

## VI. REQUESTED WAIVERS

**TOWN OF WESTON COMPREHENSIVE PERMIT APPLICATION  
WAIVER LIST**

**MODERA WESTON**

In accordance with 760 CMR 56.05(2)(h), a list of requested waivers to local requirements and regulations is provided herein. The Petitioner reserves the right to supplement this requested list of waivers based on modifications of the plans submitted with this Application.

**Zoning District:** Single Family Residence District A and Single Family Residence District B

**Overlay:** Wetlands Flood Plain Protection District A and Wetlands Flood Plain Protection District B

<b><u>Weston Zoning By-Law</u></b>		
<b>Zoning Bylaw Section</b>	<b>Requirements</b>	<b>Waiver</b>
Uses <i>§V.B</i>	Multifamily Dwellings are not permitted in the Single Family Residence District A or District B.	Waiver requested to permit the construction of a multifamily apartment building with approximately 180 residential units, and accessory building structures.
Wetlands and Flood Plain Protection District <i>§V.G(2)</i>	Prior to any construction requiring utilities in the Wetlands and Flood Plain Protection Districts A and B, the Planning Board must determine that all utilities are located, protected and constructed as to minimize or eliminate flood damage and that methods of disposal for sewage, refuse, and other wastes and methods of providing drainage are adequate to reduce flood hazards and prevent pollution.	Waiver from Planning Board review requested; all Project approvals required from the Planning Board will be obtained through the comprehensive permit process and in compliance with the Massachusetts Wetlands Protections Act.
Wetlands and Flood Plain Protection District <i>§V.G(1)</i>	A Special Permit is required prior to the erection or construction of a structure in the Wetlands and Flood Plain Protection District A.	Waiver of Special Permit requested.

Sign Regulations <i>§VII.B</i>	General limitations on signage.	Waiver requested to permit typical signage associated with multifamily development.
Parking <i>§VIII.A(i)</i>	There must be two spaces for each Dwelling Unit.	Waiver requested to allow approximately 1.7 spaces per Dwelling Unit.
Minimum Setback from Street Side Line  <i>§VI.B(2)</i>	District A: 60 ft. District B: 50 ft.	Waiver requested to allow 75 ft. setback from street side line.
Minimum Setback from Lot Line  <i>§VI.B(2)</i>	District A: 45 ft. District B: 35 ft.	Waiver requested to allow 33.5 ft. setback from side lot line.
Height of Pitched Roofs  <i>§VI.E(2)</i>	37 feet or 2.5 stories, whichever is less	Waiver requested to allow building height of 56 ft. or 3 stories
Maximum FAR  <i>§VI.F.3</i>	0.10	Waiver requested to allow FAR of 0.14.

<b><u>General Town By-Laws</u></b>		
<b>General Bylaw Section</b>	<b>Requirements</b>	<b>Waiver</b>
Material Removal By-Law  <i>Article XI</i>	Removal of soil, loam, sand or gravel from any Land not in public use is prohibited, unless expressly allowed by Section VI.I(3) of the Zoning Bylaw or authorized by a Special Permit.	Waiver of Special Permit required; the Project will require removal of soil and loam which is not allowed by the Zoning Bylaw.
Scenic Roads By-Law  <i>Article XXIII</i>	Any repair maintenance, reconstruction or paving work to be done within the Scenic Road Boundary that involves (i) cutting down or removing significant trees, or (ii) tearing down, burial, relocation or destruction of stone walls or portions thereof requires prior written	Waiver from Planning Board review requested; all Project approvals required from the Planning Board will be obtained through the comprehensive permit process.

	approval of the Planning Board after a public hearing.	
Stormwater and Erosion Control ( <i>Article XXVII</i> )  <i>and</i>  Stormwater & Erosion Control Regulations	If the Project requires Site Plan Approval, Definitive Subdivision or a Special Permit from the Planning Board, stormwater review will be completed as part of the Planning Board process.  A Major Permit is required for any land disturbance, exceeding an area of 5,000- SF or more than 20% of a parcel or lot.	Waiver from Planning Board review requested: all Project approvals required from the Planning Board will be obtained through the comprehensive permit process.
Demolition Delay  <i>Article XXVI</i>	Requirement for demolition delay, to the extent applicable.	Waiver from demolition delay, to the extent applicable, requested; all Project approvals will be obtained through the comprehensive permit process.

<b><u>Other Waivers</u></b>		
<b>Rules and Regulations</b>	<b>Requirements</b>	<b>Waiver</b>
Site Plan Approval Rules and Regulations	Requirement for Site Plan Approval, to the extent applicable.	All Project approvals will be obtained through the comprehensive permit process.
Board of Health Regulations	The requirements to comply with the local Board of Health Regulations for Sewage Disposal Systems.	The Project will comply with the Massachusetts Department of Environmental Protection guidelines.
Tree Removal Policy for Landowners	Landowners must obtain prior permission from the Conservation Commission prior to any tree or brush removal or trimming, vegetation removal or cutting, lawn	All Project approvals required from the Planning Board will be obtained through the comprehensive permit process; the Project will comply with the

	<p>expansion, soil grading and construction) in the following areas:</p> <ul style="list-style-type: none"> <li>• Wetland Resource Area (defined as 100 year flood zone, wetlands, streams, ponds and marshes)</li> <li>• Riverfront Areas (land within 200 feet of a perennial stream).</li> <li>• Buffer zones</li> </ul>	<p>Massachusetts Wetlands Protections Act.</p>
<p>N/A</p>	<p>Local requirements, codes, bylaws, and regulations, to the extent applicable.</p>	<p>A waiver is requested from all other local requirements, codes, bylaws, and regulations not specifically listed herein to the extent necessary to construct the Project in accordance with the plans submitted with the Application.</p>