

A list of requested exceptions to local requirements and regulations, including local codes, ordinances, by-laws or regulations

Hanover Weston: By-Law Waiver Requests

| By-law or Regulation | Requirement | Waiver |
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| Zoning By-law | | |
| Section V.B | Multifamily is not permitted in Residence A | Allow 180 unit multifamily project |
| Section V.G | Wetlands & Floodplain Protection District A restricts uses and requires a special permit | Existing driveway runs through Wetlands & Floodplain Protection District. Applicant is proposing to widen the existing drive to allow emergency service access. |
| Section V.I.3 | Earth Removal and Movement- allowed by right if the removal of material does not exceed the import of material associated with: 1) the construction, alteration of a way, including a driveway; 2) the construction or installation of a residential septic system, drainage system, underground fuel storage tank, or utility on the same premises that the system would be served; 3) and/or the removal of unsuitable material. Exempt when incidental to the construction or alteration of a building or structure limited to the footprint of the foundation, otherwise a special permit from the Planning Board is required | Waiver requested. Initial earthworks cut/fill analysis estimates an import of approximately 22,000 CY's. |
| Section V.I.5 | Permit required from building inspector for construction trailers | Waiver requested to allow construction trailer |
| Section VI.B | Minimum street frontage: 250 ft. | Waiver requested to allow minimum frontage of 140' |
| Section VI.B | Minimum lot width at street setback line: 250 ft. | Waiver requested to allow minimum lot width at street setback line of 135' |
| Section VI.B | Minimum setback from street side line: 60 ft. | Waiver requested to allow 50' setback from street side line for WWTP |
| Section VI.B | Minimum side yard setback: 45ft | Waiver requested to allow 37.1' to residential building |
| Section VI.E | Height: 32 ft. or 3 stories for flat roofs, 37 ft. or 2.5 stories, whichever is less, for pitched roofs | Waiver requested to allow height of 4 stories, 54.4' |
| Section VI.F | Maximum Gross Floor Area Limitation: .1 | Waiver requested to allow floor area ratio of 0.537 |
| Section VII.B | Restricts number and type of signs | Waiver requested to allow signage necessary for identification and leasing of multifamily building. Signage shown on landscape plans. |
| Section VIII.A | Requires 2 parking spaces per dwelling unit, may be reduced by Special Permit Granting Authority | Waiver to allow 293 Spaces |
| Section XI | Site Plan Approval | Waiver requested to address Site Plan Approval through Comprehensive Permit Process |
| Wetlands | | |

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| 25' No Disturbance Policy | No disturbance permitted | The emergency access drive is in the no-disturb zone, however, this is an existing driveway and the policy provides that the Commission can allow work if it has demonstrated that it is in an area that was altered prior to the adoption of the policy in 1998 or was legally permitted to be altered. This drive will need to be widened approximately 9'-11.5'. |
| Tree Removal Policy | Approval and mitigation requirement for removal of certain trees in resource areas and buffer zones. | Waiver requested. All Planning Board Approvals required will be addressed through the comprehensive permit process |
| Site Plan Approval Regulations | | |
| Section 4 | Content of Site Plan Approval Submission | Waiver requested. All Planning Board Approvals required will be addressed through the comprehensive permit process |
| Section 5 | Site Walk and Public Hearing Requirement | Waiver requested. All Planning Board Approvals required will be addressed through the comprehensive permit process |
| Art. XXVII: Stormwater & Erosion Control By-law and Regulations | Major Permit required for any land disturbance exceeding an area of 5,000 square feet or more than 20% of a lot, whichever is less or creation of new impervious surface greater than 2500 square feet or addition of more than 500 c.y. of earth material. | Waiver requested. All Planning Board Approvals required will be addressed through the comprehensive permit process. The project will comply with MassDEP Stormwater Handbook and will obtain and Order of Conditions. |
| Art. XXIII: Scenic Road By-law | Requires that that "any repair, maintenance, reconstruction or paving work" done in the right of way "shall not involve the cutting down or removal of significant trees, or the tearing down, burial, relocation or destruction of stone walls" without the prior written consent of the Planning Board | Waiver requested to remove and reconstruct a portion of stone wall in right of way to allow relocation of driveway at 540 South Avenue, which will serve as the main site access. |
| Planning Board Rules & Regulations | | |
| Art. 1 | General Filing Requirements & Information | Waiver requested. All Planning Board Approvals required will be addressed through the comprehensive permit process |
| Art. 2 | Approval Not Required Plans | Waiver requested. All Planning Board Approvals required will be addressed through the comprehensive permit process |
| Planning Board Project Review Fees | Requires project review fees for certain projects | Waiver requested. All Planning Board Approvals required will be addressed through the comprehensive permit process |
| * | Other | Applicant reserves the right to amend the waiver request list during the hearing and as the project design progresses. |