

City of Waltham
Zoning Board of Appeals
August 25, 2026

The Zoning Board of Appeals held a public hearing at 7:00 P.M. on Tuesday, August 25, 2026 in the Auditorium of the Arthur Clark Government Center, 119 School Street, Waltham, MA.

In attendance were John Sergi, Chair, and members Matt Deveau, Glenna Gelineau, Stephen Taranto and Joseph Attardo.

Mr. Sergi: Tonight we have one new case and a continuation request.

The first order of business tonight is to approve the minutes of August 18, 2026. May I have a motion to approve the minutes of August 18, 2026 please.

On motion of Mr. Deveau, seconded by Mr. Attardo, the board voted to approve the minutes of August 18, 2026.

Mr. Sergi: So we have approved the minutes of August 18, 2026.

Why don't we do the continuation case first, Case No. 2023-18, 1122-1130 Main Street. I hope Counsel you have a good reason for being here again with this case.

Attorney Bret Francis, Law Office a 10 Hammer Street, Waltham came forward. As you indicated, this is my client's third or fourth extension which is also on top of the previous owner's extension. But that being said, since February when that extension was granted he's done a lot of work. He's had to go to Historic Commission. He's done all the other work. He's actually filed the application with the Building Department and we are

waiting for the building permit issuance. So we thought by now, I mean, this letter was drafted on July 24, 2024. His application to the building department was filed before that. So, he's still waiting on it. You know, at this point there's nothing else that we can do. We filed it over a month ago. This is just a precautionary measure to make sure that for any reason he's not denied the permit because of some extension.

Mr. Sergi: I'm not happy to see it here again.

Mr. Francis: I understand.

Mr. Sergi: It just keeps coming for one reason or another. I'll open it up to the board before I comment. I am not happy about it.

Steve, do you have any comments?

Mr. Taranto: Not at this time.

Mr. Sergi: Glenna:

Ms. Gelineau: No.

Mr. Sergi: Matt?

Mr. Deveau: He said final extension. Final extension is final extension.

Mr. Francis: I mean again, it wasn't for a lack of effort. He filed in July no less. It wasn't like he filed the day before the meeting. He filed more than a few weeks before the deadline and he called me to file this extension. I said, you know, if you're not filed, there's no reason to go, I'm not doing that.

Mr. Sergi: Give us some background again. He's been here so many times. What has he filed? He's filed the demolition permit, what's - - -

Mr. Son Le, 1122-1130 Main Street, Waltham: So, I filed for a demolition permit and construction permit and I have not heard back from either. I filed earlier in July for a demolition and then on July 22nd for the construction and it's been over thirty days since I applied so I'm assuming they are swamped in the building department. I haven't heard anything back about if I'm missing anything or what they want or any additional information they need in terms of progress at this point.

Mr. Sergi: What are you planning? What's the construction that you are doing?

Mr. Son Le: It's the demolition of a two family and we are going to be putting up a five family unit.

Mr. Sergi: Oh, okay. Is that the wood structure.

Mr. Son Le: It's the wood structure. I had to go to the Historical for that to make sure that there was not historic significance before I can get demo.

Mr. Francis: There's nothing else to do. I mean he's filed it. We are reading. We are just waiting on the building. I was hoping to tell you tonight we have the permit and we don't need to but - - -

Mr. Sergi: Well is somebody going to follow up with the building department. Are you or someone else going to follow up?

Mr. Son Le: Yes, I just called earlier today and they said they are talking to the commissioner about it and that's all I got.

Mr. Sergi: Joe, do you have any questions?

Mr. Attardo: No.

Mr. Sergi: I don't have any other further questions and the board doesn't have any.

Mr. Francis: And I understand again that this was the last one the last time but again had we not filed, I wouldn't be here today.

Mr. Sergi: And you're asking for another six month or what are you asking for?

Mr. Francis: If you want to grant shorter, we'll take less than. Six months is the standard so that's what we are asking, but if you guys for some reason wanted to grant a shorter extension - I expect he'll have it within the next two weeks or a week or so, hopefully. So, again, if the board wanted to consider a shorter extension, I would understand.

Mr. Sergi: I'll entertain a motion from the board if anyone wants to make a motion.

On motion of Ms. Gelineau seconded by Mr. Taranto, the board voted to grant an extension for Case No. 2023-18.

Mr. Sergi: For how long?

Ms. Gelineau: Six months.

Roll call: Mr. Taranto, yes; Ms. Gelineau, yes; Mr. Deveau, yes; Mr. Attardo, yes; and Mr. Sergi: I'll vote yes but will you see if you can get this done, guys! I don't want to see you back here.

Mr. Francis: Final, final!

Mr. Sergi: The next case is Case No. 2026-21, Petitioner/Owner: Donald & Maureen DeBernadi. Will the clerk be kind enough to read the Petition please?

The clerk then read the Petition in Case No. 2026-21, Petitioner/Owner: Donald & Maureen DeBernadi. Nature of Appeal/Petition: Variance. Subject Matter to allow for the construction of an attached single-story garage (for an attached three-vehicle garage) located off the rear of the single-family home. Location and Zoning District: 50 Wimbledon Circle; Residence A-2 Zoning District. Provisions of Zoning Ordinance Involved. Sections 4.11 - Rear and Side Yard Variances. Specific Relief Sought: Petitioner proposes an addition to the rear of the structure in the form of a single story three garage bay (for a total of three (3) vehicles and storage) that will sit 17 feet and 18.3 feet off the six-yard lot lines and 16.5 feet off the rear-yard lot line.

Mr. Sergi: Thank you Matt. May we hear from the Petitioner or the Petitioner's representative, please.

Attorney Bret Francis, Law Office, 10 Hammer Street, Waltham came forward and submitted a copy of his brief to each member on the board.

Mr. Francis: I am here tonight on behalf of the Petitioners, Don and Maureen DeBernadi.

(Mr. Francis went on to read his brief into the record. He submitted drawings of what the extended garage would look like.)

Mr. Francis: With that, I'll wrap up my presentation and answer any questions that the board may have.

Mr. Sergi: Counselor, have you seen the communication from the City of Cambridge Water Department about the encroachments?

Mr. Francis: I did. We've discussed them since then and, yes, they are there and he has agreed to remove them. Further I guess they were also looking for a survey done of the property, which, as you can, has been done. So we would agree to work with them in determining the borders of the property as well. I guess they wanted to replace some of the boundaries. So we are in agreement with all three of those. We'll remove the structures and we've done a survey and we'll work with the city with anything that they need on their end.

Mr. Sergi: Do you want to add that to your decision?

Mr. Francis: I can do that. I can give it to Pam in the morning. And if you have language you wanted to put in it, I will listen to it and accept it tonight.

**Mr. Sergi: No, I'd like your proposed language before the end of the night
And the abutters on the other side are all set with this?**

Mr. Francis: They are here tonight.

Mr. Sergi: I'll open it up to questions from the board.

Mr. Sergi: Steve?

Mr. Taranto: No, I have none.

Mr. Sergi: Glenna?

Ms. Gelineau: I'm just curious. You have a two car garage now and you're adding three?

Mr. Francis: They are adding one to make it a total of three. And it's more for storage but there may be another vehicle as well. But a lot of it is actually related to the City of Cambridge. We're getting that stuff out of both the tent that they referred to. A lot of that is going into the garage. So this is actually to move that along.

Ms. Gelineau: Oh, okay.

Mr. Sergi: Matt, do you have any questions?

Mr. Deveau: No questions.

Mr. Sergi: Joe?

Mr. Attardo: I have no questions.

Mr. Sergi: I don't have any further questions, so I'll open it up to the audience. Is there anyone in the audience that's against the petition as presented?

Seeing none. Is there anyone seeking information?

Seeing none. Is there anyone in favor of the petition that would like to have a show of hands?

(Five people raised their hand in favor.)

Mr. Sergi: Let me ask you, counselor, the Findings of Fact and the Decision that we have on file, have you made any changes?

Mr. Francis: Other than the proposed ones I intend to make. They have been on file for about a month or more than a month and no changes have been made.

Mr. Sergi: Why don't you take a stab at proposing those changes now. At lease we will have it on the record.

Mr. Francis: The first one is to remove all structures. I mean one of them is a tent and one of them is a shed, so both of the structures will be removed.

Number two, they wanted a survey done of the property which we had done for purposes of tonight and then three, we will absolutely cooperate with them regarding installation of the boundary markers and determination of boundaries.

Mr. Sergi: Both three points you will add in the conditions in the decision.

Mr. Francis: Yes.

Mr. Deveau: Let's do those three points again. Let's do 1, 2 and 3.

Mr. Francis. 1. Remove all structures from the City of Cambridge Property.

On motion of Ms. Gelineau, seconded by Mr. Taranto, the board voted that the Proposed Findings of Fact be the Findings of Fact of the board.

Roll call: Mr. Taranto, yes; Ms. Gelineau, yes; Mr. Deveau, yes; Mr. Attardo, yes and Mr. Sergi, yes.

Mr. Sergi: In a similar fashion, I would entertain a motion of the Proposed Decision, as amended tonight, with the three additional conditions as outlined.

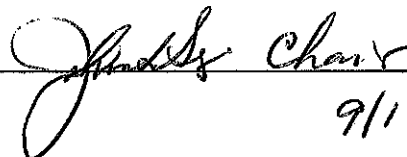
On motion of Mr. Taranto, seconded by Ms. Gelineau, the board voted that the Proposed Decision, as amended tonight, be the decision of the board.

Roll call: Mr. Taranto, yes; Ms. Gelineau, yes; Mr. Deveau, yes; Mr. Attardo, yes and Mr. Sergi, yes.

Mr. Sergi: It's been granted. Good luck!

One more motion is in order.

On motion of Mr. Deveau, seconded by Mr. Taranto, the board voted to adjourn at 7:21 P.M.


9/15/26



City of Waltham Application for Permit
119 School Street
Waltham, MA 02451
TEL 781-314-327

DATE RECEIVED
RECEIVED
WALTHAM BLDG DEPT

JUL 22 2026

Received By: SMY

APPLICATION TO CONSTRUCT, REPAIR, RENOVATE, CHANGE THE USE OR OCCUPANCY OF OR DEMOLISH ANY
BUILDING OTHER THAN A ONE OR TWO FAMILY DWELLING

This Section For Official Use Only

Building Permit Number:

Date Issued:

Signature: _____

Building Commissioner/Inspector of Buildings

Date

SECTION 1 - SITE INFORMATION

1.1 Property Address

1130 Main Street
Waltham, MA 02451

1.2 Assessors Map & Parcel Number:

RD58-015-0004
Map Number Parcel Number

1.3 Zoning Information:

Res A3 New 5 Unit Apt Bldg
Zoning District Proposed Use

1.4 Property Dimensions:

54757
Lot Area (sf) Frontage (ft)

1.6 Building Setbacks (ft)

Front Yard		Side Yard		Rear Yard	
Required	Proposed	Required	Proposed	Required	Proposed

1.7 Water Supply (M.G.L. c. 40, § 54)

Public ☒ Private ☐

1.5 Flood Zone Information:

Zone: Outside Flood Zone ☒

1.8 Sewage Disposal System:

Municipal ☒ On site disposal system ☐

SECTION 2 - PROPERTY OWNERSHIP/AUTHORIZED

2.1 Owner of Record:

Main Street Waltham Properties LLC

336 North Ave, Weston, MA 02493

Name (Print)

[Signature] 781-472-1945
Signature Telephone

Address

MainStreetWalthamProperties@outlook.com
Email Address

2.2 Authorized Agent

Son Le (Manager)

336 North Ave, Weston, MA 02493

Name (Print)

[Signature] 774-893-3054
Signature Telephone

Address

Thanhle.son@gmail.com
Email Address

SECTION 3 - CONSTRUCTION SERVICE FOR PROJECTS LESS THAN 35,000 CUBIC FEET OF ENCLOSED SPACE

3.1 Licensed Construction Supervisor:

Son Le

Licensed Construction Supervisor:

336 North Ave, Weston, MA 02493

Address

[Signature] 774-893-3054
Signature Telephone

CS-114748

License Number

05/30/2028

Expiration Date

Thanhle.son@gmail.com

Email Address Required

3.2 Registered Home Improvement Contractor:

Company Name

Address

Signature

Telephone

199242

Registration Number

9/10/2026

Expiration Date

Thanhle.son@gmail.com

Email Address Required

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