

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

CITY OF WALTHAM  
BOARD OF APPEALS  
CASE NO.: 2020-29

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In The Matter Of Daniel LeBlanc,  
  
Petitioner.  
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PROPOSED FINDINGS OF FACT

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

1. The Board of Appeals, having met all legal prerequisites by proper publications and posting as provided in Massachusetts General Laws, C. 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 relief sought by Petitioner.
2. The locus is known and numbered as 205 Hammond Street, Waltham, Massachusetts.
3. The locus is a single parcel of land containing 15,492 square feet and consists of a pre-existing, non-conforming four-unit residential structure and two-vehicle garage thereon.
4. Petitioner proposes to convert, use and maintain 1,252 square feet of additional livable space in the basement and 735 square feet of additional garage space thereby increasing the non-conforming use of the Locus by 18.2% and increasing the lot coverage to 35.4%, however the conversion will not result in any additional units in the structure and one additional bedroom in the unit.

5. This Board has both the power to grant the variances under G.L. c. 40A, §§ 9, 10 and 14; and the authority to do so under Article VII, § 7.2 of the Ordinance, respectively.

6. Allowance of the Variances will not result in a substantial derogation from the intent and purpose of the Ordinance.

7. This Board has both the power to grant the special permit pursuant to G.L. c. 40A, § 14; and the authority to do so under Article III, § 3.7222 and under Article VII, § 7.2 of the Ordinance, respectively.

8. Allowance of the Special Permit is not substantially more detrimental than the existing non-conforming use to the neighborhood and will not result in substantial derogation from the intent and purpose of the Ordinance.