

**Town of Norfolk Zoning Board of Appeals
Comprehensive Permit Application
Requested Waivers**

Applicant: Norfolk Station, LLC
Mr. Alan Quaglieri, Manager

Property Address: 194 Main Street, Norfolk, MA
Assessors Map 14, Block 49, Lot 14

Project Name: Residences at Norfolk Station

Date: March 27, 2020

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I. GENERAL WAIVERS

A. The Applicant seeks waivers from the Norfolk local Bylaws, rules and regulations, as indicated herein and requests that all waivers be granted by the Board of Appeals to construct the project as shown on the plans.

B. Pursuant to G.L. c. 40B, §21 the Norfolk Zoning Board of Appeals has the power to issue permits or approvals as any local board or official who would otherwise act with respect to such application therefore the Applicant requests that waivers be granted from any requirements to apply to the Town or other municipal Boards or departments, including but not limited to the Norfolk Board of Health, Board of Selectmen, Historic Commission, Planning Board, Conservation Commission, Department of Public Works and Water and Sewer Department and/or Commissioners, if normally required; and the Applicant requests that the Comprehensive Permit be issued in lieu of all of the aforementioned permits, inclusively, including but not limited to the permits and approvals to connect to the municipal water (please note that the Applicant will comply with all technical requirements related to the municipal water system).

C. If in the course of the hearings it is determined that there are other local by-laws, rules and regulations that would otherwise be applicable to this development that have not been requested in this application, the Applicant reserves the right to so amend the Requested Waivers.

D. The Applicant also requests waivers from otherwise applicable building permit and water and sewer department fees, as to the affordable units.

E. Pursuant to 760 CMR 50.05 (7) there shall be no requirement to obtain waivers from the special permit requirements of the district.

F. The tabular form of the waivers are as follows:
 First column = Section of bylaw or regulation
 Second column = bylaw or regulation
 Third column = requested waiver

II - SECTION 7: COMPREHENSIVE PERMIT RULES OF THE ZONING BOARD OF APPEALS FOR APPLICATION OF COMPREHENSIVE PERMITS, M.G.L. CHAPTER 40B [from: Norfolk Zoning Board of Appeals, “Organization, Rules & Procedures,” Article [sic] II]

Bylaw/Rule Section	Bylaw or Rule	Waiver
Section 7(b) Procedure	Twenty (20) copies of the complete application, including all supporting documentation and the filing fee, shall be submitted to the Norfolk Zoning Board of Appeals (the “Board”)	Allow less than 20 copies to be submitted to the Board.

<p>Section 7(c) Submittal Requirements</p>	<p>(2) Preliminary site development plans showing the locations and outlines of proposed buildings; the proposed locations, general dimensions and materials for streets, drives, parking areas, walks and paved areas; proposed landscaping improvements and open areas within the site as well as any wetland resources pursuant to M.G.L. chapter 131, 40A, as amended, the Inland Restricted Wetland Act, and those resources protected pursuant to the Town of Norfolk Wetland Protection Bylaw and Regulations. All structures of five or more units must have either a preliminary or definitive site development plan signed and stamped by a registered architect. Structures of less than five units may submit a sketch of the matters referenced herein and in Subparagraph (3) below, which need not have an architect's signature and stamp, subject, however, to the Board's right to require architectural plans, at any time prior to or during the hearing, if deemed necessary by the Board</p>	<p>Waive preliminary or definitive site development plan signed and stamped by a registered architect and allow registered professional engineer to sign and stamp plans.</p>
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<p>Section 7(d) Filing Fee</p>	<p>A filing fee, based on a flat fee and number of housing units proposed, shall accompany the application. The filing fee shall be amended from time to time at the discretion of the Board to reflect the cost of administration of the filing. The filing fees do not include any outside review fees. \$1080 base fee, plus \$220 for every proposed unit.</p>	<p>760 CMR 56.05 (2) states that "The Board may require the payment of a reasonable filing fee with the application, if consistent with subdivision, cluster zoning, and other fees reasonably assessed by the municipality for costs designed to defray the direct costs of processing applications, and taking into consideration the statutory goal of M.G.L. c. 40B, §§ 20 through 23 to encourage affordable housing development." In this case 72 units @\$220 = \$15,840.00 plus \$1,080.00 = \$16,920.00. The Applicant respectfully requests that the Board amend the filing to reflect the cost of administration of the filing.</p>
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Section 7(f) Outside Consultants	(2) In hiring outside consultants, the Board may engage engineers, planners, traffic consultants, housing specialists, financial analysts, attorneys than for and/or other appropriate outside consultants who can assist the Board in reviewing and analyzing the Proposal. The use of an attorney shall not include attorney fees related to the Board's defense of any decision by the Board not shall it include costs associated with Town Counsel.	Fees for services for legal counsel are not applicable as it is in conflict with 760 CMR 56.05(5) which states that "Legal fees for general representation of the Board or other Local Boards shall not be imposed on the Applicant".
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III - TOWN OF NORFOLK ZONING BYLAWS
Dated: November 19, 2019

Bylaw/Rule Section	Bylaw or Rule	Waiver
<u>D.1.Basic Requirements</u>	All applicants for new Residential Dwellings (excluding additions, accessory buildings and septic systems) hereinafter constructed shall be prohibited from cutting down any trees from the back corner of the house to the back corner of the lot within twenty-five feet of the side or rear lot line. Relief may be granted by the Building Commissioner to allow clearing within the aforesaid area to the extent necessary to facilitate construction of the dwelling, after submission, with the building permit application, of a tree clearing plan, consisting of a plot plan demonstrating clearly where proposed tree clearing will be performed. This prohibition shall remain in effect until the occupancy permit has been issued. An applicant may appeal the decision of the Building Inspector regarding the tree clearing plan within thirty days pursuant to Section 8 of Chapter 40A.	Waive Section D.1 in its entirety
D.1.b.	Any use not specifically enumerated in a district herein shall be deemed prohibited	Allow multi-family units in B1 district.
D.1.e	D.1.e. Buffer/ Green Belt/ Landscaping Requirements in Non- Residential Districts.	Waive Section D.1.e and its subsections in their entirety and allow buffers and landscaping as shown on plans.

D.1.e.1	All outdoor facilities for the storage of fuel, refuse, materials and/or equipment shall be enclosed by a fence of solid and uniform appearance not less than six feet in height or a tight and well maintained evergreen hedge which shall attain a height of not less than six feet, in order to conceal such uses from adjoining properties.	Allow dumpsters to be located as shown on the plan.
D.1.e.4	Landscaping Requirements: For each foot of FRONTAGE the LOT shall contain 40 square feet of landscaping. This requirement shall not be conditioned to require landscaping of more than 20% of the LOT.	Allow less than 40 square feet of landscaping for each foot of frontage.
D.2 Schedule of Uses	See Table in Bylaw	Allow multi-family units in B1 district
D.3. Watershed Protection District	The Watershed Protection District is an overlay district and shall be superimposed on the other districts established by this bylaw	To the extent that it may be applicable to the proposed project, waive Section D.3 and its subsections in their entirety
D.5. FLOOD PLAIN - WETLANDS PROTECTION DISTRICT		To the extent that it may be applicable to the proposed project, waive Section D.5 and its subsections in their entirety
E.1.a.	No BUILDING or STRUCTURE hereafter erected in any district shall be built, located or enlarged on any LOT which does not conform to the minimum requirements of this bylaw, and no more than one DWELLING shall be built upon any such LOT. No existing LOT shall be changed as to size or shape so as to result in a greater violation of the requirements set forth below.	Allow more than one dwelling to be constructed on a Lot.
F. General Regulations		To the extent that it may be applicable to the proposed project, waive Section F and its subsections in their entirety
F.1. Basic Requirement	All BUILDINGS or STRUCTURES hereinafter constructed, reconstructed, altered, enlarged, or moved, or use of all premises in the Town of Norfolk shall be in conformity with the provisions of this bylaw	To the extent that it may be applicable to the proposed project, waive Section F and its subsections in their entirety

F.7.b.1. Schedule of Minimum Off- Street Parking Requirements	Single Family Dwelling – 2 spaces per unit	Allow less than 2 spaces per unit
F.7.e.	In the Business 1 through Business 4 and Commercial 1 through Commercial 6 districts, PARKING AREAS shall be located in the rear YARD or side YARD of STRUCTURES and not in the front YARD of such STRUCTURES, unless otherwise authorized by Special Permit issued by the Planning Board.	Allow parking in front of townhouse units. General See also Waiver I.E relative to special permit.
F.7.i Parking Spaces	Parking spaces for off-STREET parking shall be a minimum of 9 feet by 19 feet or larger to accommodate expected vehicles, plus maneuvering and access lanes per single lane of travel.	Allow parking space to be 9 feet x 18 feet
F.7.m	In addition to landscaping required in other sections of this zoning bylaw, parking lots containing 10 or more spaces shall have at least one tree per 8 parking spaces, such trees to be located either within the lot or within 5 feet of it. Such trees shall be at least 2" trunk diameter, with not less than 40 square feet of unpaved soil or other permeable surface area per tree. At least 5% of the interior of any parking lot having 25 or more spaces shall be maintained with landscaping, including trees, in plots of at least four feet in width. Trees and soil plots shall be so located as to provide visual relief and sun and wind interruption within the parking area, and to assure safe patterns of internal circulation. A grassed or landscaped bumper strip at least three feet wide shall be provided between facing rows of parking spaces, unless the Planning Board approves an alternative landscaping approach with the same or more landscaped area.	Waive Section F.7.m in its entirety and allow landscaping to be as shown on the landscaping plan. Allow trees to be 1.5-inch caliper
F.7.n	In addition to landscaping required in other Parking lots and appurtenances thereto shall be constructed in conformance with the specifications for same in the Rules and Regulations of the Norfolk Planning Board as most recently amended.	Waive Section F.7.n in its entirety and allow parking lot and appurtenances to be constructed in accordance with the approved plans
F.7.o	Each parking space shall be marked and maintained with a solid reflectorized white or yellow painted line on each side, at the head of, and along the full depth, in a manner specified in the Planning Board Rules and Regulations.	Waive Planning Board rules and regulations as to striping

F.8.a. Basic Requirement	In any district where otherwise permitted, no use of premises shall be authorized or extended, and no BUILDING or STRUCTURE shall be erected or enlarged, unless there is provided for the extension, erection, or enlargement off-STREET loading facilities located entirely on the same LOT as the BUILDING or use to be served, and with immediate and direct ingress to the BUILDING to be served in accordance with the following minimum specifications. An area of at least 400 square feet of appropriate dimensions, exclusive of drives and maneuvering space, shall be considered one offSTREET loading space	Waive requirements of section F.8.a in its entirety
F.9.a.8.	No freestanding SIGN shall be located nearer any side property line than the permitted side setback distance for that zone.	Allow freestanding sign to be located as shown on the site plan.
F.11 Site Plan Approval		To the extents as may be applicable to the proposed project Waive Section F.11 and its subsections in their entirety.
F.11.a Requirements for Site Plan	In all districts no BUILDING or structure shall be constructed or externally enlarged and no use shall be expanded in ground area or established in an existing BUILDING except in conformity with a site plan bearing an endorsement of approval by the Planning Board unless Site Plan Approval is specifically exempted herein. This provision shall not apply to SINGLE FAMILY homes, including additions or enlargements, which are permitted in the district in which the property is located as a matter of right including single family homes located within an Open Space Preservation residential subdivision. In addition, this provision shall not apply to uses exempt under M.G.L. Chapter 40A, Section 3 or to continuously occupied single family residentially occupied dwellings in the B1 and C1 Districts. The Building Commissioner/Zoning Enforcement Officer shall make a determination as to which of the following applies: 1). Full Site Plan Approval under Section F.11.a.; 2). Site Plan Approval is not required as the application either meets the conditions for Non-Applicability or the application is exempt; 3). Limited review applies and Site Plan Approval shall have a limited scope of review.	Waive Section F.11.a and all of its subsections in their entirety. See also General Waivers paragraph I.B

F.11.b. F.11.c F.11d.	Any person desiring approval of a site plan under this Section shall submit fifteen (15) copies of said plan with application for approval and appropriate fee thereof directly to the Planning Board. The Board shall, within fifteen (15) days after the receipt thereof, transmit one (1) copy of such plan to the following: Building Inspector, Board of Health, Conservation Commission, Water Commissioners, Police Chief, Fire Chief, Highway Superintendent.	Waive Section F.11.b, c and d and any subsections in their entirety. See also General Waivers paragraphs I.B and I.E
F.12 Design Review.		To the extents as may be applicable to the proposed project Waive Section F.12 and its subsections in their entirety. See also General Waivers paragraphs I.B and I.E
F.12b Design Review. Board	In accordance with the provisions of Chapter 40A of the Massachusetts General Laws, a Design Review Board shall review applications for all actions that are subject to the provisions of this Section and shall make recommendations to the Building Inspector, Planning Board or Zoning Board of Appeals, as appropriate, concerning the conformance of the proposed action to the design review standards contained herein.	Waive Section F.12.b in its entirety. See also General Waivers paragraphs I.B and I.E
F.12.c. Reviewable Actions	The following types of actions in the areas specified therein shall be subject to review by the Design Review Board and shall be subject to the design standards contained herein.	Waive Section F.12.c in its entirety. See also General Waivers paragraphs I.B and I.E
F.12.c.1 Exterior actions requiring a Building Permit	All new STRUCTURES, ALTERATIONS, or additions to existing STRUCTURES, changes in outdoor land use or changes in site design which require a building permit and which affect the exterior architectural appearance of a BUILDING shall be subject to review by the Design Review Board, provided that the action occurs on land which is located in the Business 1 through Business 4 or Commercial 1 through Commercial 6 zoning district and is used for non-residential purposes or non- conforming uses in Residential 1-3 Districts.	Waive Section F.12c.1 in its entirety. See also General Waivers paragraphs I.B and I.E
F.12.d. Procedures for Review of Actions Subject to Design Review	F.12.d.1. Applications for all actions subject to review by the Design Review Board shall be made by completing an application form and submitting it to the Planning Board. Application forms shall be available from the Planning Board.	Waive Section F.12d and all of its subsections in their entirety. See also General Waivers paragraphs I.B and I.E

	<p>F.12.d.2. All applications to the Design Review Board shall include all information required by the rules and regulations of the Design Review Board, as applicable, in addition to any other information that is required under this bylaw as part of an application for a special permit, site plan review, VARIANCE or building permit.</p> <p>F.12.d.3. Upon receipt of an application for design review, the Planning Board shall immediately transmit the application to the Design Review Board. The Design Review Board shall review the application and return its recommendations in writing to the Planning Board within thirty days of the receipt of the application. If the application for design review is associated with application for site plan review, the Design Review Board shall return its recommendation in writing to the Planning Board before the conclusion of the public hearing(s) on the site plan review application. If the application is for a VARIANCE or a special permit, the Planning Board shall immediately transmit the Design Review Board's recommendations to the Zoning Board of Appeals.</p>	
<p>F.12.e. Design Review Standards</p>	<p>F.12.e. Design Review Standards The standards which are described below are intended to provide a guide to the APPLICANT in the development of site and BUILDING design as well as a frame of reference for the design review of proposed actions. These standards shall not be regarded as inflexible requirements and they are not intended to discourage creativity, invention or innovation. The design review standard shall apply to all reviewable actions contained in Section c.</p> <p>F.12.e.1. General Principles F.12.e.1.a. Every reasonable effort shall be made to preserve the distinguishing original qualities of a BUILDING, STRUCTURE or site and its environment. The removal or alteration of any historic material, architectural features or trees should be avoided when possible.</p> <p>F.12.e.1.b. Distinctive stylistic features or examples of skilled craftsmanship which characterize a BUILDING, STRUCTURE or site</p>	<p>Waive Section F.12.e and all its subsections in their entirety. See also General Waivers paragraphs I.B and I.E</p>

	<p>shall be treated with sensitivity.</p> <p>F.12.e.1.c. Contemporary design for ALTERATIONS and additions to existing properties shall not be discouraged when such ALTERATIONS and additions do not destroy significant historical, architectural or cultural material, and when such design is compatible with the surrounding environment.</p> <p>F.12.e.2. Design Review Standards The Design Review Board shall consider, at a minimum, the following standards in the course of the design review of a proposed action.</p> <p>F.12.e.2.a. Height - the height of any proposed alteration should be compatible with the style and character of the surrounding BUILDINGS, within zoning requirements.</p> <p>F.12.e.2.b. Proportions of windows and doors - The proportions and relationships between doors and windows should be compatible with the architectural style and character of the surrounding area.</p> <p>F.12.e.2.c. Relationships of BUILDING masses and spaces - The relationship of a STRUCTURE to the open space between it and adjoining STRUCTURES should be compatible</p> <p>F.12.e.2.d. Roof shape - The design of the roof should be compatible with the architectural style and character of the surrounding BUILDINGS.</p> <p>F.12.e.2.e. Landscape - The landscape should be compatible with the character and appearance of the surrounding area, and PARKING AREAS should be located to the side or rear of BUILDINGS where reasonably possible.</p> <p>F.12.e.2.f. Scale - The scale of the STRUCTURE should be compatible with its architectural style and the character of the surrounding BUILDINGS.</p> <p>F.12.e.2.g. Directional expression - Facades shall blend with other STRUCTURES in the</p>	
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	<p>surrounding area with regard to the dominant vertical or horizontal expression.</p> <p>F.12.e.2.h. Architectural details - Architectural details including signs, materials, colors and textures shall be treated so as to be compatible with its original architectural style and to preserve and enhance the character of the surrounding area.</p>	
<p>F.12.f. Design Submittal</p>	<p>To aid the Design Review Board in making the findings required in Section F.12.e., and in preparing its recommendations as provided in Section F.12.b., the APPLICANT shall submit the following materials in addition to the usual drawings at the time of application to the Board of Appeals or Planning Board:</p> <p>F.12.f.1. Model - An inexpensive study model or final presentation model of suitable scale showing the tract, abutting STREETS, proposed contours, proposed BUILDING or BUILDINGS, off street parking, and the massing of abutting BUILDINGS. A model shall not be required for additions, ALTERATIONS, or changes in existing BUILDINGS which increase GROSS FLOOR AREA by less than 100%. The Design Review Board may, in its discretion, waive the requirement of a model.</p> <p>F.12.f.2. Drawing of existing conditions - A drawing showing the location, type, size, or dimension of existing trees, stone walls, and other natural topography with designations as to which features will be retained. All existing trees, stone walls and other natural features shall be retained until a special permit is approved.</p> <p>F.12.f.3. Drawing of proposal - STRUCTURE: A drawing including color and type of surface materials showing front and rear elevations, and side elevations where there are not adjoining BUILDINGS, and floor plans. Landscape: A drawing showing the location, dimensions, and arrangements of all open spaces and YARDS, including type and size of planting materials, color and type of surface materials, methods to be employed for screening, and proposed grades.</p> <p>F.12.f.4. Photographs - Photographs showing the</p>	<p>Waive Section F.12.f and all its subsections in their entirety. See also General Waivers paragraphs I.B and I.E</p>

	<p>proposed BUILDING site and surrounding properties, and of the model (if required). Applications for ALTERATIONS and additions shall depict existing STRUCTURE to be altered and its relationship to adjacent property.</p> <p>F.12.f.5. Impact Statement - Statement by APPLICANT with explanation of how each of the design standards is incorporated into the design of the proposed development. If a particular standard is not applicable, a statement to that effect will suffice.</p> <p>F.12.f.6. Plan Revisions - Any plans revised after a formal application has been made to the Design Review Board, which in any way affects or alters the visual appearance of the facade, roof, or other aspects of the site specified in design review, shall be submitted to the Design Review Board for further review in accordance with this bylaw.</p>	
F.12.g. Special Permit Incorporation	<p>Recommendations of the Design Review Board shall be incorporated by the PERMIT GRANTING AUTHORITY as follows:</p> <p>F.12.g.1. Site Plan Review - The Planning Board shall incorporate the recommendations of the Design Review Board in its conditions for approval under Section F.11.c.1.; and</p> <p>F.12.g.2. Special Permits - The recommendations of the Design Review Board shall be incorporated by the Board of Appeal in its conditions pursuant to Sections G.6.c.2.4.</p>	Waive Section F.12.g and all its subsections in their entirety. See also General Waivers paragraphs I.B and I.E
G. Administration		Waive Section G. and its subsection in their entirety.
G.3.a. Basic Requirement	<p>No land shall be occupied or used, and no BUILDING or STRUCTURE which was erected or structurally altered after the first passage of applicable provisions of this or any prior bylaw or any amendment thereto shall be occupied or used in whole or in part for any purpose, unless a Certificate of Occupancy has been issued by the Building Commissioner. Such certificate shall state the STRUCTURE and use of STRUCTURE and land comply in every respect with the provisions of the Building Code and/or the</p>	Waive Section G.3.a in its entirety. Waivers are being requested from zoning bylaws under G.L. c. 40B

	Zoning bylaw of the Town of Norfolk in effect at the time of issuance.	
G.5. Enforcement of Performance Standards	<p>G.5.a. The APPLICANT for a building permit and/or certificate of occupancy for a use subject to Performance Standards shall submit in addition to the evidence required in 2 and 3 above; (1) a plan and description in duplicate to the Building Commissioner of all proposed activities, (2) plan and specifications for the control or restriction of all dangerous and objectionable elements, and (3) an affidavit acknowledging understanding of the applicable performance standards and agreeing to conform to them at all times.</p> <p>G.5.b. In such cases as there is reasonable doubt as to the likelihood of conformance, the Building Inspector may require an investigation and report at the cost of the APPLICANT, within 30 days, by one or more qualified experts, a copy of such report being provided to the APPLICANT.</p> <p>G.5.c. The Building Commissioner shall investigate any alleged violation of Performance Standards and may engage qualified experts. He may apply for a criminal complaint in a district court.</p> <p>G.5.d. If the Building Commissioner is requested in writing to enforce any provision of this bylaw against any person, real or corporate, allegedly in violation thereof, and, if he thereafter declines to act, he shall give written notice of his action or refusal to act to the person who requested such enforcement within fourteen (14) days of his receipt of such request.</p>	Waive Section G.5 and all of its subsections sin their entirety
I.4.a.4. Pedestrian Ways and Street Trees.	LOTS or BUILDING sites which are either newly developed from unimproved land or REDEVELOPED shall provide PEDESTRIAN WAYS and street trees in accordance with the Subdivision Regulations along the FRONTAGE SIDE(s) of the LOT.	Waive pedestrian way and street tree requirements and allow ways and trees as shown on site and landscaping plan.
I.4.a.5. Pedestrian Access.	BUILDINGS shall generally be PEDESTRIAN WAY - oriented and shall be physically and visually accessible to pedestrians from the PEDESTRIAN WAY. BUILDINGS shall provide pedestrian entrances that open to the front PEDESTRIAN WAY and may provide other entrances to the side or rear. Within the BUSINESS CORE, unless otherwise provided by Special Permit by the Planning Board, the FRONTAGE SIDE of each BUILDING, excepting a Municipal BUILDING, shall have not	Waive Section I.4.a.5 in its entirety and allow building access as shown on the site plan.

	less than 70% of the length of its PEDESTRIAN WAY level street-side facade comprised of doorways which provide physical access, and windows or other transparent elements of walls which provide visual access. Municipal BUILDINGS shall have not less than 30% of the length of its PEDESTRIAN WAY level street-side facade comprised of doorways which provide physical access, and windows or other transparent elements of wall which provide visual access	
I.4.a.6. Building Height and Facade.	Within the B-1 District BUILDING HEIGHT shall not be more than forty (40) feet in height to the peak of the roof unless otherwise provided for by the Planning Board through a site plan approval process. In such cases, BUILDING HEIGHT may be extended up to forty-six (46) feet to the peak of the roof for the purpose of accommodating pitched roof lines, but in no case shall the height exceed three (3) stories as measured from the street facing finish grade of the building or structure, including the third story within the pitched roof. All buildings shall have a pitched roof, or the look of a pitched roof with a minimum of a 5:12 pitch) and consistent with architecture prevalent within Town Center. In the event that a flat roof is desired, the building shall have the look of a pitched roof, from the front, sides, and the rear, depending upon what may be visible from the street. BUILDING HEIGHT shall not include any steeples, flag poles, weather vanes, or cupolas. The highest point of any such steeples, flag poles, weather vanes, or cupolas shall not exceed eighty (80') feet. At least 60% of the vertical wall area of the FRONTAGE SIDE facade of a BUILDING shall be made up of vertical BUILDING wall, dormers, or a parapet or false facade to a minimum height of 20 feet;	Waive Section 1.4.a.6 and its subsections to the extent they are applicable to the project
I.4.a.4.a.9. Residential Use.	Notwithstanding any contrary provisions of the zoning bylaw, Section F.11., Site Plan Approval, and Section F.12., Design Review, shall also apply to all Assisted Living Facilities and mixed-use BUILDINGS, STRUCTURES or uses within the B-1 District.	Waive Section I.4.a.4.a.9. in its entirety. See also General Waivers paragraphs I.B and I.E

I.4.a.4.a. 10 Street Specifications	Notwithstanding any contrary provisions of the zoning bylaw, all STREETS and roads within the B-1 District shall conform to the specifications and construction details of the Town's subdivision regulations.	To the extent the Zoning Board may deem this applicable waive Section I.4.a.4.a.10. its entirety.
I.4.a.11. Residential Density.	Residential DWELLING UNITS, except for ASSISTED LIVING FACILITIES, shall not have more than two bedrooms per unit. Residential densities, except for ASSISTED LIVING FACILITIES, shall not exceed the ratio of sixteen bedrooms for any single LOT or entire PMLD except by special permit. Residential densities for ASSISTED LIVING FACILITIES shall not exceed the ratio of 16 bedrooms per acre for any single LOT except by Special Permit by the Zoning Board of Appeals.	Allow more than 2 bedrooms per unit
I.4.b.1.A.	No BUILDING, STRUCTURE, Use, PARKING AREA, driveway, vehicle circulation area, or other vehicle access way shall be located less than 50 feet from an adjacent parcel within a Residential Zoning District unless otherwise provided by Special Permit by the Zoning Board of Appeals.	Waive Section I.4.b.1.A in its entirety and allow parking area, driveway and circulation area to be located less than 50 feet from an adjacent parcel in the Residential Zoning District. See also General Waivers paragraphs I.B and I.E
I.4.b.1.B.	All outdoor facilities for the storage of fuel, refuse, materials and/ or equipment shall be screened from view with a solid fence STRUCTURE and located to the rear of the building to which it is accessory. The fence shall be of reasonable height, a minimum of 6 feet, and the enclosure shall not exceed 1,000 square feet in area except by Special Permit from the Planning Board	Allow dumpsters to be located as shown on plan
I.4.b.1.C.	A green belt shall be provided on any LOT that abuts a Residential District should any use on said LOT (including any BUILDINGS, STRUCTURES, PARKING AREAS, driveways, vehicle circulation areas or other vehicle access ways) be located less than 100 feet from the Residential District. Such green belt shall:	Waive green belt requirement and allow plantings and shown on the landscaping plan
I.4.b.1.C.1.	Be located on the non-residential LOT along the shared property line.	
I.4. b.1.C.2.	Have a minimum depth from the shared property line of 30 feet.	Waive 30-foot depth requirement.

I.4.b.1.C.3	Be used for no purpose other than planting and/or sidewalks.	Waive
I.4.b.1.C.4	Constitute a screen of evergreen trees and/or shrubs not more than 15 feet apart planted in two or more staggered rows. The distance between each row shall not be more than 10 feet. Plants shall be no less than 6 feet in height at the time of planting and shall be continuously maintained.	Waive screening and planting requirements and allow plantings and shown on the landscaping plan.
I.4.b.1.D. Landscaping Requirements:	For each foot of FRONTAGE the LOT shall contain 40 square feet of landscaping unless otherwise provided by Special Permit by the Planning Board through a site plan approval process. This requirement shall not be conditioned to require landscaping of more than 20% of the LOT.	Waive Section I.4.b.1.D in its entirety and allow landscaping as shown on the landscaping plan. See also General Waivers paragraphs I.B and I.E
1.4.b.2. Within the Business Core:	(A) BUILD-TO LINE: any distance from between six (6) feet and nineteen (19) feet from, and parallel with, the frontage line(s) of the lot as approved by the Planning Board unless otherwise provided by Special Permit by the Planning Board through a site plan approval process as part of a comprehensive streetscape plan based on existing or planned buildings on lots within the same block on both sides of the street.	Allow build to line as depicted on plans. See also General Waivers paragraphs I.B and I.E
I.6. Parking	The requirements of Section F.7., Parking, of the zoning bylaw are modified by the following subsections.	Allow less than 2 parking spaces per single family dwelling unit.
1.7. Uses Permitted and Regulated in the B-1 District	No BUILDING, STRUCTURE or land in the B-1 District shall be used for any purpose or in any manner other than as set forth in this section. Any use not specifically listed in Section I.7.a. and I.7.b. is prohibited.	Allow multifamily dwellings in B-1 district.

**IV - GENERAL BYLAWS OF THE TOWN OF NORFOLK
Updated through Annual Town Meeting May 14, 2019**

**ARTICLE VII: LAND USE AND RESOURCE PROTECTION
SECTION 7: POST-CONSTRUCTION STORMWATER MANAGEMENT OF NEW
DEVELOPMENTS & REDEVELOPMENTS (10/23/07)**

Waiver requested: Waive Section 7 in its entirety. Notwithstanding the foregoing, we have listed each and every waiver that would be requested from Section 7.

Bylaw/Rule Section	Bylaw or Rule	Waiver
Section 4. APPLICABILITY	No person may undertake a construction activity, including clearing, grading and excavation that results in a land disturbance that will disturb equal to or greater than one acre of land, or will disturb less than one acre but is part of a larger plan of development that will ultimately disturb equal to or greater than one acre of land, without a permit from the Planning Board. Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity or the original purpose of the site.	Waive requirement of a Stormwater Management Permit from the Planning Board. See also General Waivers paragraphs I.B and I.E
Section 5. ADMINISTRATON (SIC)	A. The Planning Board shall administer, implement and enforce this bylaw. Any powers granted to or duties imposed upon the Board may be delegated in writing by the Board to its employees or agents. Specifically, the Board relies upon the Department of Public Works (DPW) for the review of technical and engineering documentation required under this bylaw. All projects meeting the requirements will be processed and administered through the Planning Board. B. Rules and Regulations. The Planning Board may adopt, and periodically amend, rules and regulations relating to the procedures and administration of this Stormwater Management By-law, by majority vote of the Board, after conducting a public hearing to receive comments on any proposed revisions. Such hearing dates shall be advertised in a newspaper of general local circulation, at least seven (7) days prior to the hearing date.	Waive Section 5 A and 5B in their entirety. See also General Waivers paragraphs I.B and I.E
Section 6. PERMITS and PROCEDURE	A. Filing Application. The site owner or their agent shall file with the Planning Board hereinafter the Board, twelve (12) copies of a completed application package for a Stormwater Management Permit (SMP). Permit issuance is required prior to any site altering activity. While the	Waive Section 6A in its entirety. See also General Waivers

	<p>applicant can be a representative, the permittee must be the owner of the site. The SMP Application package shall include: Completed Application Form with original signatures of all owners; List of abutters, certified by the Assessors Office; One (1) copy of the Stormwater Management Plan and project description as specified in Section 7.A.; One (1) copy of the Operation and Maintenance Plan as required by Section 8 of this bylaw; Payment of the application and review fees. Applicant shall file one (1) original Application Form, the Stormwater Management Plan, the Operation & Maintenance Plan, and the list of abutters with the Town Clerk.</p> <p>B. Entry. Filing an application for a permit grants the Board, or its agent, permission to enter the site to verify the information in the application and to inspect for compliance with the resulting permit.</p> <p>C. Other Boards. The Board shall give one copy of the application package to each of the other relevant boards, including Conservation Commission, Department of Public Works, Board of Health, and Building Department.</p> <p>D. Fee Structure. The Board shall obtain with each submission an Application Fee established by the Board to cover expenses connected with the public hearing and application review of the Stormwater Management Permit and a technical Review Fee sufficient to cover professional review. The Board is authorized to retain a Registered Professional Engineer or other professional consultant to advise the Board on any or all aspects of these plans. Applicants must pay review fees before the review process may begin.</p> <p>E. Public Hearing. The Board shall hold a public hearing within forty-five (45) days of the receipt of a complete application and shall take final action within twenty-one (21) days from the close of the hearing unless such time is extended by agreement between the applicant and the Planning Board. Notice of the public hearing shall be given by publication in a local paper of general circulation, by posting and by first-class mailings to abutters at least seven (7) days prior to the hearing.</p> <p>F. Actions. The Board's action, rendered in writing, shall consist of either: Approval of the Stormwater Management Permit Application based upon determination that the proposed plan meets the Standards in Section 7 and will</p>	<p>paragraphs I.B and I.E</p> <p>Waive Section 6B in its entirety. Zoning Board shall have inspections rights pursuant to comprehensive permit.</p> <p>Waive Section 6D in its entirety.</p> <p>Waive Section 6E in its entirety.</p> <p>Waive Section 6F in its entirety.</p>
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	<p>adequately protect the water resources of the community and is in compliance with the requirements set forth in this by-law; Approval of the Stormwater Management Permit Application subject to any conditions, modifications or restrictions required by the Board which will ensure that the project meets the Standards in Section 7 and adequately protect water resources, set forth in this by-law; Disapproval of the Stormwater Management Permit Application based upon a determination that the proposed plan, as submitted, does not meet the Standards in Section 7 or adequately protects water resources, as set forth in this by-law.</p> <p>H. Failure of the Board to take final action upon an Application within the time specified above shall be deemed to be approval of said Application. Upon certification by the Town Clerk that the allowed time has passed without Board action, the Board must issue a Stormwater Management Permit.</p> <p>I. The permittee, or their agent, shall notify the Board in writing of any change or alteration of a land-disturbing activity authorized in a Stormwater Management Permit before any change or alteration occurs. If the Board determines that the change or alteration is significant, based on the design requirements listed in Section 7A and accepted construction practices, the Board may require that an amended Stormwater Management Permit application be filed and a public hearing held. If any change or deviation from the Stormwater Management Permit occurs during a project, the Board may require the installation of interim measures before approving the change.</p> <p>A. Project Completion. At completion of the project the permittee shall submit as-built record drawings of all structural stormwater controls and treatment best management practices required for the site. The as-built drawing shall show deviations</p>	<p>Waive Section 6I in its entirety</p>
<p>Section 7. STORMWATER MANAGEMENT PLAN</p>	<p>A. The application for a stormwater management permit shall consist of submittal of a Stormwater Management Plan to the Board. This Stormwater Management Plan shall contain sufficient information for the Board to evaluate the environmental impact, effectiveness, and acceptability of the measures proposed by the applicant for reducing adverse impacts from stormwater. The Plan shall be designed to meet the Massachusetts Stormwater Management Standards as set forth in Part B of this section and DEP Stormwater Management Handbook Volumes I</p>	<p>Waive Section 7A in entirety and apply Massachusetts Stormwater Management Standards</p>

	<p>and II. The Stormwater Management Plan shall fully describe the project in drawings, and narrative. It shall include:</p> <p>A locus map, The existing zoning, and land use at the site, The proposed land use, The location(s) of existing and proposed easements, The location of existing and proposed utilities, The site's existing & proposed topography with contours at 2 foot intervals, The existing site hydrology, A description & delineation of existing stormwater conveyances, impoundments, and wetlands on or adjacent to the site or into which stormwater flows. A delineation of 100-year flood plains, if applicable Estimated seasonal high groundwater elevation in areas to be used for stormwater retention, detention, or infiltration. The existing and proposed vegetation and ground surfaces with runoff coefficient for each, A drainage area map showing pre and post construction watershed boundaries, drainage area and stormwater flow paths, A description and drawings of all components of the proposed drainage system including: locations, cross sections, and profiles of all brooks, streams, drainage swales and their method of stabilization; All measures for the detention, retention or infiltration of water; All measures for the protection of water quality; The structural details for all components of the proposed drainage systems and stormwater management facilities; Notes on drawings specifying materials to be used, construction specifications, and typicals and expected hydrology with supporting calculations. Proposed improvements include location of buildings or other structures, impervious surfaces, and drainage facilities, if applicable. Timing, schedules, and sequence of development including clearing, stripping, rough grading, construction, final grading, and vegetative stabilization, (an approved Erosion and Sediment Control Plan, as described in the Subdivision Rules and Regulations Section 5.3(6) is understood to meet the requirements of this section.) A maintenance schedule for the period of construction, and Any other information requested by the Board.</p>	
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<p>Section 8. OPERATION AND MAINTENANCE PLANS</p>	<p>An Operation and Maintenance plan (O&M Plan) is required at the time of application for all projects. The maintenance plan shall be designed to ensure compliance with the Permit, this Bylaw and that the Massachusetts Surface Water Quality Standards, 314, CMR 4.00 are met in all seasons and throughout the life of the system. The Board shall make the final decision of what maintenance option is appropriate in a given situation. The Board will consider natural features, proximity of site to water bodies and wetlands, extent of impervious surfaces, size of the site, the types of stormwater management structures, and potential need for ongoing maintenance activities when making this decision. The Operation and Maintenance Plan shall remain on file with the Board and shall be an ongoing requirement. The O&M Plan shall include.</p> <p>A. The name(s) of the owner(s) for all components of the system</p> <p>B. Maintenance agreements that specify: The names and addresses of the person(s) responsible for operation and maintenance The person(s) responsible for financing maintenance and emergency repairs. A Maintenance Schedule for all drainage structures, including swales and ponds. A list of easements with the purpose and location of each. The signature(s) of the owner(s).</p> <p>C. Stormwater Management Easement(s). Stormwater management easements shall be provided by the property owner(s) as necessary for: access for facility inspections and maintenance, preservation of stormwater runoff conveyance, infiltration, and detention areas and facilities, including flood routes for the 100-year storm event. direct maintenance access by heavy equipment to structures requiring regular cleanout. The purpose of each easement shall be specified in the maintenance agreement signed by the property owner. Stormwater management easements are required for all areas used for off-site stormwater control, unless a waiver is granted by the Board. Easements shall be recorded with the Norfolk County Registry of Deeds prior to issuance of a Certificate of Completion by the Board.</p> <p>D. Changes to Operation and Maintenance Plans The owner(s) of the stormwater management system must notify the Board of changes in ownership or assignment of financial responsibility. The maintenance schedule in the Maintenance Agreement may be amended to achieve the purposes of this by-law by mutual agreement of the Board</p>	<p>Waive Section 8 in its entirety and apply Massachusetts Stormwater Management Standards</p>
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	and the Responsible Parties. Amendments must be in writing and signed by all Responsible Parties. Responsible Parties shall include owner(s), persons with financial responsibility, and persons with operational responsibility.	
Section 9. SURETY	The Board may require the permittee to post before the start of land disturbance or construction activity, a surety bond, irrevocable letter of credit, cash, or other acceptable security. The form of the bond shall be approved by town counsel, and be in an amount deemed sufficient by the Board to ensure that the work will be completed in accordance with the permit. If the project is phased, the Board may release part of the bond as each phase is completed in compliance with the permit but the bond may not be fully released until the Board has received the final inspection report as required by Section 10 and issued a Certificate of Completion.	Waive Section 9 in its entirety
Section 12. CERTIFICATE OF COMPLETION	The Board will issue a letter certifying completion upon receipt and approval of the final inspection reports and/or upon otherwise determining that all work of the permit has been satisfactorily completed in conformance with this bylaw.	Waive Section 12 in its entirety

ARTICLE VII: LAND USE AND RESOURCE PROTECTION

SECTION 8: Property Stabilization By-law (10/23/07)

Waiver requested: Waive Section 8 in its entirety. Notwithstanding the foregoing, we have listed each and every waiver that would be requested from Section 8.

Bylaw/Rule Section	Bylaw or Rule	Waiver
B. Applicability:	All properties that have been cleared of trees, shrubbery, grass, topsoil and/or any other natural features shall be considered an “Unstabilized Property” which shall require a special permit under this by-law if such property remains in an unstabilized state for more than 60 days. This By-law shall apply to all Unstabilized Properties even if such property is the subject of a permit for construction, earth removal, improvement or alteration of any type. This By-law shall also apply to all properties that are the subject of such permit under which activities have been commenced, if such activities are delayed, postponed, halted, ceased or otherwise inactive for any period of 60 days or more. Under this by-law, “Unstabilized Property” shall not include: (1) property on which any activities, in the aggregate, destabilize less than 7500 square feet; and (2) property on which clearing, plowing, tilling, harvesting or	Waive Section B in its entirety. See also General Waivers paragraph I.B

	other destabilizing activities are associated with any legitimate agricultural activity.	
C. Special Permit required.	All owners of Unstabilized Properties must apply to the Select Board for a Special Permit for the stabilization of such property or such other orders and conditions as the Select Board may deem appropriate to satisfy the provisions of this Bylaw. Similarly, the Select Board may issue orders hereunder for any Unstabilized Property that does not voluntarily seek a Special Permit hereunder	Waive Section C in its entirety. See also General Waivers paragraph I.E
D. Basic Requirements	Any application, order or Special Permit hereunder shall make accommodations for the temporary or permanent landscaping of an Unstabilized Property that shall, in the discretion of the Selectmen be necessary for the stabilization of the subject property. At the very least, such landscaping improvements shall include the placement of fertile topsoil and the maintenance of grass thereon, provided however, that, for good cause shown, the Selectmen may allow an Unstabilized Property to remain in an unstabilized state for an additional 60 days. In reviewing the propriety of any landscaping improvements, it must be demonstrated that the proposed landscaping improvements comply with accepted standards for stormwater management, including state, local and federal guidelines as well as recognized best management practices. In issuing a special permit hereunder, the Board of Selectmen may impose any such conditions as may be necessary to further the purposes of this by-law, including, but not limited to, conditions for the continued maintenance of landscaping improvements. The Selectmen may also waive strict compliance with the terms hereof where good cause is demonstrated by the applicant.	Waive Section D in its entirety. See also General Waivers paragraphs I.B and I.E
E.	A public hearing shall be held on each application for a Permit under this bylaw. The Board shall cause a notice of the public hearing to be published at the expense of the applicant in a daily or weekly newspaper in general circulation in the Town at least fourteen (14) days prior to the date of said hearing. The notice shall set forth the name of the applicant and the location of the premises. Every applicant or an agent in his behalf shall, within three (3) days after publication as herein provided, cause a copy of the published notice to be sent by certified mail, return receipt requested, to each of the persons appearing upon the Assessors' most recent valuation list as the owners of property abutting the premises for which a Permit is sought together with those persons appearing as owners across any public or private way from said premises. An affidavit of the applicant or of the person mailing such notice in his	Waive Section E in its entirety. See also General Waivers paragraph I.B

	behalf together with a copy of the notice mailed and the post office receipts for the certified mailings herein required, shall be filed with the Board as the first order of business at the public hearing. Such affidavit shall be prima facie evidence that notice has been given in compliance herewith.	
F.	The Board shall be and hereby is authorized to set a reasonable application fee for all original and renewal applications for a Special Use Permit.	Waive Section E in its entirety. See also General Waivers paragraph I.E
G.	The Select Board shall be and is hereby authorized to determine the costs of any engineering fees incurred in the measurement of earth removed or to be removed under such Permit. The engineering fees charged for each Permit issued or renewed will be paid by the applicant.	Waive Section G in its entirety.

V - DUMPSTER REGULATIONS 12/7/2017

Waiver requested: Waive Dumpster Regulation in its entirety. Notwithstanding the foregoing, we have listed each and every waiver that would be requested from the Dumpster Regulations.

Bylaw/Rule Section	Bylaw or Rule	Waiver
General	All solid waste dumpsters shall be maintained in a nuisance free manner and their location shall come under the authority of the Norfolk Board of Health.	Waive requirement that Board of Health determine location of dumpsters

VI - Groundwater Supply Protection Regulations Published on July 18, 1988, Amended August 10, 1988

Waiver requested: Groundwater Supply Regulations in their entirety. Notwithstanding the foregoing, we have listed each and every waiver that would be requested from the Groundwater Supply Regulations.

Bylaw/Rule Section	Bylaw or Rule	Waiver
Section III. Requirements	The applicant for construction of any septic system in the town, except for the repairs of existing systems which have failed and are not being enlarged to provide for additional building construction or use, shall submit a GROUNDWATER IMPACT REPORT (GIR) to the Board of Health. In the case of a subdivision, the GIR shall be submitted at the time of the preliminary plan. In the case of	Waive requirement of GIR.

	lots not requiring approval as subdivision, the GIR shall be submitted at the time the application for a Disposal Works Construction Permit.	
Section IV. Method of Calculation	The maximum allowable calculated concentration of nitrate-nitrogen within each project boundary shall be five (5) milligrams per liter in Zone II of the Public Water Supply and ten (10) milligrams per liter in all other areas within the town.	Waive nitrogen loading requirements and apply 310 CMR 15 (Title V) standards

**VII - REGULATIONS FOR PROJECT PLAN AND SUBDIVISION APPROVAL
Adopted by the Norfolk Board of Health – July 3, 1988, Amended January 16, 1991 &
September 20, 2010**

Waiver requested: Waive Regulations for Project Plan and Subdivision Approval in their entirety. Notwithstanding the foregoing, we have listed each and every waiver that would be requested from the Regulations for Project Plan and Subdivision Approval.

Bylaw/Rule Section	Bylaw or Rule	Waiver
STORM WATER AND RUNOFF MANAGEMENT:	The Board of Health shall determine for each subdivision plan or project plan (site plan) whether protection of public and environmental health necessitates review and approval of stormwater management measures and drainage system improvements by the Board of Health or whether such review and approval may be delegated to the Planning Board.	Waive BOH determination requirement in its entirety. See also General Waivers paragraph I.B
STORM WATER AND RUNOFF MANAGEMENT:	The storm water management design shall include a control strategy and plan for Source Control and Best Management Practice (BMP) for any particular development or project and shall accomplish the following goals. A. Reproduce, as nearly as possible, the hydrological conditions in the ground and surface waters prior to development. B. Reduce storm water pollution to the "Maximum Extent Possible" (MEP) using Best Management Practices (BMPs). C. Have an acceptable future maintenance burden. D. Have a neutral effect on the natural and human environment.	Waive Goals and apply and apply Massachusetts Stormwater Management Standards

	<p>E. Be appropriate for the site, given physical restraints. F. Provide a sufficient level of health and environmental protection during the construction phase</p>	
<p>STORM WATER AND RUNOFF MANAGEMENT:</p>	<p>An acceptable storm water management plan shall</p> <ol style="list-style-type: none"> 1. Capture and treat water quality volume which is 1.0 inches of runoff multiplied by the total post-development impervious surface within the project area for discharges from land with higher pollutant loads, within an area with a rapid infiltration rate (> 2.4 in./hr.), within a Zone II or IWPA, and near or to critical areas as defined in the Massachusetts Stormwater Handbook for Standard 4 and 0.5 inches of runoff multiplied by the total post-development impervious surface within the project area for all other discharges. 2. Not cause an increase or decrease in either the total volume of runoff discharged offsite, or total rate of runoff discharged offsite, as compared with the respective discharge offsite prior to the development. Such condition shall be required for storms of 1, 10, 50 and 100 year frequency events. 3. Include source controls and design of BMPs and Infiltration and Detention structures in accordance with procedures acceptable to the Board of Health such as are described in the following publications. <ol style="list-style-type: none"> a. "Controlling Urban Runoff - A Practical Manual for Planning and Designing urban BMP's - Department of Environmental Programs - Metropolitan Washington Council of Governments" b. "Storm Water Detention for Drainage, Water Quality, and CSO Management" – Peter Stahre and Ben Urbonas - Prentice Hall - 1990 c. ASCE Publications entitled "Design of Urban Runoff Quality Controls", 1988 and "Urban Runoff Quality - Impact and Quality Enhancement Technology", 1986 d. "Urban Surface Water Management" - Stuart G. Walesh - John Wiley & Sons Inc. - 1989 e. "Underground Disposal of Storm Water Runoff - Design Guidelines Manual" February 1980 of the Federal Highway Administration - Department of Transportation f. "Erosion and Sediment Control in Site Development - Massachusetts Conservation Guide - Volume 1". 4. In cases where runoff infiltration cannot, in the opinion of the Board of Health, be appropriately implemented because of the possibility of contamination of water supply, or because of extremely poor infiltrative and permeability 	<p>Waive stormwater management plan and requirements 1 through 7 and apply Massachusetts Stormwater Management Standards</p>

characteristics of the soil, the requirement as regards volume may be waived by the Board of Health, provided the applicant provides such additional preventive measures to prevent any increase in elevation or duration of downstream flood elevations. Such additional measures may be, but are not restricted to, the construction of compensatory flood storage facilities and/or the creation of additional wetlands. Poor infiltrative and permeability conditions are defined as a soil permeability of less than 1×10^{-4} centimeters per second. Unless, in the opinion of the Board of Health, such testing is not applicable for a particular site, all permeability tests shall be in-situ field bore hole test for permeabilities in the acceptable range as specified above. If permeability testing is desired to be performed in soils of lesser permeability, laboratory tests for hydraulic conductivity shall be performed on undisturbed samples by the Falling Head Permeability Test using flexible membrane triaxial test cells with back pressure (Army Corps of Engineering Manual EM 1110-2-1906 Appendix VII).

5. If detention or retention ponds are utilized, slopes shall be no steeper than 3 horizontal to 1 vertical. The Board reserves the right to limit the maximum design water depth to four (4) feet maximum for the 25-year design storm except in permanent ponds. Minimum bottom slope for "dry" detention areas shall be two (2) percent. A vehicle accessible maintenance berm, a minimum of 15 feet wide (or such minimum width as recommended in the current edition of the Massachusetts Stormwater Handbook) shall be provided. Detention or retention areas shall not be constructed within existing stream bed or wetland areas.

6. Not result in channelization of surface runoff offsite without the written consent of the owner or the land affected, in the form of a permanent grant of easement, recorded at the Registry of Deeds.

7. Include hydrologic and hydraulic calculations and data to support the proposed design for the runoff drainage system. Both volume and flow rate of runoff, before and after development, must be clearly stated and shall be in accordance with the specifications previously designated herein. Calculations shall be performed using the most recent procedures of the U.S.D.A. Soil Conservation Service such as are described in National Engineering handbook-Section 4-Hydrology (SCS 1985), TR-20 "Computer Program for Project Formulation-Hydrology" (SCS 1983) , and 1986). Structure design shall comply with the standards of USDA SCS Publication TR-60 for containments for detention and retention areas or other

	designated references. Additional design guidelines may be on file with the Board of Health.	
SUBMITTAL REQUIREMENTS PRELIMINARY PLAN OR PROJECT PLA:	<p>At the time of a submittal of a preliminary plan or a project site plan to the Planning Board, a copy of that plan, complete in all respects, along with the required fee, shall be submitted to the Board of Health, including additional information which is required for Board of Health approval, such as, but not restricted to:</p> <ol style="list-style-type: none"> 1. Proposed Source of Water Supply 2. Data for a sufficient number of test holes, soil logs, maximum ground water elevations, and properly conducted percolation tests as defined in these Rules and Regulations to: <ol style="list-style-type: none"> A. Demonstrate clearly that the soil conditions are generally suitable for subsurface sewage disposal and will meet the needs of the subdivision. B. To determine this pattern of ground water flow. 3. A topographical map of the property, with contours referring to NGVD 29, showing the location and elevation of all test holes, how the surface drainage is to be handled, including nearby affected areas, and all pertinent physical features, including ponds, swamps, wetlands, water supplies, seasonal watercourses, swales, areas of ledge and rock. Also, an overlay of Flood Plain, Wetland Zones, Aquifer Zones, Drainage Watershed areas, USDA Soil Map Characterization for soil type and hydrologic group, and USDA Soil Limitations for Septic Tank Sewage Disposal. <p>The Board of Health will give only a general approval, conditional approval or disapproval of the Preliminary Plan. Such action shall not necessarily constitute approval or disapproval of the definitive plan or any specific lot shown thereon. While state law does not require submittal of a Preliminary Plan to the Board of Health and it is therefore optional, such submittal is required if it is expected that the Board of Health will make a report to either the applicant or the Planning Board at the time of Preliminary Plan evaluation by the Town. Timely submittal to the Board of Health will give an opportunity for the applicant and other Town agencies to define the requirements and concerns of the Board of Health early in the planning stage. Failure to submit the required material to the Board of Health will result in either no report at that time or an adverse finding.</p>	Waive preliminary plan submission to BOH in its entirety. See also General Waivers paragraph I.B

<p>DEFINITIVE PLAN OR PROJECT PLAN:</p>	<p>The APPLICANT shall submit the Site Plan to the Board of Health and in the case of a Definitive Plan, shall follow the procedure for submission to the Board of Health according to M.G.L. Chapter 41 Section 81U. In order for the plan to be considered "complete", it shall include all items required by these Rules and Regulations, including an appropriate fee which may be set from time to time by the Board of Health. Incomplete submittals shall be returned as incomplete forthwith to the applicant, following a vote of disapproval by the Board of Health, without review and the Board of Health shall notify the Town Clerk and the Planning Board of that action. Such action by the Board of Health shall constitute a report disapproving the plan as not reviewable. The plan must then be resubmitted and be subject to Board of Health review to demonstrate that it meets all Board of Health requirements before it shall be considered approved.</p> <p>The submittal to the Board of Health shall include:</p> <ol style="list-style-type: none"> 1. All items required to be submitted to the Planning Board. 2. Drainage calculations and geotechnical information including soils and groundwater test data in compliance with requirements of the "Rules & Regulations for the Subdivision of Land and Site Plan Approval of the Town of Norfolk Planning Board." Stormwater basin analysis shall be based upon Technical Release 20 (TR-20) utilizing minimum 24 hour rainfall equal to or greater than the following: Minimum 24 Hour Rainfall 2-year frequency storm event – 3.2 inches 10-year frequency storm event – 4.8 inches 25-year frequency storm event – 5.5 inches 50-year frequency storm event – 6.2 inches 100-year frequency storm event – 6.8 inches <p>The Board of Health may review this information or may delegate review to the Planning Board.</p> <ol style="list-style-type: none"> 3. All items as described above which must be submitted for the Project Plan or Preliminary Plan. 4. Sufficient data to demonstrate clearly to the Board of Health that each and every lot is suitable for the subsurface disposal of sewage. Failure to do so may result in findings by the Board of Health that such affected lots cannot be used for building sites without injury to the public health. 5. All data required for the storm water management. 6. Evidence to demonstrate clearly to the Board of Health that water supply shall be adequate as previously 	<p>Waive site plan submission to BOH in its entirety and submittal items 1 through 6. See also General Waivers paragraph I.B</p>
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	<p>designated herein. Failure to submit adequate or correct data or information as required will constitute grounds for Board of Health disapproval of the site as a whole or of individual lots therein.</p> <p>Any approval of the subdivision or a site plan by the Board of Health shall not be treated as, nor deemed to be, an approval or a permit for, an individual wastewater system on any lot contained therein.</p>	
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**VIII – NORFOLK BOARD OF HEALTH ON-SITE SEWAGE DISPOSAL REGULATIONS
(adopted on March 26, 2015 by Board of Health)**

Waiver requested: Waive Norfolk Board of Health On Site Sewage Disposal Regulations in their entirety. Notwithstanding the foregoing, we have listed each and every waiver that would be requested from the Norfolk Board of Health On Site Sewage Disposal Regulations.

Bylaw/Rule Section	Bylaw or Rule	Waiver
III. SPECIFICATIONS FOR SYSTEM DESIGN	1. Maximum groundwater level(s) shall be determined during the period from December 15th through April 30th for septic system design and permits for a given year for new construction unless otherwise stated in regulations or changed by the Board of Health. Additional methodology and adjustment values maybe allowed by the Board or required. The analysis shall be supported by clear and convincing technical evidence to support such proposal by the design professional.	Allow groundwater levels to be determined for septic design at any time of year and apply 310 CMR 15 (Title V) standards
III. SPECIFICATIONS FOR SYSTEM DESIGN	3. The plan shall include a statement that there are no public wells within 500 feet; private wells within 200 feet; bordering vegetated wetlands within 150 feet; inland banks within 150 feet; surface waters within 150 feet; surface drains within 50 feet; open, surface subsurface or foundation drains which intercept high ground water within 50 feet; vernal pools within 100 feet; storm drainage leaching catch basins or dry wells within 50 feet; perennial stream within 200 feet and any boundary of a regulatory floodway or 100 year flood within 150 feet; unless shown on the plan	Waive statement requirements.

III. SPECIFICATIONS FOR SYSTEM DESIGN	5. All sewage disposal designs for dwellings shall include provisions for a garbage grinder. Upgrades of existing failing systems shall not be required to include the provision for a garbage grinder provided that a suitable document is recorded in the Norfolk County Registry of Deeds which signifies that no garbage grinder shall be installed or used in the dwelling on the subject property.	Waive design requirements for garbage grinders.
III. SPECIFICATIONS FOR SYSTEM DESIGN	8. Where vents are required by Title 5, they shall be equipped with odor control device(s) in the form of activated carbon filter(s) with the capability for easy replacement of media. If the vent pipe is directed back to the building's internal vent system so that the gases are vented above the roof line than the odor control is optional	Waive odor control requirements.

**X. Board of Health Pump System Certification Guide
OSDS PUMP SYSTEM CERTIFICATION GUIDANCE**

Bylaw/Rule Section	Bylaw or Rule	Waiver
Pump Certification Guide	<p>Prior to inspection of the pump system by the Board of Health, the system designer shall conduct a flow rate test for each installed pump and certify such in writing to the Board of Health. A simple way to do this is to measure the horizontal cross-section of the tank, and run the pump for a measured period of time. Measure the depth to the water surface at the beginning and end of the test period. The flow rate in gallons per minute can then be readily calculated. However, the designer can use any reasonably acceptable method. The pump running switches and alarm switches should also be checked out.</p> <p>For the submittal to the Board of Health, provide a simple drawing showing the actual as-built dimensions of the pump chamber.</p> <p>Include:</p> <ul style="list-style-type: none"> The on-off elevations of the switches. The elevation of the pump chamber bottom. The volume to be pumped for each dosing cycle. The actual total dynamic head. The make, model, and horsepower of the installed pump. The pump performance curve of the installed pump. 	Waive application of pump certification guidelines to the project

	<p>The manufacturer's stated flow rate for the dynamic head calculated. ·</p> <p>A statement that the alarm is on a separate electrical circuit from the pump. ·</p> <p>The presence of any shut-off or check valves, unions, and weep holes. ·</p> <p>The volume of storage capacity above the pump-on switch.</p> <p>The designer shall include a certification that the pump installation has been constructed in accordance with the above and is in compliance with Title 5 and the Board of Health regulations</p>	
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