

REQUESTED WAIVERS

Zoning Bylaw

Section 3—District Use Regulations. This purpose of this waiver request is to allow for the development of a twenty (20) unit housing development on a single lot in the Residence B District.

Section 4.3.2—Side and Rear Setbacks in Residence B District. This section states that “[n]o building shall be erected or altered in General Residence Districts B and M so as to extend nearer to any side or rear lot line of its lot than forty (40) feet...”

Section 5.4.4—Common Driveways. This section states that a maximum of six (6) lots may be accessed by a private driveway.

Subdivision Rules and Regulations

Article III, Section 2.A(1): “A Subdivision, or continuation of a Subdivision, shall not have fewer than two (2) noncontiguous accesses with existing Town Roads except in a Subdivision of ten (10) or fewer building Lots having legal frontage on a single Dead-end Street.”

Article III, Section 2.A(2): “Roads within a Subdivision shall be laid out such that the closure of any single Road will deny access to no more than ten (10) building Lots. Included in this count are any existing Lots with denied access, plus those of the Subdivision.”

Article III, Section 2.B(1): This section states, in pertinent part “[i]ntersections along an existing and/or a proposed Local Street shall have minimum centerline offsets of not less than one hundred and twenty-five (125) feet.”

Article III, Section 2.B(4): “The minimum centerline radius shall be as shown on Exhibit E. Warning signs shall be provided where appropriate.” Exhibit E shows a centerline radius of 125’; for this project the applicant proposes a centerline radius of 80’.

Article III, Section 2.D(1): “No part of the Street Right-of-way shall be more than one thousand (1000) feet measured by the centerline from the point of closure referred to in the definition of a Dead-end Street in Article II, Section 1 of these Regulations and no Dead-end Street shall provide legal frontage for more than ten (10) building Lots.”

Article III, Section 2.D(2): “Dead-end Streets shall be provided at the closed end with a Cul-de-Sac turnaround having an outside Street line diameter of one hundred and sixty (160) feet, with an outside diameter of the paved surface of one hundred and forty (140) feet. A landscaped island having a diameter of one hundred (100) feet shall be provided in the center of the turn-around and the natural vegetation shall be retained where possible; in areas that cannot retain the natural vegetation, a landscaping plan shall be provided for the Cul-de-Sac island.”

Article III, Section 2.D(4): “No more than three Lots can be accessed on the Cul-de-Sac.”

Article III, Section 5.G(3)(i): “Infiltration of runoff from impervious surfaces (other than roof runoff) shall only be allowed where pretreatment of runoff for sediment removal of eighty percent tss (total suspended solids) is provided.”

Carlisle Supplemental Septic Regulations

15.100—General Provisions. This regulation states, in pertinent part, that for septic systems with a design wastewater flow of 2000 gallons per day or greater “[m]odels shall predict no rise in ground water elevation and no greater than 5 mg/L of total nitrogen at the perimeter boundary.”

15.211—Distances. This regulation states, in pertinent part, that “[t]he minimum setback distance between a system 2000 GPD or larger to a well is 150’.” The applicant has requested a waiver to allow for a setback of 100 feet.

15.221—General Construction Requirements for All System Components. Pursuant to this regulation, septic systems serving three (3) bedroom houses must have a design flow of 165 GPD per bedroom. The applicant has requested a waiver to allow for a design flow of 110 GPD.

15.290-293(5)¹. Section 15.293(5) states as follows:

Condominium systems “with design flows of 2000 gpd or greater shall meet a minimum design flow requirement of 165 gpd per bedroom. Monitoring wells used for the hydrogeological study shall remain in place, unless their removal or capping is authorized by the Board of Health. The Board of Health reserves the right to maintain the wells and continue monitoring as it deems appropriate. System owners are required to test available monitoring wells for fecal coliform, TSS, BOD and Total Nitrogen and submit the results to the Board of Health at least once every three years in conjunction with the required Title 5 inspections.

The applicant has requested a waiver to allow design flow of 110 GPD.

¹ The applicant’s written submission states that it is seeking a waiver of “15.290-293(5),” but the narrative statement provided only discusses 15.293(5).

Water Supply Regulations

Section VI, to the extent it requires that a “well shall be located a minimum of...one hundred and fifty (150) feet from systems 2000 GPD or greater.”

Zoning Board of Appeals’ Comprehensive Permit Rules

Section 3.02—Filing Fee. “The application shall be accompanied by a filing fee to cover the costs associated with statutorily required notice and mailings plus an additional cost based upon the number of proposed housing units: a) for Limited Dividend Organizations pursuant to a project eligibility letter issued by a federal or state agency-\$1,000 per unit plus \$5000 filing fee.”

The applicant proposed to reduce this fee to \$4000.

Zoning Board of Appeals’ Comprehensive Permit Rules **Attachment A—Performance Standards**

Section II.A.2—Setbacks. “No building shall be erected or altered so as to extend nearer to the line of any street or nearer to its front lot line, where different, than forty (40) feet and no building shall be erected or altered so as to extend nearer to any side or rear lot line of its lot than forty (40) feet. In addition, in nontraditional developments (developments other than single-family homes on individual building lots conforming to the Zoning Bylaws and local boards’ rules and regulations), such as a development with attached homes or density not following Section 4.1.1 of the Zoning Bylaws, all residential buildings are to be located at least 100 feet from the boundary of the property subject to development, at least 50 feet from any Open Space, and at least 30 feet from other residential buildings, as set forth in Section 5.7.4.16 of the Zoning Bylaws.”

Section II.A.5—Units on Common Drives. “Drives and roads that are not built to the standards for a roadway that may be accepted by the Town as a public way should limit the number of homes or units within the development to no more than six.”

Section II.B.2.c. “Where a common driveway exceeds 300 feet in length, turnouts shall be installed and maintained...at reasonable intervals, but at least every 300 feet, in order to allow vehicles to pass.”

Section II.B.2.e.i. “Dead-end streets shall be provided at the closed end with a Cul-de-Sac turnaround...with an outside diameter of the paved surface of one hundred and forty (140) feet [and a] landscaped island having a diameter of one hundred (100) feet shall be provided in the center of the turnaround.”

Section II.B.2.e.iii. “No more than three dwelling units shall be accessed directly from a Cul-de-Sac.”

Section II.B.2.f. “A development shall have not fewer than two (2) noncontiguous accesses with existing Town roads except in a development of ten (10) or fewer homes or units having legal frontage on a single dead end street. Roads within a development shall be laid out such that the closure of any single road will deny access to no more than 10 homes or units.”

Carlisle Nonzoning Wetland Bylaw

The Applicant seeks a waiver of the filing fees established by the Conservation Commission.

General Waiver

The applicant has requested “that the Carlisle Zoning Board of Appeals grant relief from any other zoning requirement or other applicable local rule, regulation, bylaw or policy which the Carlisle Zoning Board of Appeals determines to be applicable to the Project and which is not met by the current site plan or any subsequent site plans reflecting changes resulting from the Zoning Board of Appeals’ review of the Project.”