

LIST OF WAIVERS

TOWN OF DRACUT BY-LAWS (GENERAL BYLAWS) (AS AMENDED THROUGH NOVEMBER 18, 2019 FALL ANNUAL TOWN MEETING)				
BY-LAW/REG.	TITLE	DESCRIPTION	REQUIRED	PROPOSED
Chapter 8, Section 1	Street Acceptance	Street Acceptance Procedures.	Requires streets to follow all rules and regulations of the Planning Board, and be constructed in accordance with Construction Standards Manual.	Waived. To be Governed By Comprehensive Permit.
Chapter 8A, Sections 1 through 17	Streets and Sidewalks	Street opening permit issued, and related fee required, by Sewer Commissioners and/or Highway Surveyor and/or Town Engineer.	Requires street opening permit for the disturbance of the surface of any public way, and for the installation of sewer, water and other utilities under the surface of any public way.	Waived. To be Governed By Comprehensive Permit.
Chapter 9, Sections 11	Building Construction	Construction on Undeveloped Streets	Requires that No Building Permit Shall Issue on Undeveloped Streets Without Planning Board Approval.	Waived. To Be Governed By Comprehensive Permit.
Chapter 13, Section 2	Earth Removal	Earth Removal Permit.	Earth Removal Permit for removal of soil, loam, sand, gravel from ZBA.	Waived. To Be Governed By Comprehensive Permit.
Chapter 13, Section 15	Fire Lanes	Requirements for Fire Lanes.	Requires fire lane dimensions and markings for condominium complexes.	Waived. To Be Governed By Comprehensive Permit.
Chapter 18	Wetlands Protection Bylaw, as Wetlands Regulations (if any).	Filing and Jurisdictional Requirements.	Procedures, jurisdictional requirements, applications, costs, regulations, and enforcement.	Waived in their entirety. No building or structure shall be located within 50 feet of edge of any wetland except as shown on the Site Plans. To Be Governed By Massachusetts Wetlands Protection Act, G.L. c. 131, sec. 40 and Regulations at 310 CMR 10.00.

LOUIS FARM VILLAGE
133 PHINEAS STREET LLC

Chapter 24	Stormwater and Erosion Control Bylaw	Stormwater and erosion control requirements	Stormwater Management Permit to be issued by Stormwater Permitting Authority; fees.	Waived in their entirety. To Be Governed By Massachusetts Wetlands Protection Act, G.L. c. 131, sec. 40 and Regulations at 310 CMR 10.00.
Chapter 27	Stretch Energy Code	Stretch Code Requirements	Compliance with Stretch Energy Code.	Waived.

TOWN OF DRACUT ZONING BYLAWS (AS AMENDED THROUGH NOVEMBER 1, 2021 FALL ANNUAL TOWN MEETING)				
BY-LAW/REG.	TITLE	DESCRIPTION	REQUIRED	PROPOSED
1.11.00	Administration	Enforcement of Zoning Bylaws.	Provides the Building Inspector with enforcement authority with respect to Zoning Bylaw violations.	Building Inspector to maintain authority to enforce the Comprehensive Permit Decision, as well as portions of the Zoning Bylaw not waived by this Comprehensive Permit Decision. Waived to the extent that Zoning Bylaw is modified by waivers granted in the Comprehensive Permit Decision and G.L. c. 40B.
1.16.00 - 1.16.25	Special Permits	Special Permit Requirements	Special Permit required for certain uses and construction.	See Note 1.
1.16.30 - 1.16.43	Site Plan Review	Site Plan Requirements	Site Plan Review required for certain uses and construction.	Waived. To be governed by Comprehensive Permit.
1.17.10-1.17.20	Other Laws. Minima.	Other Laws. Minima.	Zoning By-Law controls if other regulations impose less restrictions than Zoning Bylaw.	Waived to the extent that Comprehensive Permit Decision grants waivers/exceptions from the applicability of specific provisions of the Zoning Bylaw.
1.17.30-1.17.50	Compliance with Zoning Bylaws.	Compliance with Zoning Bylaws	Uses and buildings and structures are to be governed by applicable use and dimensional requirements within zoning district described in the Zoning Bylaw.	Waived to the extent that use and dimensional requirements are superseded by this Comprehensive Permit Decision.

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BY-LAW/REG.	BY-LAW/REG.	BY-LAW/REG.	BY-LAW/REG.	BY-LAW/REG.
2.11.00 - 2.11.50; 4.12.00 – 4.12.30	Use Regulations and Definitions.	Use Regulation Requirements and Schedule; Multifamily Development Special Permits.	Permits single family dwellings by right, and prohibits two-family and multifamily dwellings in R-1 Zoning District. No more than one building for dwelling purposes shall be located upon a lot; except for multi-family dwellings pursuant to Sections 4.12.00 through and inclusive of 4.12.30 of this Bylaw.	Waived. Permit the use of the Property for 20 residential ownership dwelling units, all of which are contained in one of ten separate buildings, and related accessory uses, parking (including garage and surface parking), utilities, accessory utility/storage/maintenance facility serving the project, and other appurtenant uses customary to such residential uses, as well as designated open space uses. Also allow the use of one temporary construction and/or marketing trailer as Applicant's project office until all units are sold.

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BY-LAW/REG.	BY-LAW/REG.	BY-LAW/REG.	BY-LAW/REG.	BY-LAW/REG.
2.12.00-2.12.10	Intensity of Use (Dimensional Requirements)	Dimensional Requirements.	No land can be used or structure constructed except in accordance with 2.12.00 and Table of Dimensional Requirements, unless otherwise specifically permitted in this By-law.	Waived. To be governed by Site Plans as described in the Comprehensive Permit Decision.
2.12.20-2.12.22	Minimum Land Area	Describes areas not to be computed for purposes of minimum land area.	Seventy (70) percent of land shown within a lot and identified by the Dracut Conservation Commission as a wetland under State Wetlands Regulations and Local Wetland Bylaw, as well as land classified as floodway based upon FEMA Floodplain Maps, cannot be considered in computing minimum lot sizes.	Waived. To be governed by Comprehensive Permit.
2.12.00 -- 2.12.50 (Table of Dimensional Standards)	Dimensional Requirements	General Dimensional Requirements.	Min. Lot Area (40,000 s.f.); Frontage (175 ft.); Lot Width (30 ft); Front Yard (30 ft); Side Yard (15 ft); Rear Yard (35 ft); Max. Height (36 ft. and 3 stories).	Waived except as shown on Site Plans, including the waiver of the following:

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BY-LAW/REG.	BY-LAW/REG.	BY-LAW/REG.	BY-LAW/REG.	BY-LAW/REG.
2.13.00-2.13.70	Floodplain and Floodway Districts	The Flood Plain District includes all special flood hazard areas within the Town of Dracut designated as Zone A, AE, AH, AND A99 on FEMA FIRMs.	Identifies permitted and prohibited uses within the Overlay District.	Waived. To be governed by Comprehensive Permit.
2.14.00-2.14.32	Wetland and Water Conservancy District	Wetland and Water Conservancy District Boundaries of Wetland and Water Conservancy District identified as all areas shown as wetland on a map entitled "Wetland and Water Conservancy District, Town of Dracut 1977" consisting of twenty-five sheets and on file with the Town Clerk.	Wetland and Water Conservancy District	Waived. Work to be governed by Comprehensive Permit and wetlands order of conditions.

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2.17.00 - 2.17.70	Wellhead Protection District Bylaw	Wellhead Protection District Bylaw identified as those areas defined as Zone I and Zone II.	Wellhead Protection District Bylaw restrictions on use.	Waived, if applicable.
3.10.00 -3.10.24, 3.10.41-3.10.49	Parking and Loading Requirements	Parking Requirements	Parking and loading requirements for R-1 District, including minimum of 2.0 spaces per dwelling unit, along with setback, location and landscaping requirements.	Waived to the extent the parking shown on Site Plans is inconsistent with parking requirements. Parking to be provided shall include a total of 80 parking spaces, or an average of 4.0 spaces per unit, all as shown and located on the Site Plans, and shall comply with the rules and regulations of the Massachusetts Architectural Access Board.

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BY-LAW/REG.	BY-LAW/REG.	BY-LAW/REG.	BY-LAW/REG.	BY-LAW/REG.
3.11.32, 3.11.41, and 3.11.42	Sign Regulations	Sign Regulations.	Sign Permit required, along with other dimensional requirements, including the allowance in residential districts of: (a) one sign displaying the street number and/or the name of the occupant of the premises; (b) one additional sign (2 s.f.) permitted for specified accessory uses; (c) one unlighted contractor's sign not exceeding 12 s.f. during construction; and, (d) one subdivision identification sign at each entrance not in excess of 12 s.f.; (d) one identification sign not in excess of 12 s.f. at each public entrance to a multifamily development.	Allow the construction of one permanent non-illuminated ground sign of no more than 15 square feet in size and not exceeding 8 feet in height to be located as shown on the Site Plans, and temporary non-illuminated construction signs of no more than 64 square size from the commencement until completion of construction all as may be shown on the Site Plans, along with other signs permitted in Residence Districts as provided in section 3.11.41 and 3.11.42.
3.12.40 - 3.12.80	Permit for Soil, Vegetation, Rock and Gravel Removal.	Permit for Soil, Vegetation, Rock and Gravel Removal.	Prohibits Soil, Vegetation, Rock and Gravel Removal unless incidental to construction of ways approved by Planning Board, or in connection with site specific building.	Waived in its entirety. Allow earth removal as provided in the Comprehensive Permit Decision.

TOWN OF DRACUT CONSTRUCTION STANDARDS BY THE ENGINEERING DEPARTMENT, JULY, 1988, ANENDED THROUGH OCTOBER 15, 1996)				
REGULATION	TITLE	DESCRIPTION	REQUIRED	PROPOSED
Construction and Engineering Standards	Construction and Engineering Standards.	Construction and Engineering Standards for Multifamily Developments.	Construction and Engineering Standards	Waived in their Entirety. To Be Governed By Comprehensive Permit.

TOWN OF DRACUT FEE, BOND OR OTHER REQUIREMENTS				
REGULATION	TITLE	DESCRIPTION	REQUIRED	PROPOSED
	Town Bond and Security and Related Requirements			Waive all surety requirements except as provided in the Comprehensive Permit.
Water & Sewer Connection Fees	Fees applicable for Water and Sewer Connections	Fees applicable for Water and Sewer Connections	Units require the payment of a water connection, as well as a sewer connection, fee.	Waive all sewer connection and water connection fees for the five (5) affordable units.
Waivers from Town of Dracut Local Requirements	Waivers	Waivers	Waivers not requested but shown on Plans.	Waived. To the extent that the Plans approved by the ZBA show the need for additional waivers not expressly set forth in the list of approved waivers granted as a part of the Comprehensive Permit Decision, the Applicant requests that these waivers shall also be deemed granted.