

500 Main Street Comprehensive Permit Waivers

| # | SECTION | DESCRIPTION | WAIVER | NOTES |
|---|--|-----------------------------------|---|-------|
| | Town of Groton Zoning Bylaws Section 218 | | | |
| | Section 218-2.3 | Special Permits | The Applicant requests a waiver from the requirement to obtain a special permit. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |
| | Section 218-2.5B | Site Plan Review | The Applicant requests a waiver from Site Plan Review section. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |
| | Section 218-2.5.C (2) | Major Site Plan Review Approval | The Applicant requests a waiver from Major Site Plan Review Approval section. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |
| | Section 218-2.5.D (2) | Major Site Plan Review Procedures | The Applicant requests a waiver from Major Site Plan Review Procedures. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |
| | Section 218-2.5.G (2) (e) (i & l) | Submission Requirements | The Applicant requests a waiver from Submission Requirements section. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |

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| | Section 218-2.5.G (e) (m) | Three-dimensional site model | The Applicant requests a waiver from Three-dimensional Site Model section. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |
| | Section 218-2.5.H | Decisions | The Applicant requests a waiver from the Decisions section. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |
| | Section 218-2.5H.(1)(a) | Preserve Trees | The Applicant requests a waiver to this section to allow construction of the site and proposed planting per the comprehensive permit plans. | |
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| | Section 218-2.5.H (3) | Submit copies of site plan approved by the Planning Board to the Board for endorsement | The Applicant requests a waiver from Copy Submission section. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |
| | Section 218-2.5.I | Performance Bond | The Applicant requests a waiver from the Performance Bond section. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |
| | Section 218-5.2.38 | Multifamily use, as allowed by the provisions of 218-9.3A through C | The Applicant requests a waiver from this section. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |

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| | Section 218-5.3.D (3) | Trailer bond | The Applicant requests a waiver from the requirement for site plan review and bond for the proposed construction/sales trailers during construction. | |
| | Section 218-6.2 Schedule of intensity regulations | GB District height 35 feet and stories 3. | The Applicant requests a waiver from the building height/story requirements to allow for the construction of the apartment buildings and townhomes as depicted on the Architectural/ Comprehensive Permit plans. | |
| | Section 218-6.3.E | Density | The Applicant requests a waiver to this section to allow for the proposed project density which includes 200 residential units plus accessory buildings on the subject property as shown on the Comprehensive Permit plans. | |
| | Section 218-6.4 Hammerhead Lots | Special Permit requirement for Hammerhead Lots | The Applicant requests a waiver from the requirement to obtain a special permit for the creation of Hammerhead Lot from the Planning Board as the ZBA will be the permit authority for all locally issued permits. | |

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| | Section 218-8.1.C (7) | Parking Lot Plantings | The Applicant requests a waiver to this section to allow construction of the site and proposed planting per the Comprehensive Permit plans. | |
| | Section 218-8.2.C (5), (6), (10) | Application subject to Site Plan Review, Special Permit | The Applicant requests a waiver from Application Subject to Site Plan review, Special Permit section. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |
| | Section 218-9.2 | Major Residential Developments | To the extent necessary, Applicant requests a waiver to this section as the review requirement set forth in this section is not applicable under M.G.L. c. 40B. | |
| | Section 218-9.3 Multifamily Use | Authorization by special permit only in districts indicated in 218-5.2 | The Applicant requests a waiver from Special Permit Authorization section. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |
| Town of Groton Zoning Bylaws Article VIII 338-34 (Comprehensive Permits) | | | | |

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| | Section 338-34. A (2) | Twenty-five (25) Site Development Plans | Waiver requested to provide initially: 5 full size plan sets 5 binders with 11x17 plan sets and other supporting documentation. 1 full traffic report including appendices, 1 full stormwater report. Everything electronically by Dropbox Additional copies to be provided as requested by ZBA. | |
| | Section 338-34.A(8)(a) | Applicant shall be a public agency, a nonprofit organization, or a limited dividend organization. | The Applicant requests a waiver to this section. The project/applicant will comply with all requirements under M.G.L. c. 40B. | |
| | Section 338-34.A(9) | Detailed List of waivers | The Applicant requests a waiver to this section. The project/applicant intends to include a statement on its Comprehensive Permit plans along the following lines: “To the extent that the plans show additional waivers at specific locations not expressly set forth in the applicant’s written submission, these waivers are also granted.” | |
| | Section 338-34.A(13) | Complete pro-forma detailing projected costs and revenue | The Applicant requests a waiver to this section. The project/applicant will comply with all requirements under M.G.L. c. 40B. | |

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| | Section 338-34.B(2) | Detailed analysis showing why project would be “uneconomical” without the requested waivers | The Applicant requests a waiver to this section. The project/applicant will comply with all requirements under M.G.L. c. 40B. | |
| Wetlands Protection Regulation Article III Section 344 | | | | |
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| | Section 344-19.A(1) | Disturbance of Upland Resources | The Applicant requests a waiver from the restriction of disturbance or alteration within 50 feet of any freshwater wetland to allow for construction as depicted on the attached Site Plans. Please refer to Chapter 215 waiver requests. | |

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| | Section 344-19.A(2) | Temporary disturbance area. This is an area in the adjacent upland resource, outside the fifty-foot no-disturbance area, where temporary disturbance for a limited period of time is permitted, such as for regrading or travel by heavy machinery. | The Applicant requests a waiver from the restriction of disturbance or alteration within 50 feet of any freshwater wetland to allow for construction as depicted on the attached Site Plans. Permanent construction is proposed within the “temporary disturbance area” as defined in the regulations. | |
| | Section 344-19.A(3) | The limits of disturbance shall be permanently marked prior to construction. | The Applicant requests a waiver from Section 344-19.A(3). | |
| | Section 344-19.J | Alternatives Analysis | A waiver is requested from Section 344-19.J as the ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |
| Chapter 215 Wetlands | | | | |
| | Section 215-7.A(1)-a | Disturbance of any existing vegetation within 50 feet of any freshwater wetland, except for removal of invasive vegetation only. | The Applicant requests a waiver from the restriction of disturbance or alteration within 50 feet of any freshwater wetland to allow for construction as depicted on the attached Site Plans. | |

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| | Section 215-7.A(1)-b | Erection of permanent buildings, including, but not limited to, barns, garages, or attached structures | The Applicant requests a waiver from the restriction of constructing a permanent building within the 100-foot wetland setback. The proposed scope of work includes the construction of a permanent building (garage) with approximately 345 S.F. located within the 100-foot wetland setback. | |
| | Section 215-7.A(1)-c | Construction of parking lots or use of land for parking of motor vehicles. | The Applicant requests a waiver from the restriction of constructing a parking area within the 100-foot wetland setback. The proposed scope of work includes the construction of parking located within the 100-foot wetland setback. | |
| | Section 215-7.A(1)-f | Construction of driveways or retaining walls. | The Applicant requests a waiver from the restriction of constructing driveways within the 100-foot wetland setback. The proposed scope of work includes the construction of 24' drives located within the 100-foot wetland setback. | |

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| | Section 215-7.A(1)-g | Grading, except for minor grading as defined in the regulations adopted under this chapter. | The Applicant requests a waiver from the restriction of grading within the 100-foot wetland setback. The proposed scope of work includes grading & clearing within the 100-foot wetland setback. | |
| Stormwater Management – Low Impact Development Chapter 198 | | | | |
| | Section 198-4.B | Full Stormwater Management Permit | The Applicant requests a waiver from the Full Stormwater Management Permit section. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |
| | Section 198-5.A | Committee review all applications | The Applicant requests a waiver from the Committee Review section. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |
| | Section 198-7.A | Application | The Applicant requests a waiver from the Application section. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |
| | Section 198-7.C | Public Hearing | The Applicant requests a waiver from the Public Hearing section. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |

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| | Section 198-7.E | Action | The Applicant requests a waiver from the Action section. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |
| | Section 198-9 Fees | Committee shall promulgate application fee | The Applicant requests a waiver from the fee requirement. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |
| | Section 198-10. Surety | Committee may require applicant to post surety bond | The Applicant requests a waiver from the requirement to post a surety given that the entirety of the work is to be performed on private land. | |
| | Section 198-11 Waivers | Committee may waive strict compliance | The Applicant requests a waiver to this section which states that the “Committee may waive strict compliance...”. Waivers from local Bylaws and Regulations requested during the Comprehensive Permit Process are granted (or denied) by the Zoning Board of Appeals. | |
| | Section 198-15 Inspection | Filing application permit grants Committee or Agent permission to enter site | The Applicant requests a waiver from the Inspection section. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |

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| | Section 198-16 Certificate of Completion | Upon completion applicant to notify committee and request final inspection | The Applicant requests a waiver from the Certificate of Completion section. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |
| | Signs – Chapter 196 | | | |
| | Section 196-2 Permit Requirements | Approved permit by the Land Use Department | The Applicant requests a waiver from the required permit section. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |
| | Section 196-7 Business, Overlay and Industrial Districts | Signage requirements & restrictions | The Applicant requests a waiver from the design standards & restrictions from this section. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |
| | Section 196-9 Temporary Signs | Approved permit by the Land Use Department & signage requirements and restrictions regarding temporary signs. | The Applicant requests a waiver from the required permit & requirements from this section. The ZBA will administer the review of the project pursuant to M.G.L. c. 40B. | |
| | Earth Removal Stormwater Advisory Committee – Chapter 352 | | | |

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| | Section 352-24.D(1) | All drain pipes shall be at least 12 inches inside diameter and made of reinforced concrete conforming to Massachusetts Department of Transportation specifications for Class III pipe | The Applicant requests a waiver from Section 352-24.D(1). HDPE pipe with sufficient cover for vehicle loading is proposed. | |
| | Wells – Chapter 330 | | | |
| | Section 330-4(D) Well Construction / Deconstruction Permit | An applicant for a well construction permit must secure a letter from the municipal water supply system stating that no public water is available within 500 feet of any lot line prior to seeking a permit. | The Applicant requests a waiver from Section 330-4(D). The project proposes an irrigation well (non-potable water source) for on-site use. All proposed dwellings are to be serviced by municipal water as depicted on the attached Site Plans. | |
| | Water Department – Chapter 407 | | | |
| | Section 407-5(B) – Water main construction or extension | Water main extension(s) shall conform with the Planning Board Subdivision Regulations, Chapter 381, Part 1: "If a public water supply is located within 2,500 feet from the center line of the proposed street, the applicant shall connect all lots to the public water system. If a public system is not located within 2,500 feet, water main and appurtenances shall be installed in the new subdivision road for a future connection to a public water supply." | The Applicant requests a waiver from Section 407-5(B). All proposed dwellings are to be serviced by municipal water as depicted on the attached Site Plans. The project proposes an irrigation well (non-potable water source) for on-site use. | |