S1	S1	S1	S1	N	3.225
Arcades	N	N	N	N	N	N	N	N	N	N	N	N	Y1	Y1	Y1	N	3.226
Retail gasoline stations (Sec. 3.634)	N	N	N	N	N	N	N	N	N	Y1	Y1	N	N	Y1	Y1	N	3.227
Restaurants	N	N	N	N	N	N	N	N	N	Y1	Y1	Y1	N	Y1	Y1	N	3.228
Fast-food establishments (Sec. 3.620)	N	N	N	N	N	N	N	N	N	S1	S1	N	N	S1	S1	N	3.229
Taverns	N	N	N	N	N	N	N	N	N	N	Y1	N	N	Y1	Y1	N	3.230
Micro-brewery restaurant	N	N	N	N	N	N	N	N	N	N	N	S1	S1	N	N	N	3.228A
Catering establishments	N	N	N	N	N	N	N	N	N	N	Y1	N	N	Y1	Y1	N	3.231
Funeral homes	N	N	N	N	N	N	N	N	N	Y1	Y1	Y1	N	Y1	Y1	N	3.232
Private schools	N	N	N	N	N	N	N	N	N	Y1	Y1	Y1	N	Y1	Y1	N	3.233
Radio and television broadcasting studios	N	N	N	N	N	N	N	N	N	N	Y1	Y1	Y1	Y1	Y1	N	3.234
Radio, television, microwave, communication, radar or other tower (Sec. 3.621)	N	N	N	N	N	N	N	N	N	N	N	N	Y1	Y1	Y1	N	3.234

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## ZONING CODE

### Sec. 3.4. Table of Uses. City of Waltham (Part 3)

Use With Special Permit Reference	RA-1	RA-2	RA-3	RA-4	RB	RC	RD	HR1	HR2	BA	BB	BC(1)	LC	C	I	C/R	Use Reference
Indoor theaters	N	N	N	N	N	N	N	N	N	N	N	S1	S1	S1	S1	N	3.235
Newspaper publishing and printing	N	N	N	N	N	N	N	N	N	N	Y1	Y1	N	Y1	Y1	N	3.236
Car wash (Sec. 3.622)	N	N	N	N	N	N	N	N	N	N	S1	N	N	S1	S1	N	3.237
Wholesale, storage and warehousing	N	N	N	N	N	N	N	N	N	N	Y1	N	N	Y1	Y1	N	3.238
Off-street parking (Sections 3.601 through 3.605)	Y	Y	Y	Y	S1	S1	S1	Y (3.811)	Y (3.811)	Y	Y	Y	Y	Y	Y	N	3.239
Used car lot (Sec. 3.632)	N	N	N	N	N	N	N	N	N	N	S1	N	N	S1	S1	N	3.240
Associated commercial recreation (Sec. 3.636)	N	N	N	N	N	N	N	N	N	S1	S1	S1	S1	S1	S1	N	3.267
Accessory uses/commercial	N	N	N	N	N	N	N	Y (3.811)	Y (3.811)	Y	Y	Y	Y	Y	Y	Y	3.241
Tea shop	N	N	N	N	N	N	N			N	N	Y1	Y1		N	N	3.228B
Animal shelter (Section 3.643)	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	S1	N	3.226D
Kennel (Section 3.644)	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	S1	N	3.226E
<b>Industrial</b>																	
Accessory off-street parking	N	N	N	N	N	N	N	Y (3.811)	Y (3.811)	N	Y	Y	Y	Y	Y	N	3.242
Railroad and transit station	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	3.243
Windmills	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y1	Y1	N	N	Y1	Y1	N	3.244
Electric lighting, gas works and power stations	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	3.245
Fuel oil and gas storage	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	3.246
Heavy trucking and equipment storage (Sec. 3.628)	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	N	3.247
Open storage	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	3.248
Truck or private bus terminals	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y1	N	3.249
Light manufacturing (Sec. 3.623)	N	N	N	N	N	N	N	N	N	N	S1	N	Y1	Y1	Y1	N	3.250
Research labs, structures and accessory uses	N	N	N	N	N	N	N	Y (3.811)	S1 (3.811)	N	N	N	Y1	Y1	Y1	N	3.251
General manufacture	N	N	N	N	N	N	N	N	N	N	N	N	N	Y1	Y1	N	3.252

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## ZONING CODE

### Sec. 3.4. Table of Uses. City of Waltham (Part 4)

Use With Special Permit Reference	RA-1	RA-2	RA-3	RA-4	RB	RC	RD	HR1	HR2	BA	BB	BC(1)	LC	C	I	C/R	Use Reference
Autobody shop (Sec. 3.626)	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	N	3.253
Plastics manufacturing (Sec. 3.629)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	N	3.254
Steam laundry	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y1	N	3.255
Heliports-airports (Sec. 3.627)	N	N	N	N	N	N	N	S1	S1	N	N	N	S1	S1	N	N	3.256
Junkyards (Sec. 3.633)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	N	3.257
Garbage dumps and sanitary landfills	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	3.258
Composting facility (3.640)	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	N	3.2581
Yard waste transfer station (3.641)	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	N	3.2582
Organic products storage (3.642)	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	N	3.2583
Automobile recycling center	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	N	3.259
Accessory uses/manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	Y	Y	Y	N	3.260
Adult entertainment enterprises (Sec. 2.303A)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	N	3.2421
<b>Agriculture</b>																	
Farms	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	3.261
Livestock farms under 5 acres (Sec. 3.612)	S2	S2	S2	S2	S2	S2	S2	S2	S2	S2	S2	S2	S2	S2	S2	N	3.262
Livestock farms over 5 acres	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	3.262
Farm stands	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	3.263
<b>Conservation/Recreation</b>																	
Conservation, water and water supply area	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y	3.264
Public outdoor recreation facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y	3.265
Semipublic outdoor recreation facility (Sec. 3.630)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	3.266

**KEY:**

- Y = Permitted use as of right
- N = Not permitted
- Y1 = Permitted by right and additional intensity of use permitted by special permit from the City Council

- S1 = Use permitted only by special permit by City Council
- S2 = Use permitted only by special permit by Board of Appeals

## ZONING CODE

### Sec. 3.4. Table of Uses. City of Waltham (Part 5)

Use With Special Permit Reference	RA-1	RA-2	RA-3	RA-4	RB	RC	RD	HR1	HR2	BA	BB	BC(1)	LC	C	I	C/R	Use Reference
<b>Conservation/Recreation</b>																	
Nonprofit sports/recreational clubs with grounds for games and sports	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	S1	Y1	3.220A
Commercial recreational facilities, outdoor	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	S1	Y1	3.226B
Commercial recreational facilities, indoor (Sec. 3.608A)	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	S1	S1	3.226A
Commercial conservation/nature facilities	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	S1	S1	3.226C

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**NOTES:**

(1) Residential uses shall only be allowed in the BC District on upper floors (floors two through five) unless development occurs as part of a Riverfront Overlay District special permit (See Section 8.4.) or as part of an intensity of use special permit, provided that in no case shall any first-floor residential unit or portion thereof be located on or within 50 feet of the street line of any of the followings streets: Elm Street, Main Street, Moody Street. In the BC District, residential uses shall have separate and distinct entrances from any and all commercial uses, and commercial and residential uses shall not be located on the same floor, except that commercial and residential uses may be allowed on the first floor where development occurs as part of an intensity of use special permit, provided that in no case shall any first-floor residential unit or portion thereof be located on or within 50 feet of the street line of any of the followings streets: Elm Street, Main Street, Moody Street. Multiple residential and/or nonresidential principal buildings may be allowed in the BC District on the same lot when development occurs as part of an intensity of use special permit, provided that all other provisions of Section 4.215 shall be complied with. Further, in instances of new residential construction, excluding rehabilitation or remodeling of existing structures, said residential uses shall be permitted to abut other structures of any type on only one side, and all other sides shall be at least 25 feet from all other structures.

## ZONING CODE

### Sec. 4.11. Table of Dimensional Regulations City of Waltham

(See Section 4.12 for footnotes)

[Amended 8-4-1997 by Ord. No. 28403; 3-3-1999 by Ord. No. 28735; 6-26-2000 by Ord. No. 29025; 5-28-2002 by Ord. No. 29513; 12-23-2002 by Ord. No. 29628; 6-13-2005 by Ord. No. 30180; 6-26-2006 by Ord. No. 30450]

District	Minimum Building Setback(s) (23)			Maximum Building Height(18) (21) (23) (feet)	Maximum Stories (23)	FAR by Right (17)	FAR by Special Permit (17) (22) (23)	Maximum Lot Coverage (percent) (2) (23)	Minimum Open Space (percent) (9), (17)	Lot Area (square feet)	Maximum Dwelling Units per acre (12)	Lot Frontage (feet) (10)	Minimum Lot Area Per Dwelling Unit (square feet)	Minimum Open Space per Dwelling Unit (square feet)	Minimum Lot Width (feet)
	Front (feet)	Side (feet)	Rear (feet)												
RA-1	40	20	40	35	2.5	--	--	20	--	20,000	--	100	--	--	--
RA-2	40	20	40	35(11)	2.5	--	--	20	--	15,000	--	80	--	--	--
RA-3	25	15	30	35(11)	2.5	--	--	25	--	9,600	--	70	--	--	--
Assisted living facilities	40	40	40	35	3	--	--	--	--	40,000	--	100	1,000	500	100
RA-4	25	15	30	35	2.5	--	--	25	--	7,000	--	60	--	--	--
Assisted living facilities	40	40	40	35	3	--	--	--	--	40,000	--	100	1,000	500	100
RB	15	10	30	40	3.0	--	--	30	--			60	--	--	--
Single-family										6,000	--		--	--	--
Two-family										6,000	--		--	--	--
Assisted living facilities	40	40	40	35	3	--	--	--	--	40,000	--	100	1,000	500	100
RC	10	10(3)	20(4)	40	3.0	.20	.60	30	15			50	--	--	--
Single-family										6,000	--		--	--	--
Two-family										6,000	--		--	--	--
Multifamily										6,000	6		--	--	--
Assisted living facilities	40	40	40	35	3	--	--	--	--	40,000	--	100	1,000	500	100
RD	75	45	60	50	4.0	.20	.80	30	15	5 acres	6	50	--	--	--
HR1															
Except assisted living	10	10	20	74	6	1.8	--	75	--	10,000	59	50	--	--	--
Assisted living	40	40	40	74	6	1.0	1.5			40,000	--	100	1,000	500	100

CITY OF WALTHAM

Sec. 4.11. Table of Dimensional Regulations  
City of Waltham

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	Front (feet)	Side (feet)	Rear (feet)													
HR2																
Except as to multifamily and assisted living	10	10	20	74	6	1.0	1.25	75	--	10,000	40	50	--	--	--	
Multifamily	10	10	20	74	6	0.01	1.25	75	--	10,000	3	50	--	--	--	
Assisted living	40	40	40	74	6	0.5	1.25	--	--	40,000	--	100	1,000	50	100	
HR1 & HR2																
Single-family detached	25	15	30	35(11)	2.5	--	--	25	--	9,600	--	70	--	--	--	
BA	10	0	15	36	3	.50(16)	1.0	0	--	0	--	50	--	--	--	
Res uses	10	10	20	36	3	.20	.80	30	15	6,000	6	50	--	--	--	
Assisted living facilities	40	40	40	35	3	--	--	--	--	40,000	--	100	1,000	500	100	
BB	0	0	25	48	4	.50(16)	2.5	0	--	0	--	50	--	--	--	
Res uses	10	10	20	40	4	.25	1.0	35	15	6,000	10	50	--	--	--	
Assisted living facilities	40	40	40	35	3	--	--	--	--	40,000	--	100	1,000	500	100	
BC	0	0(13)	25	65	5	1.0	2.5	90	--	--	30	40	--	--	--	
LC	150(5)	100(5)	100(5)	40	3.0	.25	.60	30	25(6)	5 acres	--	400	--	--	--	
C	10(7)	15(7)	25(7)	80	8	.4(16)	2.0	--	--	10,000	--	50	--	--	--	
I	10(8)	15(8)	25(8)	80	8	.4(16)	2.0	--	--	0	--	50	--	--	--	

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	Front (feet)	Side (feet)	Rear (feet)												
C/R	100	100	100	20	1	0.05	0.10	5	10	4 acres	0	100	--	--	--
Detached garage	As required by district	3	3	--(1)	1	--	--	0	--	0	--	50	--	--	--
Accessory building	As required by district	5	5	--(1)	1	--	--	0	--	0	--	0	--	--	--
Swimming pool (19)	As required by district	10	10	--	--	--	0	--	0	--	--	0	--	--	--