

WAIVER REQUESTS

Article VII - Zoning By-Law

DIMENSIONAL WAIVERS

Zoning District: Single Family Residence C

	<u>Required</u>	<u>Proposed</u>	<u>Waiver</u>
Minimum Lot Size	30,000SF	127,998sf	None required
Minimum Frontage	175'	212'	None required
Front Setback	40' to street side line or 65' to street center line	45' to center line'	Required
Lot line Setback	25'	10' to closest building 4' to closest retaining wall	Required
Building Height	37' or 2.5 stories whichever is less	2 stories	None required
Gross Floor Area	.10 of lot area	.22 for all 10 units	Required
Parking	2 spaces/unit	2 car attached garage and 2 spaces in driveway for guests	None required

OTHER WAIVERS REQUESTED

Section V.A.1., V.A.4. and V.B.2 to allow more than one single family dwelling per lot (10 dwellings on 1 lot)

Section V.B.2.B and V.B.2.C. site plan review (not required for a comprehensive permit)

Section VI.A.1, VI.B.1 and VI.B.2 Table of Conventional Dimensional Requirements, as shown above

Section VI B.3 Irregularities (can't be met based on the configuration of the total lot)

Section VI.F.2 number and location of dwellings (each house is not on a conforming lot)

Section VI.F.3, floor area ratio and conformity to dimensional requirements of the residential district (see waivers above)

Section VII.B, residence district signs (possible community entrance sign)

Town of Weston Board of Health Regulations - Chapter VI - Sewage Disposal Systems

A waiver is requested from Section 2.3 – Hydrological Survey:

Note: The Applicant intends to perform geotechnical investigations, provide a geotechnical mounding analysis, and will design the Sewage Disposal System in accordance with Title V requirements. However, without any detailed explanation on the specific requirements for a “Hydrological Survey”, a waiver is requested.

A waiver is requested from Section 2.4 – Garbage Grinders

Note: Section 2.4 requires that the system be designed for an increase of 150% over the Title V requirements. The Applicant intends to design the system in accordance with Title V requirements, and will commit to a condition of the comprehensive permit which prohibits the installation and use of garbage grinders.

A waiver is requested from Section 2.5 – Distance Requirements:

Note: The separations from septic components to cellars and slab foundations are more restrictive in the local Board of Health (BOH) Regulations than in Title V. The proposed plan features 10 feet of separation between the leaching field and the proposed garage slab foundation at the existing building #1, meeting Title V requirements; however the Local Board of Health Regulations require 20 feet of separation from foundation walls or footings. Other than that specific condition, the program complies with this section of the Local Regulations.

A waiver is requested from Section 2.9 – Construction Materials:

Note: Regulation 2.9 notes that all sewer piping subjected to vehicular loads shall be Schedule 80 PVC. The sewer force main is proposed as Schedule 40 PVC beneath the private Site roadway.

A waiver is requested from Section 2.14 – Pressure Dosing:

Note: The Applicant intends to design the system in accordance with Title V requirements using a drip dispersal system as approved by MassDEP. Certain specific requirements in this section of the BOH regulations may limit the flexibility of the design of the septic system, therefore a waiver is requested.

Article XXVII - Stormwater and Erosion Control By-Law

A waiver is requested from Section IV - Applicability

Specifically: “Where a project is subject to Site Plan Approval, Definitive Subdivision or Special Permit Approval from the Planning Board, the Stormwater Regulations adopted by the Planning Board shall apply and the stormwater review shall be completed as part of the Planning Board process provided that the Planning Board also finds that the activity is in compliance with any additional performance standards contained in the Regulations promulgated to implement this By-Law.”

Note: As the proposed project is not subject to Site Plan Approval, Definitive Subdivision or Special Permit Approval from the Planning Board, we do not believe the Stormwater and Erosion Control Regulations adopted under Section VI.C are applicable. However, if the Town believes the Regulations to be applicable, we have requested a waiver from this section and from the Erosion and Sediment Control Regulations as further identified below.

A waiver is requested from Section IV.A and IV.C – Applicability and Stormwater Management Permit Thresholds

Note: A Permit from the Stormwater Permitting Authority is not required for a Comprehensive Permit. The Applicant intends to design the stormwater management system in accordance with the Massachusetts Stormwater Handbook and the MassDEP Stormwater Management Standards for a redevelopment. The applicant intends to prepare a Memorandum summarizing the proposed stormwater management system design, demonstrating compliance with the MassDEP Stormwater Standards. This memorandum will be submitted to the Zoning Board of Appeals for consideration as part of the Comprehensive Permit application. In addition, per Chapter 40B regulations, the Weston ZBA will act in place of all local boards.

A waiver is requested from Section VI.E – Stormwater Management Permit

Note: A Permit from the Stormwater Permitting Authority is not required as part of a Comprehensive Permit. The applicant intends to prepare a Memorandum summarizing the proposed stormwater management system design, demonstrating compliance with the MassDEP Stormwater Standards. This memorandum will be submitted to the Zoning Board of Appeals for consideration as part of the Comprehensive Permit application.

Town of Weston Stormwater and Erosion Control Regulations

A waiver is requested from Section 4.0 – Applicability

Note: Although the proposed project does not appear to be subject to the Erosion Control Regulations adopted under Section VI.C of the Stormwater and Erosion Control Bylaw, we have requested a waiver from conformance with the overall permitting requirements, administrative procedures and authority of the Stormwater permitting Authority identified in these Regulations as well as certain specific Sections of the Regulations as further identified in more detail below.

A waiver is requested from Section 5.0 – Application Procedures for Stormwater Management Permits

Note: A Permit from the Stormwater Permitting Authority is not required for a Comprehensive Permit. The Applicant intends to design the stormwater management system in accordance with the Massachusetts Stormwater Handbook and the MassDEP Stormwater Management Standards for a redevelopment. The applicant intends to prepare a Memorandum summarizing the proposed stormwater management system design, demonstrating compliance with the MassDEP Stormwater Standards. This will be submitted to the Zoning Board of Appeals for consideration as part of the Comprehensive Permit application.

A waiver is requested from Section 7.0 – Design Standards

Note: Section 7.0 of the Stormwater and Erosion Control Regulations includes more restrictive design standards than the MassDEP Stormwater Management Standards. The Applicant intends to design the stormwater management system in accordance with the Massachusetts Stormwater Handbook and the MassDEP Stormwater Management Standards for a redevelopment. The applicant will prepare a Memorandum summarizing the proposed stormwater management system design including supporting technical analysis, calculation and supporting materials, demonstrating compliance with the MassDEP Stormwater Standards. This memorandum will be submitted to the Zoning Board of Appeals for consideration as part of the Comprehensive Permit application. Additionally a Stormwater Pollution Prevention Plan will be prepared and submitted to the US Environmental Protection Agency prior to construction in accordance with the NPDES Construction General Permit requirements.