

The applicant's intent is to provide a list of required waivers that is extensive and comprehensive and illustrates which regulations, whether clearly stated as being applicable or implied, impact the proposed project. However, the Applicant also requests any and all other waivers necessary to construct the plans as approved. The final plans may result in a change in the required waivers.

## **Lot 2 Waivers - Ownership**

	Section	Waiver
<b>Zoning Board of Appeals of Town of Walpole Comprehensive Permit Regulations</b>		
Section 3.2.15	Statement of Impact on Municipal Facilities and Services	The applicant has made projections of both estimated future tax revenue and the estimated number of school children in previous informational presentations to town officials and residents. This information will be presented to the ZBA during the hearing process. However, a requirement to make a statement regarding the Project's impact on Municipal Facilities is not required under the 40B statute or regulations. Therefore, the applicant is requesting a waiver from any additional requirement of section 3.2.15 of the Town's ZBA rules and Regulations.
Section 3.2.16	Compliance with Master and Open space plans	The increase in number of affordable housing units and the increase in housing choice for a variety of demographics answers needs identified in both the Master Plan and the Housing Production Plan. Additionally, the Applicant believes the Project design along with the existing trail that will remain along Cedar Brook answers desires identified in the Draft Open Space Plan. Determining whether the Project complies with all or any of the Town's written plans is not required under the 40B Statute or Regulations. Therefore, the applicant is requesting a waiver from any further requirements of section 3.2.16 of the Town's ZBA rules and Regulations.

Section 3.2.17	Roster of Development team and list of prior developments for past 10 years.	The information provided adequately demonstrates the relevant experience of the applicant and development team. Therefore a waiver of 3.2.17 is requested as to further information.
Section 3.2.18	Twenty (20) paper copies of said application with attachments and exhibits.	Waiver requested as per conversation with Director of Community Planning 12/13/19, the following will be provided either with application or when appropriate <ul style="list-style-type: none"> <li>•15 full size plan sets</li> <li>•5 11x17 plan sets</li> <li>•1 each traffic, stormwater.</li> <li>•10 executive summary sections from the traffic, stormwater.</li> <li>•Everything electronically either by thumb drive or drop box.</li> </ul>
Section 3.2.19	Payment of Filing Fee. 1. for limited dividend organizations: \$5000 base fee plus, if the total project contains more than 6 market rate units, \$200.00 per market rate is proposed.	Request waiver to calculate fee based on Planning Board Site Plan Approval fee which requires similar information and review and would result in a fee of \$23,508 rather than the \$50,000 fee defined in 11/20 ZBA Rules and Regulations. Specifically this is a request to waive \$26,492 of the application fee. The fee and waiver request apply to lots 1 and 2 combined.
Section 3.2.5.4	Said plan shall include the following information: Existing significant environmental features such as ledge outcrops, scenic views and large trees (i.e. greater than 24" dbh).	Due to the significant number of trees on this 55 acre site, an inventory of all ledge, large trees and scenic views would require significant resources to gather with no significant benefit. Waiver requested to exclude these on the preliminary site development plan.
Section 5.5	Any professional expert or other witness that participated in the drafting or the proposed Project plans or other elements shall be present at each public hearing session.	Waiver sought for requirement to have all participants in drafting application at all meetings. Applicant will manage attendance of professionals as needed in consultation with ZBA during the hearing process.

Section 5.6	Board may in its discretion collect appropriate fees for notary public or stenographer.	Waiver requested to the fee for notary or stenographer which are not allowed under the GLc44,s.53G. ZBA meetings are currently video recorded as well.
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**Town of Walpole Zoning Bylaw**

Table 5-B.1; 3. Residential: a.	Residential Use prohibited in Limited Manufacturing zone.	A waiver is requested to permit development of single family homes within a Limited Manufacturing Zone.
Section 6-B-1	In all districts no building shall be constructed on any part of a lot which does not have an area in which a circle, the diameter of which is not less than 80% of the minimum required lot frontage, tangent to the exterior street line from which the required frontage and minimum setback are derived and within all other lot lines, may be located.	Request Waiver to construct the Project as shown on the plans.
Section 6-B-1.A	In all districts no building shall be constructed on a lot having less than the required lot frontage.	Request Waiver to allow frontage of no less than 133 feet.
Section 6-B-1.C	In all districts no building shall be constructed so as to be nearer to the side lines of its lot than the required side yard width.	Side yard setback requirement is 40. Request waiver to allow side yard setback of no less than 10'.
Table 6-B.1:	Required Lot Frontage for a lot in the Limited Manufacturing zoning.	Lot frontage required in LM zoning is 200 feet. Request waiver to allow creation of a lot with no less than 133 feet.
Table 6-B.1	Required Minimum Side Yard Setback for a lot in the Limited Manufacturing zoning.	Minimum side yard set back in LM zoning is 40 feet. Request waiver to allow setback of no less than 10 feet.

Section 6-C-11	Projections (roof, eave, chimney or cornice) - no more than 18 inches into setbacks. Uncovered/Unenclosed (porches, decks, platforms, landings or stoops) which are part of egress shall not encroach more than 48 inches into setbacks. Uncovered steps that are part of any required egress shall not come within five (5) feet of any lot line.	Request Waiver to construct the Project as shown on the plans.
Section 12.3.A.2.d	Residential development of single family dwellings are permitted by right if no more than 15% or 2,500 S.F., whichever is greater, of the building lot is rendered impervious.	Proposed Impervious: 19.2%
Section 12.3.B.1.j	Removal of soil, loam, sand, gravel or any other mineral substances within four feet of the historical high groundwater table elevation is prohibited.	Request Waiver to allow construction of the project.
Section 12.3.C.3	In areas 3 & 4, any uses in WRPOD other than a single-family dwelling with a sewage flow exceeding 110 GPD per 10,000 S.F. of lot area or exceeding 15,000 GPD total requires a special permit.	Request Waiver to allow construction of the project.
Section 12.3.C.5	Any residential use in WRPOD that will render impervious more than 15% or 2,500 S.F. of any lot requires a special permit.	Request Waiver to allow construction of the project.
Section 13	Site Plan Review.	Request waiver

**Signs**

Section 7.6.C.4	Sign shall be a minimum of eight (8) feet from ground level.	Request waiver to allow for sign to be less than 8 feet from the ground
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**Wetlands By-Law and Regulations**

1.4.1	No Alteration Zone: The Commission shall require the Applicant to maintain a 25 foot wide contiguous, undisturbed, vegetative buffer measured from, and parallel to, the wetland resource boundary, as a minimum.	Waiver requested work in the 25 foot buffer in the area of the two crossings and the replication areas as shown on the plans.
1.5.2	Replication requirements	Request Waiver to allow applicant to provide reporting as per mutual agreement with Conservation Commission.

2.3.	Plans and Supporting documents	Waiver is requested from section 2.3 in its entirety.
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**Water and Sewer Department**

Water Entrance Fee	System development charge of \$2,440 per residential housing unit.	Waiver requested to eliminate Water Entrance fee for 14 affordable units.
Non-Assessed Sewer Entrance Fee Residential	System development charge of \$1,670 per residential housing unit.	Waiver requested to eliminate Non-Assessed Sewer Entrance Fee for 14 affordable units.

**Building Department**

Building Permit Fees	\$11.00 per \$1,000.00 of estimated cost of construction or fraction thereof.	A waiver is requested to eliminate building permit fees for 14 affordable units