

CITY OF WALTHAM
ZONING BOARD OF APPEALS

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

Case No. 2020-21
August 18, 2020

PROPOSED FINDINGS OF FACT

The Board of Appeals of the City of Waltham makes the following findings of fact after a hearing on the above captioned Petition for variance:

1.

This Board of Appeals, having met all legal prerequisites by proper publications and posting as provided in Massachusetts General Laws, Chapter 40A, 11 and having by mail notified all parties in interest and having heard all the evidence, is now empowered to exercise the power to grant or deny the variance sought by the Petitioner.

2.

The locus is 200 Smith Street, Waltham and is situated in a Limited Commercial Zoning District.

3.

The locus is also known as tax parcel no. R006-002-0002 and is shown on Owners Deed recorded at the Middlesex South Registry of Deeds.

4.

The Petitioner is Boston Dynamics, Inc., a for profit corporation with its corporate headquarters in Waltham.

5.

The Owner of the Locus is Healthpeak Properties, Inc.

6.

The Petitioner proposes to construct, use and maintain a secondary sign on the building at 200 Smith Street, Waltham..

7.

The zoning relief requested is a variance:

Section 6.52 of the Waltham Zoning Ordinance states that each business which abuts at least one exterior wall of the building may have one secondary wall sign provided that it does not exceed eighteen (18) square feet. Here, the Petitioner proposes one wall sign on the south wall of the building attached with an area of 212 square feet.

8.

The variance requested is dimensional and the Board of Appeals has the power (M.G.L. c.40A secs.10 and 14) and authority to grant it.

9.

As to facts concerning the petition for variance, the Board takes note of the following:

a.

The locus consists of approximately 35 acres of land.

b.

The building on the locus was originally constructed as a US Postal distribution facility and is now an office building with the USPS and others including Boston Dynamics as tenants.

c.

The building is accessed by Smith Street which runs off of Trapelo Road with access points at the northeast and southeast corners of the land.

d.

The Zoning Ordinance permits a secondary sign for the occupants of the building. The locus is situated in a Limited Commercial Zoning District.

e.

The locus shape, topography and soil conditions of the locus are affected by Route 128 and wetlands areas as well as Trapelo Roads and Smith Streets as boundaries and also includes the Town of Lexington boundary to the north. Only a limited portion of the locus lot is buildable due to the wetland areas. The locus is also affected by the conditions and restrictions as set forth by The Conservation Committee of the City of Waltham.