

## Requested Exemptions

In accordance with Article III, Section 1.(a)(viii) of the Needham Rules and 760 CMR 56.05(2)(h), a list of requested exceptions to local requirements, codes, bylaws, and regulations is provided below.

### Zoning Bylaws

- Waiver from the prohibition of “Apartment or multi-family dwellings” within the Single Residence A District in the use table under Section 3.2.1 to allow for a multi-family development and all uses accessory thereto in the Single Residence A District.
- Waiver from the provision in Section 3.1 that no premises shall be used for any purpose or in any manner other than as permitted and set forth in Section 3.2, Schedule of Use Regulations, to allow for all uses accessory to the multi-family development.
- Waiver from the requirement in Section 4.2.1 to have a reduction in the Minimum Front Setback of 30 feet in the Single Residence A District, as shown on the Plans. *Note: if Hardy Street located to the north of the project parcel is a “street”, then the project is a corner lot and also requests a waiver from the Minimum Front Setback of 30 feet along the project parcel’s boundary with Hardy Street.*
- Waiver from the requirement in Section 4.2.1 to have a reduction in the Minimum Side Setback of 25 feet in the Single Residence A District, as shown on the Plans.
- Waiver from the requirement in Section 4.2.1 to have a reduction in the Minimum Rear Setback of 15 feet in the Single Residence A District, as shown on the Plans.
- Waiver from the restriction in Section 4.2.1 that no building or structure in the Single Residence A District can be more than 2 ½ stories nor more than 35 feet in height to allow for buildings consisting of the number of stories and heights shown on the Plans.
- Waiver from the restriction in Section 4.2.1 that the Rear Yard Setback Area shall be kept open and landscaped with grass or other plant materials and shall be unpaved except for walks and driveways to allow for a retaining wall, as shown on the Plans.
- Waiver from the requirement in Section 5.1.1.7 that construction of a parking area containing 5 or more spaces shall adhere to all of the requirements of Section 5.1.3 Parking Plan and Design Requirements unless waived by a special permit issued by the Board of Appeals to allow for the parking areas shown on the Plans.
- Waiver from Section 5.1.2(20) to the extent that it allows the Building Inspector and/or the Planning Board to establish the number and/or ratio of required off-street parking spaces to allow for the number and ratio of parking spaces shown on the Plans.

- Waiver from the requirement under Section 5.1.3(f) that each parking space shall measure 9 feet in width and 18.5 feet in length to allow for parking spaces with the measurements shown on the Plans.
- Waiver from the requirements under Section 5.1.3(k) and Section 5.1.3(l) to allow landscaping within and surrounding the on-street parking areas in the manner shown on the Plans.
- Waiver from the requirement under Section 5.3.6 to allow for the multi-family development shown on the Plans.
- Waiver from the restriction in Section 6.1.2 that there shall not be permitted as an accessory use on residential property in the Single Residence A garage space for more than three (3) cars to allow for the garage spaces shown on the Plans.
- Waiver from the provisions in Section 7.4.3 requiring that: (i) a site plan review be performed by and special permit issued by the Planning Board for a “Major Project”; and (ii) prior to the issuance of a Certificate of Occupancy by the Building Department, the Building Inspector transmit an approval of the completed project as conforming to the approved site plan special permit to the Planning Board.

**Sewer Easement** (Book 3743, Page 551)

- Waiver from the need to obtain approval from the Board of Selectmen, acting as the Board of Public Works exercising the powers of the Sewer Commissioners, to relocate the sewer line and sewer easement on the property to the location shown on the Plans. *Note: The Applicant is no longer requesting the sewer line and easement be relocated.*

**General Bylaws**

- Waiver from the specifications for new streets and ways through private property in Section 2.2.5.1.2 to allow for the internal streets and ways to be developed as shown on the Plans.
- Waiver from the requirement in Section 3.6.1.1 to have fire lanes with a minimum width of 18 feet to allow for fire lanes as shown on the Plans.
- Waiver from the requirements in Section 5.3.1 and Section 5.3.2 to the extent those Sections require review and/or approval of all sign permit applications by the Design Review Board and/or a sign permit to be issued by the Building Inspector before a sign may be erected or used.
- Waiver from provision in Section 5.4.2.2 that no freestanding sign shall be located within fifteen feet (15’) of a streetline to allow for the signs to be located in the areas shown on the Plans.
- Waiver from the provision in Section 5.5.2(b) to allow for the two on-premises, freestanding signs in the Single Residence A District shown on the Plans.
- Waiver from the provision in Section 5.5.3.3(b) to allow for the monument signs shown on the Plans.

- Waiver from the requirement in Section 5.5.3.3(c) that all freestanding signs shall be attached to the same support to allow for the monument signs shown on the Plans.
- Waiver from the requirement to obtain a license, permit, and/or approval from the Board of Selectmen or the Chief of the Fire Department for the storage of inflammables to allow for the parking of motor vehicles in the parking areas shown on the Plans.

### **Street Permit Procedures and Regulations**

- Waiver from the requirement in Section 3.1 to obtain a License and Street Permit from the Town of Needham prior to excavating a trench on private property.

### **Shade Tree**

- *Waiver from Section 9 of the Street Permit Procedures and Regulations to allow cutting down, trimming or otherwise injuring shade trees.*
- *Waiver from the requirement to seek a permit from the Tree Warden or Board of Selectmen to cut, trim or remove a public shade tree.*

### **General**

- To the extent that the Plans show additional waivers not expressly set forth above, these waivers are also requested.