

Rec'd 7/20/12



Waiver Request List – Fifteen Great Road LLC – September 19, 2012

Chapter 173 – Zoning Bylaws

§173-16 to §173-19. Site Plan Review, Preparation of plans, Design requirements, Review and approval

A waiver is requested for all of these sections eliminating the requirements to submit a site plan for 8 or more units for review by the Town's Planning Board. The 40B is not subject to PB.

§173-26 A.- Principal Uses Use Regulation Schedule

A waiver is requested to permit development of multifamily buildings, accessory structures and uses within a Residential District.

§173-32.C. Parking Requirements

A waiver is requested to allow development of parking spaces without the requirement for a wheel bumper or wheel guard. Reason for waiver request: Inhibits proper operation of plowing, sanding, and sweeping of site and not needed

§173-32.C. (3) Parking Requirements

To the extent the building inspector thinks a waiver is required, a waiver is requested from the screening requirements for parking lots of 8 or more cars.

§173-32.C. (5) Parking Requirements

A waiver is requested from this section to permit the use of grassed swales and other acceptable design standards as may be permitted by MA Department of Environmental Protection.

§173-32.C. (6) Parking Requirements

A waiver is requested from this section to permit development based upon use of those storm water control Best Management Practices and Low Impact Development techniques as may be permitted by State Regulations; specifically the Commonwealth of Massachusetts Department of Environmental Protection under the provisions of the Wetland Protection Act: Storm water Management Standards per 310 CMR 10.05(6)(k). Reason for request: Development will adhere to the practices and techniques as defined by the State of Massachusetts.

§173-34. D. General Regulations

A waiver is requested from this section to permit the lighting of the signs on a 24 hour 7 day a week basis to provide for safe recognition and access to the project.

§173-36, A. On-premises signs in residential districts.

A waiver is requested from this section to permit the installation of 2 signs on one lot. One sign will be a monument sign indicating Address/Name/Phone and the second will provide a method for property advertisements. See attached sign design.

§173-36, B. On-premises signs in residential districts.

A waiver is being requested from this regulation to permit the installation of one sign with 30.5 square feet each side (total 59.76 sf measured as a rectangle including all sign components 4.98 ft x 6 feet) and a second sign that will be 12 sq feet (total 24 sf) on each side. Both are in excess of 9 (nine) square feet. Reason for request is that signs of the requested dimension are customary for this type of use and are essential for the proper functioning of the project. See attached sign design.

§173-36, C. On-premises signs in residential districts.

A waiver is requested from this section to permit the installation of lighted signs for the leasing and entrance location of the development. Reason for request is that lighted signs are customary for this type of use and are essential for the proper functioning of the project. See attached sign design. See attached sign design

§173-36, D. On-premises signs in residential districts.

A waiver is requested from this section to permit the construction of signs having a background color other than natural wood, white, or the same color as the principal structure or its trim. See attached sign design. Reason for request is that signs of the requested style and color scheme are customary for this type of use and are essential for the proper functioning of the project. See attached sign design.

§173-36, E. On-premises signs in residential districts.

A waiver is request from requirement that signs not contain slogans or prices.

§173-38, A. Off-premises signs in residential districts.

To the extent a waiver is required by the building inspector, a waiver is requested.

§173-53,173-26 Accessory Uses

Request for a waiver from any requirements of The Code of The Town of Littleton, Massachusetts v41 Part II General Legislation Chapter 173, Zoning (hereinafter "Zoning Bylaw"), including without limitation, §173-2 relative to accessory building or use, and any other provision of the Zoning Bylaw and/or any other Town of Littleton bylaw, rule, regulation or requirement, to allow the waste water treatment facility situated within the 40B Development to connect to and service the proposed single family subdivision currently known as The Orchards adjacent to the 40B Development and/or any other land so long as such connection(s) and service(s) is/are not in violation of the ground water discharge permit for the waste water treatment facility, as may be amended from time to time. This waiver

request is made without prejudice to the position of Fifteen Great Road II, LLC, that no Town of Littleton bylaw, rule, regulation or requirement prohibits or regulates the waste water treatment facility situated within the 40B Development connection to and servicing the proposed single family subdivision currently known as The Orchards adjacent to the 40B Development and/or any other land, and, therefore, no waiver is required.

Zoning Regulations Pages 68-69 Intensity of Use Schedule

A waiver is requested from this table to permit the maximum height to exceed 32 (thirty two) feet. Attached is a plan showing the buildings for which the waiver is requested. Plans submitted show the typical building heights which may vary in the field depending upon the adjacent mean grade and construction methods. Buildings A,B,C,D shown on the waiver plan shall be equal to or less than 45 feet in height and the middle units of buildings 1-33 shall be equal to or less than 39 feet 6 inches in height. No waiver is requested for the proximity to setbacks.

Article XIII, §173-125 to 173.128 Shared Residential Driveway

A waiver is requested from this regulation, as the design of the project incorporates a unified driveway system that is integral to the project and will be reviewed by the Zoning Board of Appeals as part of the Comprehensive Permit.

Board of Health Regulations

Regulation 1 Permits

A waiver is requested as the project will be designed and constructed as permitted by the Massachusetts Department of Environmental Protection.

Regulation 2 Professional Review

A waiver is requested as the project will be reviewed by the Massachusetts Department of Environmental Protection.

Regulation 7 Garbage Grinders

A waiver is requested as the project is being developed with a Wastewater Treatment facility which features enhanced treatment collection.

Regulation 15 Survey and Plan Requirements

A waiver is requested as the project will adhere to the survey and plan the standards permitted by the Massachusetts Department of Environmental Protection.

Regulation 29 Two Compartment Tanks & Outlet Filters

A waiver is requested as the project will comply with the standards permitted by the Massachusetts Department of Environmental Protection.

Conservation Commission Rules and Regulations

A waiver is requested from all local wetland regulations. Project will comply with the Wetlands Protection Act and DEP Storm water Quality Standards.

§171-3. Fees/Charges

A waiver is requested to permit the review of any application submitted to the Littleton Conservation Commission to be completed by the same consultant as the ZBA retains as part of its review process.

Littleton Water Department

Fees

Pending

Code of the Town of Littleton - 2011

§ 64-7 A, (1) to (15) Building Permit Fees

A waiver is requested to eliminate building permit fees for affordable units.

§ 64-8 A to D (1) - (2) inclusive Plumbing and Gas Fees

A waiver is requested to eliminate the plumbing and gas fees for affordable units.

Electrical Fees

A waiver is requested to eliminate the electrical fees for affordable units.

§ 138-1 A to D (1) - (2) inclusive Electronic Plans

A request is made that the project be allowed to complete a level 1 (one) electronic plan submittal.