

CITY OF WALTHAM  
BOARD OF APPEALS

APPLICATION OF  
BOSTON DYNAMICS, INC.  
FOR VARIANCE FROM THE  
REQUIREMENTS OF THE ORDINANCE

Case No. 2020-21  
August 18, 2020

PROPOSED DECISION

Therefore, the Board of Appeals of the City of Waltham, after due deliberation, on motion duly made and seconded, voted:

To grant the variances requested in Case No. 2020-21 and incorporates by reference the Findings of Fact and further cites as reasons the following:

The Board finds that there are circumstances especially affecting this locus which do not generally affect other lots in the Limited Commercial Zoning District in which it is located, in that:

The shape and large size of the locus presents a unique circumstance. The southern boundaries of the locus are Route 128 /Interstate 95, Trapelo Road. Smith Street and the Town of Lexington, all with wooded and wetland areas over a large portion of the site. At various points on the locus wetlands cover the entire width of the locus from its easterly boundary to its westerly boundary at Route 128.

The topography of the locus also presents a unique circumstance due to elevation grades and conservation conditions and restrictions on site. Access and egress points are at both the northerly and southerly points of the locus and the building is positioned closest to the highway and Lexington border.

A literal enforcement of the Zoning Ordinance would involve a practical hardship to the Petitioner, in that:

The office use is an allowed use in the Limited Commercial Zoning District. A secondary sign is permitted to each business establishment to announce or inform employees, visitors and vendors. Situating the sign adjacent to the Route 128 and Trapelo Road side is critical



as it is the obvious location to identify the building. It shall not be lighted or illuminated to insure no visible illuminating spillage.

This Petition may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or the purpose of the Ordinance. The requested variances affect the size of the proposed sign only. The locus lot is almost six times the size of the minimum lot size for the zone, is situated off the frontage road, which creates an isolated and out of the way location. Further, the proposed signage will not be a substantial detriment to the public good but a benefit to the public good. The sign shall announce the new corporate headquarters of Boston Dynamics to travelers. More importantly the sign will assist visitors in locating the building from Trapelo Road and the entry driveways on Smith Street. The sign shall be aesthetically designed yet functional for the purpose of identifying the facility.

The granting of the variances is subject to the following conditions:

1. All necessary permits shall be issued and work commenced within one (1) year of the date of the filing of this decision with the City Clerk's office and work shall be completed within two (2) years of the filing of the decision with the City Clerk.
2. All construction and use of the premises shall be in substantial accordance with the plans introduced as evidence during the hearing as well as those plans and designs as required by The City of Waltham for the granting of a Building Permit.

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