

WAIVER LIST
November 6, 2024

The Residences at Thoreau

The applicant provides the following information to assist the permit granting authority in analyzing the project and assessing the likely impact on the community as defined in 760 CMR 56. The project meets the intent of each and every by-law, rule, and regulation in terms of interests sought to be protected thereunder. The applicant provides the following waiver language to allow the permit granting authority to easily adopt or modify as it deems appropriate.

The Board of Appeals authorizes the following waivers from the requirements of the Concord Ordinances and other local by-laws, rules, and regulations if and only if the Comprehensive Permit for the Project containing the Conditions identified in the attached Comprehensive Permit Application is finally issued and only to the extent necessary and sufficient to construct, occupy, and maintain the project in accordance with the Comprehensive Permit, the Conditions, and Plans and Specifications listed in the Comprehensive Permit Decision, and provided that the project is in fact constructed in accordance with the Comprehensive Permit, the Conditions, and the Plans and Specifications. Once the project has been fully constructed and certificates of occupancy have been issued, these Waivers, the Comprehensive Permit and the Conditions shall not authorize any further waiver of the Concord Ordinances or other local bylaws, rules, or regulations; any proposed further modification of the project or any unit within the project thereafter must conform to the Ordinance and other local bylaws, rules, and regulations, subject to the regulations concerning modifications of comprehensive permits found at 760 CMR 56.05(11) unless further authorized by the Town of Concord.

The Applicant's requested waivers are based on the Plans entitled "Residences at Thoreau Multi-Family Site Development, 275 Forest Ridge Road, Concord, MA 01742" dated October 18, 2024 prepared by Allen & Major Associates, Inc. ("Site Development Plans"). The applicant requests waivers from all local bylaws necessary to permit the project as shown on the Site Development Plans and more specifically as identified below. The applicant reserves the right to revise the waiver list as necessary during the course of permitting through the Zoning Board of Appeals for additional waivers that may be necessary.

Exhibit A
November 6, 2024

	Section	SECTION REQUIREMENT	WAIVER REQUEST
1.	Table I - Principal Use Regulations, § 4	Multi-Unit Dwelling is prohibited and an Alternative Planned Residential Development (PRD) requires a special permit in the LIP#2 zoning district.	Request waiver to allow a Multi-Unit Dwelling in the LIP#2 zoning district.
2.	Special Permit Requirement for an Alternative PRD, § 10.4	A Special Permit would be required to allow for an Alternative PRD in the LIP#2 zoning district.	Request waiver from the requirement for a Special Permit to allow for an Alternative PRD in the LIP#2 zoning district.
3.	Variance Requirement, § 11.7	A Variance would be required to allow for a Multi-Unit Dwelling in the LIP#2 zoning district.	Request waiver from the requirement for a Variance to allow a Multi-Unit Dwelling in the LIP#2 zoning district.
4.	Two-Thirds Vote of Town Meeting, § 10.3.4	An Alternative PRD requires a two-thirds vote of Town Meeting prior to application for a special permit from the Town of Concord Board of Appeals (“Zoning Board”).	Request a waiver from the requirement of a two-thirds vote of Town Meeting for an Alternative PRD in the LIP#2 zoning district.
5.	Table II – Accessory Use Regulations, § 5	Common Driveways are prohibited in the LIP#2 zoning district.	Request waiver to allow a Common Driveway in the LIP#2 zoning district.
6.	Table III - Dimensional Regulations, § 6	Maximum height is 40-ft, but not more than 3 stories, excluding basements.	Request a waiver to allow a five (5) story building with a maximum height of 57’-8” (Building A) and 55’-6” (Building B).
7.	Table III - Dimensional Regulations, § 6	Maximum lot coverage is 35%, the same to include the gross ground floor area of all buildings and all paved areas.	Request a waiver to allow an increase in the maximum lot coverage as shown on the site development plans as approximately 41%.

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8.	Table III - Dimensional Regulations, § 6	Maximum Floor Area Ratio: 6,000 sq.ft.gross floor area per acre for Educational in LIP #2, R&D and light manufacturing uses, or 3,000 sq.ft. gross floor area per acre for other uses.	Request waiver to allow an increase in the maximum allowable gross floor area.
9.	Table III - Dimensional Regulations, § 6	Minimum Side Yard in Feet: 50 feet for all other buildings and no parking area may be placed within 20' of the side and rear lot lines except where joint parking areas are permitted by the Planning Board through site plan approval.	Request waiver to allow a side yard that is less than the minimum allowed.
10.	Table IV - Minimum Parking, § 7.7	Two (2) spaces per dwelling unit or one and one-half (1-1/2) spaces per dwelling unit for subsidized low and moderate income housing or elderly housing developments.	Request waiver to provide less than the required minimum parking and as shown on the Site Development Drawings depicting 394 spaces.
11.	Groundwater Conservancy District § 7.6.4.1	Uses permitted without review by the Board: Any extensive use and residential use permitted in the underlying district in which the land is situated, subject to the same use and development regulations as may otherwise apply thereto, whether by right or by special permit.	Waive, to be fulfilled by Zoning Board.
12.	Site Plan Review § 11.8	Applies in all zoning districts to the change in use of an existing building or lot.	Waive, to be fulfilled by Zoning Board.
13.	§ 3.4 of the Subdivision Rules and Regulations	That the Planning Board shall endorse the plan under the phrase “Approval Under the Subdivision Control Law Not Required”.	Request waiver to allow for the Zoning Board of Appeals to endorse the plan under the phrase “Approval Under the

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			Subdivision Control Law Not Required” rather than the Planning Board.
14.	Sign Bylaw § 8.b.3	A freestanding sign shall not exceed...more than twenty-five (25) square feet of area when the establishment fronts on a street other than Route 2	Request waiver to provide a dual faced sign with an approximate face dimension of 5’-4” x 7’ (37.3 square feet ea. Side/74.6 square feet total) as shown on the Site Development Drawings Detail Sheet C-506 - stone base is approximately 7’-5” x 2’-8”
15.	Building Permit Fees	Application fees	Acknowledgement that permit fees for the project are assigned by those fees in effect at the time the Comprehensive Permit application was made and not subject to any increases.
16.	Article 23, Town Meeting, April 2023	That the “Zero Energy Pathway” and “Mixed-Fuel Pathway” shall not be permitted for new construction shall not install any new combustion equipment.	Request waiver to allow for a variety of energy options.
17.	Concord Public Works Design & Construction Standards & Details	Construction details for projects located within the Town of Concord as outlined in General Provisions 1.1 A-E.	Waiver to allow for modification of standard details for construction aspects as shown on the Site Development Drawings including pavement, sidewalk, stormwater structures, and pipe materials as the project will remain private in perpetuity and no maintenance obligation of the Concord Department of Public Works shall be necessary. However, all water systems shall be constructed in accordance with DPW requirements and electrical system with the Concord Municipal Light Plant.

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