

From: Nancy Bennett [mailto:bennett32@gmail.com]
Sent: Monday, December 12, 2016 10:37 AM
To: Maria Morelli
Subject: Waivers for 420 Harvard

I would like to request that the ZBA deny the following waivers for 49 Coolidge St as part of the 420 Harvard St project. The house is on a residential street with no commercial space. That piece does not contain more than 10,000 sq ft nor is it appropriate for outdoor eating, laboratory space, or outdoor music. The developer has indicated that the exterior of house will not change except for fenestration, therefore a waiver of height is not necessary. It is difficult to conceive of a way to set up an agricultural space or animal day care center.

Waiver for height restriction for 49 Coolidge (**5.30, 5.31, and Table 5.01**)

4.07 and Table 4.07

30. Eating places of less than 5,000 square feet of gross floor area per establishment, primarily serving local needs, including but not limited to lunch room, restaurant, cafeteria, place for the sale and consumption of beverages, ice cream and the like, primarily in enclosed structures with no dancing, nor entertainment other than **music.**

32A Domestic Household Animal Day Care Center, including grooming, training, walking and other accessory services, and excluding overnight kenneling. No outdoor facilities for the animals shall be permitted. Studies by recognized experts shall be submitted to ensure, to the satisfaction of the Board of Appeals, that the use will be constructed so as to safeguard nearby properties against undue noise, odor and improper waste disposal. A recommendation from the Director of Public Health shall be required to address the size and location of the facility and any potential impacts. Additionally, annual licenses issued by the licensing authority are required, with the recommendation of the Director of Public Health, the Police Department's Animal Control Officer, and the Director of Parks and Open Space.

33A **Stores over 10,000 square feet** of gross floor area serving the general retail needs of a major part of the Town, including but not limited to general merchandise department store, supermarket, grocery store, furniture and household goods.

34. Place for the sale and consumption of food and beverages **exceeding 5,000 square feet** of gross floor area, or providing dancing and entertainment.

35. Office, display or sales space of a wholesale, jobbing, or distributing establishment, provided that no more than 25 per cent of floor space is used for assembling, packaging, and storing of commodities.

36A. Research laboratory for scientific or medical research not involving noxious or hazardous substances or processes, provided that the use is operated in compliance with all applicable town, state, and federal health and safety laws and regulations. At least 30 days prior to the Board of Appeals hearing, the applicant shall submit studies by recognized experts to insure, to the satisfaction of the Board of Appeals, that the use will be designed and operated so as to conform to the standards above. Such studies shall include description of operations and processes proposed, materials to be used, above-and- below-ground storage facilities, and waste products. Any applications, including the required studies, shall be referred to the Conservation Commission and the Health Department for advisory reports in accordance with the procedures in **§9.04**.

36B. Research laboratory for scientific or medical research, with a Biosafety Level of Level 1 or Level 2 as defined by the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, and National Institutes of Health, provided the use is located on a lot with no less than 50,000 square feet and no more than 65,000 square feet in area and is operated in compliance with all town, state and federal health and safety regulations, and that thirty days prior to a Board of Appeals hearing on the use, and annually, a report detailing hazardous materials operations, processes, disposal and storage shall be reviewed and approved in writing by an independent recognized expert, the Fire Chief and Director of Public Health and Human Services.

38C. Open-air use, other than commercial recreation facilities, seasonal outdoor seating for a licensed Food Vendor that does not exceed six months in each calendar year, and Uses 22 to 28 inclusive, including but not limited to the sale of flowers, garden supplies, or agricultural produce.

Nancy Bennett

30 Coolidge St