LIST OF WAIVERS

THE PRESERVE AT ABBEYVILLE

As required under 760 CMR 56.05(2)(h), the following is a list of Waivers to "Local Requirements and Regulations," including waivers from the Bylaws of the Town of Norfolk, Updated Through November 16, 2016, as amended ("General Bylaw") , the Town of Norfolk, Massachusetts Zoning Bylaws, with amendments through November 16, 2016, as amended, (Zoning Bylaw), the Rules and Regulations For Subdivision of Land and Site Plan Approval & Special Permit Rules and Regulations, as most recently amended through September 16, 2010, as amended, and other Local Requirements and Regulations as defined under Section 56.02 of the Chapter 40B Regulations, including all local legislative, regulatory, or other actions which are more restrictive than state requirements, if any, including local zoning and wetlands ordinances, subdivision and board of health rules, and other local bylaws, codes, and regulations, in each case which are in effect on the date of the Project's application to the Board. In addition to the following list of requested Waivers listed below, the Applicant requests an exception from each and every provision or requirement of all Local Requirements and Regulations issued by a "Local Board" (defined under the Chapter 40B Regulations as meaning any local board or official, including, but not limited to any board of survey; board of health; planning board; conservation commission; historical commission; water, sewer, or other commission or district; fire, police, traffic, or other department; building inspector or similar official or board; board of selectmen, as well as all boards, regardless of their geographical jurisdiction or their source of authority [that is, including boards created by special acts of the legislature or by other legislative action] if such local board perform functions usually performed by locally created boards) with which any aspect of its Comprehensive Permit Application, including but not limited to its proposed site development plans and any other information hereinafter submitted to the Board, is inconsistent.

**Note that pursuant to 760 CMR 56.00 (the "Chapter 40B Rules") specifically described under 760 CMR 56.05(7), "zoning waivers are required solely from the "as-of-right" requirements of the zoning district where the project site is located; there shall be no requirement to obtain waivers from the special permit requirements of the district." Accordingly, any waivers which reference special permit requirements are included only for illustration purposes.

A. BY-LAWS OF THE TOWN OF NORFOLK , AS AMENDEDTHROUGH NOVEMBER 15, 2016, AS AMENDED (GENERAL BYLAWS)				
BY-LAW/REG.	TITLE	DESCRIPTION	REQUIRED	PROPOSED
Article VII Section 1	Earth Removal Bylaw	Earth Removal Requirements	Earth Removal Application, Permit, Fees, Bonds, Procedures, Requirements. No earth shall be removed from any parcel of land or contiguous parcels under common ownership within the Town to another parcel either within or without the Town without a special permit except as otherwise provided in Section 1.B.1. A special permit for removal of 500 or more cubic yards of earth may be granted by the Board For projects requiring subdivision approval, site plan approval or a special permit from the Planning Board, the earth removal permit shall be considered and approved as a component of the subdivision approval, site plan or special permit. No separate earth removal permit is necessary.	Waived. To be governed by Comprehensive Permit Decision.
Article VII Section 2	Wetlands Protection Bylaw Town of Norfolk Wetlands Protection Regulations	Local Wetland Protection Bylaw and Regulations and Fees	Procedures, jurisdictional requirements, applications, fees, costs, regulations, policies and enforcement	Waived in their entirety. To be governed by State Wetlands Protection Act and Regulations at 310 CMR 10.00, as applicable and as further described in the Comprehensive Permit Decision.
Article VII Section 4	Scenic Road Bylaw	Tree removal	Public hearing and written consent for the removal of trees on Lawrence Street to accommodate travel way improvements, site lines and sidewalks	Waived. To be governed by the Comprehensive Permit Decision.

Article VII Section 5	Street Lighting	Street light electricity funding.	Payment of 300 months of electricity for street lights.	Waived. To be governed by the Comprehensive Permit Decision as such lighting will be maintained by individual homeowners and a homeowners association.
Article VII Section 7	Post-Construction Stormwater Management	Stormwater hearing, plan, inspections and permit.	Stormwater Permit issued by Planning Board.	Waived. Stormwater to be managed in accordance with MassDEP's Stormater Management Policy and related technical guidance, as provided in the Comprehensive Permit Decision, and will also be managed under a US EPA – NPDES Stormwater Construction General Permit (CGP) for Massachusetts.
Article VII Section 8	Property Stabilization Bylaw	To protect against erosion and sedimentation, and to limit adverse impacts to adjacent properties.	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.	Waived. Stormwater to be managed in accordance with MassDEP's Stormater Management Policy and related technical guidance, as well as other requirements provided in the Comprehensive Permit Decision, and will also be managed under a US EPA – NPDES Stormwater Construction General Permit (CGP) for Massachusetts..

B. TOWN OF NORFOLK ZONING BYLAWS , AS AMENDED THROUGH NOVEMBER 15, 2016 (ZONING BYLAW)				
BY-LAW/REG.	TITLE	DESCRIPTION	REQUIRED	PROPOSED
Section A, Subsection A.3	Interpretation	Minimum Requirements	Whenever the regulations made under the authority hereof differ from those prescribed by any law, statute, ordinance, bylaw or other regulations, that provision which imposes the greater restriction or the higher standard shall govern.	Waived. To be governed by Comprehensive Permit Decision.
Section D Subsection D.1 including Section D.1.a.1 and D.1.a.2	Use Regulations	Basic Requirements	No BUILDING, STRUCTURE, or land shall be used for any purpose or in any manner other than is permitted as set forth in the Schedule of Use Regulations, Section D.2 of the bylaw, and in accordance with the following notations: Yes - Use Permitted SP - Use Allowed as an Exception under Special Permit by the PERMIT GRANTING AUTHORITY No - Use Prohibited. No BUILDING or STRUCTURE shall be constructed, and no BUILDING, STRUCTURE, or land shall be used in whole or in part, for any purpose other than for one or more of the uses hereinafter set forth as permitted in the district in which said BUILDING, STRUCTURE, or land is located, or set forth as permissible by Special Permit in said district, and so authorized, Requirements for clearing, excavation, filling, gravel removal, or other cutting of trees prior to receiving a building permit.	Waived. Allow proposed residential uses as described in Subsection D.2 below and allow activities as a part of the Comprehensive Permit Decision..

B. TOWN OF NORFOLK ZONING BYLAWS , AS AMENDED THROUGH NOVEMBER 15, 2016 (ZONING BYLAW)				
BY-LAW/REG.	TITLE	DESCRIPTION	REQUIRED	PROPOSED
Section D Subsection D.1.b	Use Regulations	Enumerated Uses; Prohibitions.	Any use not specifically enumerated in a district herein shall be deemed prohibited.	Waived. To be governed by uses allowed under Comprehensive Permit Decision.
Section D, Subsection D.1, including D.1.d.	Use Regulations	Basic Requirements and Conformity with Zoning Bylaw.	All applicants for new Residential Dwellings … hereinafter constructed shall be prohibited from cutting down certain trees within specified distances except as permitted by the Building Commissioner. Permitted uses and uses allowed by the PERMIT GRANTING AUTHORITY shall be in conformity with all dimensional requirements, off-STREET parking requirements, and any other pertinent requirements of this bylaw	Waived. To be governed by the Comprehensive Permit Decision, and to allow proposed Project uses in conformity with all dimensional, parking and other requirements of the Zoning Bylaw as modified by the approved Waivers described in this Comprehensive Permit Decision..
Section D Subsection D.2	Use Regulations	Uses Allowed Within an R-3 Zoning District	D.2.c.1. SINGLE FAMILY DWELLING	Allow for a total of 88 SINGLE FAMILY DWELLINGS (detached), each of which is located on a separate lot, along with parking, related customary residential accessory uses and buildings, utilities, private on-site sewage disposal in conjunction with a package sewage treatment facility and associated structure and works as permitted by the MassDEP under 314 CMR 5.00). and other appurtenant uses customary to the above-referenced uses including those uses allowed within an R-3 Zoning District under the Zoning Bylaw.

B. TOWN OF NORFOLK ZONING BYLAWS , AS AMENDED THROUGH NOVEMBER 15, 2016 (ZONING BYLAW)				
BY-LAW/REG.	TITLE	DESCRIPTION	REQUIRED	PROPOSED
Section D Subsection D.3	Watershed Protection District	Conditions or Prohibits Uses within the Watershed Protection Overlay District	Conditions or Prohibits Uses and activities within the Watershed Protection District which includes all streams, brooks, rivers, ponds, lakes, named or unnamed, and other bodies of water shown on the plan entitled "Norfolk, Massachusetts, Planimetric Survey", dated 1964, prepared by New England Survey Services, Inc., Civil & Consulting Engineers, Boston, Mass (scale 1"= 2000') prepared under the direction of the Board of Assessors and used as a base plan for the assessors maps revised through the fiscal year 2002 and kept on file with the Norfolk Board of Assessors	Waived if applicable. To be governed by the Comprehensive Permit Decision.

B. TOWN OF NORFOLK ZONING BYLAWS , AS AMENDED THROUGH NOVEMBER 15, 2016 (ZONING BYLAW)				
BY-LAW/REG.	TITLE	DESCRIPTION	REQUIRED	PROPOSED
Section D Subsection D.4	Aquifer and Water Supply and Interim Wellhead Protection Districts	Conditions or Prohibits Uses within the Water Supply and Interim Wellhead Protection Districts which are delineated on a map at a scale of 1-inch = 1000 feet. This map, as it may be amended from time to time, is entitled, "Aquifer and Water Resource Protection Map - Town of Norfolk, MA" is dated August 20, 1997,	Conditions or Prohibits Uses and activities within the Districts, including: D.4.e.2.h. Earth removal, …; D.4.e.2.k. Treatment works which are subject to 314 CMR 5.00 including privately owned sewage treatment facilities, except the following: D.4.e.2.k.1. The replacement or repair of an existing treatment works which will not result in a design capacity greater than the design capacity of the existing treatment works; D.4.e.2.k.2. The replacement of existing subsurface sewage disposal system(s) with wastewater treatment works which will not result in a design capacity greater than the design capacity of the existing system(s); D.4.e.2.k.3. Treatment works approved by the Massachusetts Department of Environmental Protection designed for the treatment of contaminated groundwater.	Continued below.

B. TOWN OF NORFOLK ZONING BYLAWS , AS AMENDED THROUGH NOVEMBER 15, 2016 (ZONING BYLAW)				
BY-LAW/REG.	TITLE	DESCRIPTION	REQUIRED	PROPOSED
Section D Subsection D.4 (Cont'd)	Aquifer and Water Supply and Interim Wellhead Protection Districts	Conditions or Prohibits Uses within the Water Supply and Interim Wellhead Protection Districts which are delineated on a map at a scale of 1-inch = 1000 feet. This map, as it may be amended from time to time, is entitled, "Aquifer and Water Resource Protection Map - Town of Norfolk, MA" is dated August 20, 1997,	(cont'd) Also allows the following use only by Special Permit issued by the Zoning Board of Appeals, including Section D.4.e.3. A system for groundwater recharge must be provided which does not degrade groundwater quality. Pursuant to 760 CMR 56.05(7), waivers are not needed from Special Permit provisions of a zoning bylaw, but only from the requirements of the underlying as of right zoning requirements.	Waived. To allow all uses described in the Comprehensive Permit Decision, as well as all structures, land disturbing activities, excavation, earth removal, grading and other construction activities, and provided such removal is conducted in accordance with best management practices and applicable laws. And allow for the construction and operation of a package wastewater treatment plant system to be approved in accordance with a Groundwater Discharge Permit to be issued by the MassDEP in accordance with the requirements of 314 CMR 5.00.
Section D.5.a	FLOOD PLAIN - WETLANDS PROTECTION DISTRICT	Requirements within District.	Standards and requirements.	Waived, if applicable. To be governed by Comprehensive Permit Decision.
Section E Subsection E.1	Intensity and Dimensional Regulations	Basic Requirements	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. 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.	Waived. To allow proposed Project in conformity with all dimensional requirements of the Zoning Bylaw except as modified by the approved Waivers described in this Comprehensive Permit Decision.

B. TOWN OF NORFOLK ZONING BYLAWS , AS AMENDED THROUGH NOVEMBER 15, 2016 (ZONING BYLAW)				
BY-LAW/REG.	TITLE	DESCRIPTION	REQUIRED	PROPOSED
Section E Subsection E.1 (Cont'd)	Schedule of Dimensional Requirements	Schedule of Dimensional Requirements	The following are the required dimensional provisions for a building located within the R-3 Zoning District:	Waived to the extent the Site Plans depict lots for a SINGLE FAMILY DWELLING which does not comply with the dimensional requirements under Section E.1.b, but as shown on Site Plans. No lot shall have less than the following dimensional requirements:
			--Min Lot Size (sf.) = 55,000	15,000 sf., or as depicted on Site Plans. [Waiver]
			--Min. Frontage (in feet) = 200	100 feet, or as depicted on Site Plans. [Waiver]
			--Required Circle (in feet) = 200	Lots as depicted on Site Plans. [Waiver]
			--Min Yard Setback (in feet)	
			• Front = 50	40 Feet [Waiver]
			• Side = 25	10 Feet [Waiver]
			• Rear = 25	10 Feet [Waiver]
			--Max Lot Coverage = 25%	>25.0% (entire site basis, but waived on a per lot basis.

B. TOWN OF NORFOLK ZONING BYLAWS , AS AMENDED THROUGH NOVEMBER 15, 2016 (ZONING BYLAW)				
BY-LAW/REG.	TITLE	DESCRIPTION	REQUIRED	PROPOSED
Section E Subsection E.1 (Cont'd)	Lot Width, Frontage and Setback Line	Specific requirements.	Section E.1.c. -- The LOT width cannot be less than the required FRONTAGE., and shall be maintained from the FRONTAGE line to the front setback line. No LOT shall be narrower than fifty (50) feet at any point between the FRONTAGE and the rear of the DWELLING. E.1.c. The REQUIRED CIRCLE (i.e., A circle with a diameter equal to the required FRONTAGE.), must fit entirely within the LOT No LOT shall be narrower than the required FRONTAGE between the FRONTAGE line and the REQUIRED CIRCLE. E.l.c.. Nothing shall prohibit a BUILDING from being set back a greater distance from the STREET, providing that all of the minimum dimensional requirements can be met.	Waived to the extent the Site Plans depict LOTS which do not comply with the dimensional requirements under Section E.1. To be governed by Comprehensive Permit Decision.
Section E Subsection E.1. (Cont'd)	Build Factor	Build Factor	A ratio of LOT perimeter to LOT area which limits the degree to which a LOT may have an irregular shape according to the following formula described in Section E.1.a The maximum allowed is 20.	Waived to the extent the Site Plans depict LOTS which do not comply with the maximum BUILD FACTOR under Section E.1. To be governed by Comprehensive Permit Decision.

B. TOWN OF NORFOLK ZONING BYLAWS , AS AMENDED THROUGH NOVEMBER 15, 2016 (ZONING BYLAW)				
BY-LAW/REG.	TITLE	DESCRIPTION	REQUIRED	PROPOSED
Section E Subsection E.1. (Cont'd)	Continuous Buildable Lot Area	Minimum lot area requirements.	At least sixty percent (60%) of the minimum LOT area required for zoning compliance shall be contiguous land other than that located within an area identified as Flood Plain - Wetlands as defined by Massachusetts General Law, Chapter 131, Section 40, and/or the Town of Norfolk Wetlands Bylaw.	Waived, as applicable.
Section E Subsection E.2.	Corner Lots or Through Lots	Requirements for Corner Lots or Through Lots	A corner or through LOT shall maintain minimum front YARD setback requirements for each STREET FRONTAGE.	Waived to the extent the Site Plans depict LOTS which do not comply with the requirements under Section E.2.
Section F Subsection F.1	General Regulations	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.	Waived to allow proposed Project BUILDINGS and STRUCTURES to be in conformity with all dimensional requirements of the Zoning Bylaw except as modified by the approved Waivers described in this Comprehensive Permit Decision.
Section F Subsection F.5	Accessory Buildings and Swimming Pools	Setback Requirements	No ACCESSORY BUILDING shall be closer to any principal BUILDING or any LOT LINE than a distance equal to the height of such ACCESSORY BUILDING and in no event in a front YARD. No swimming pool shall be constructed closer than twenty-five (25) feet to any LOT LINE, and in no event in the front YARD setback.	Waived. To be governed by Comprehensive Permit Decision.

B. TOWN OF NORFOLK ZONING BYLAWS , AS AMENDED THROUGH NOVEMBER 15, 2016 (ZONING BYLAW)				
BY-LAW/REG.	TITLE	DESCRIPTION	REQUIRED	PROPOSED
Section F Subsection F.9	Signs	Basic Requirements	--F.9.a.14. No subdivision SIGN, where permitted, shall be erected upon property belonging to the Town of Norfolk, nor on any STREET right of way. A special permit for such a SIGN shall be limited to two years from the date of issuance. Renewal of the Special Permit for an agreed upon duration may be granted after presentation of justification by the APPLICANT. --F.9.b.1.c.6. A residential subdivision shall be permitted one freestanding SIGN bearing the name of the subdivision and not exceeding 8 sq. ft. per side. Pursuant to 760 CMR 56.05(7), waivers are not needed from Special Permit provisions of a zoning bylaw, but only from the requirements of the underlying as of right zoning requirements. A subdivision sign is not permitted by right.	Waived to allow for two (2) permanent subdivision, or Project, signs at each entrance, and each of which is no greater than 32 square feet in size, nor greater than five (5) feet in height, to be located and as depicted on the Site Plans.
Section F Subsection F.10	Performance Standards	Performance Standards (as recommended by the National Industrial Zoning Committee)	Various performance standards related to industrial requirements.	Waived, if applicable. To be governed by the Comprehensive Construction Management Plan, as provided in the Comprehensive Permit Decision.
Section F Subsection F.11	Site Plan Approval	Thresholds, determinations and exemptions from site plan approval requirements.	Thresholds, determinations and exemptions from site plan approval requirements.	Waived. To be governed by the Comprehensive Permit Decision.

B. TOWN OF NORFOLK ZONING BYLAWS , AS AMENDED THROUGH NOVEMBER 15, 2016 (ZONING BYLAW)				
BY-LAW/REG.	TITLE	DESCRIPTION	REQUIRED	PROPOSED
Section F Subsection F.12	Design Review	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.	All new 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, provided that the action occurs on land which is … used for non-residential purposes or non-conforming uses in Residential 1-3 Districts.	Waived. All design review to be considered and governed by the Comprehensive Permit Decision.
Section G Subsection G.1	Administration	Enforcement	Criminal Penalties and Non-Criminal Disposition for violations of Zoning Bylaw.	Waived to the extent that no penalty or fine shall be assessed for any inconsistency with the Zoning Bylaw if such inconsistency is approved as a waiver by the Zoning Board of Appeals.
Section G Subsection G.2	Building Permit	Preconditions to Building Permit issuance	No building permit shall be issued until the construction or alteration of a BUILDING or STRUCTURE as proposed, shall comply in all respects with the provisions of this Zoning Bylaw or with a decision rendered by the Board of Appeals.	Waived. Building permit shall be issued if in compliance with State Building Code as well as Zoning Bylaw as modified by waivers in this Comprehensive Permit Decision.

B. TOWN OF NORFOLK ZONING BYLAWS , AS AMENDED THROUGH NOVEMBER 15, 2016 (ZONING BYLAW)				
BY-LAW/REG.	TITLE	DESCRIPTION	REQUIRED	PROPOSED
Section G Subsection G.3	Certificate of Occupancy	Conditions regarding Certificate of Occupancy	A certificate of occupancy shall state the STRUCTURE and use of STRUCTURE and land comply in every respect with the provisions of the Building Code and/or the Zoning bylaw of the Town of Norfolk in effect at the time of issuance. A Certificate of Occupancy shall be conditional on the maintenance of full compliance with the provisions of the Zoning Bylaw in effect at the time of issuance, or with restrictions imposed in decision of the Board of Appeals, and shall lapse if such compliance fails.	Waived. Certificate of occupancy shall issue if in compliance with State Building Code as well as Zoning Bylaw as modified by waivers in this Comprehensive Permit Decision, and shall not lapse accordingly.
Section H, Subsection H.3	Affordable Housing Development	Conditions for inclusionary zoning for certain development in all residential and mixed use zoning districts described in Subsection H.3.b.	The development of any project set forth in Section H.3.b shall require the grant of a Special Permit from the Planning Board.	Waived. Affordability and related conditions to be governed by Comprehensive Permit Decision.

C. TOWN OF NORFOLK PLANNING BOARD RULES AND REGULATIONS FOR SUBDIVISION OF LAND AND FOR SITE PLAN APPROVAL AND SPECIAL PERMIT RULES AND REGLATIONS, Last Amended SEPTEMBER 16, 2010				
REGULATION	TITLE	DESCRIPTION	REQUIRED	PROPOSED
Subdivision Rules and Regulations	Rules and Regulations Governing the Subdivision of Land (Rev. November 19, 2003)	Standards, Application, Bond and Fee requirements.	Standards, Application, Bond and Fee requirements	Waived unless otherwise shown on the Site Plan, and including but not limited to the following requirements:
Section 2.0 Subsection 2.1	Definitions	Various Definitions	Defines "Board" as the Planning Board of the Town of Norfolk	Waived. Substitute the Zoning Board of Appeals for the Planning Board as the defined "Board" under the Rules and Regulations Governing the Subdivision of Land" and related forms, shall refer to the Zoning Board of Appeals, acting pursuant to the authority under Massachusetts General Law Chapter 40B.
Section 3.0 Subsection 3.3.2.19	Tree Plan	Plan requirements for existing trees and proposed plantings within or near rights of way.	Plan requirements for existing trees and proposed plantings within or near rights of way.	Waived. Trees and other landscaping to be depicted as shown on Site plans.
Section 3.0 Subsection 3.3.2.21	Impacts Studies and Assessments	Preparation of Impact Studies and Assessments as directed by the Board.	Preparation of Impact Studies and Assessments as directed by the Board.	Waived. Project will be designed in accordance with MassDEP Stormwater Requirements, US EPA NDPES Stormwater SWPPP requirements, and State Groundwater Discharge Permit regulatory requirements at 314 CMR 5.00.

Section 3.0 Subsection 3.3.2.23.2	Traffic Impact Analysis	Traffic Impact Analysis	Preparation of traffic Impact Analysis based upon scope described in Regulations.	Waived. To be governed by Traffic Impact Assessment Study and related follow-up information filed by Applicant with the Board.
Section 3.0 Subsection 3.3.5	Procedure; Approval or Disapproval	Review; Approval or Disapproval	Local board and department review process for plans; approval or disapproval of Definitive Subdivision Plan	Waived. Review and approval process through Zoning Board of Appeals as a part of the Comprehensive Permit hearing and decision process.
Section 3.0 Subsection 3.4	Implementation of Plan	Subdivision completion requirements.	Subdivision approval, performance bond, completion timeframes, lot releases, as-built plans.	Waived, to be governed by Comprehensive Permit Decision.
Section 4.0 Subsections 4.1.1 - 4.1.4	General Requirements and Design Standards	General Requirements and Design Standards	Requires compliance with Design Standards under Sections 4.0, 5.0 and 6.0	Waived.
Section 4.0 Subsections 4.2	Relation to Surrounding Areas	General Design Standards and conformity with zoning	To conform with Plans of Norfolk as adopted by the Norfolk Planning Board	Waived, to be governed by Comprehensive Permit Decision
Section 4.0 Subsection 4.3	Minimum Lot Size	No Lot Area in Width, in a subdivision shall be less than zoning	Conform with Zoning Bylaw for the District in which it is located	Waived, to be governed by Comprehensive Permit Decision
Section 4.0 Subsection 4.9.2	Watercourses	Streams and Watercourses	To be provided with emergency /maintenance access easements .	Waived.
Section 4.0 Subsection 4.9.4	Trees	Tree Planting Requirements	Tree Planting Requirements	Waive requirement for trees to be planted at 40 feet or lesser intervals on both sides of all streets, where a landscaping plan with appropriate trees and other plantings shall be provided for project.

Section 4.0 Subsection 4.12.1	Trees	Tree Removal	Prior to removal of any trees over four (4) inches in diameter in the right of way and within any tree easement and prior to grading, the developer shall mark all trees proposed for removal and the developer shall plot these marked trees on a site plan to be reviewed by the Board.	Waived. Applicant shall show limit of work (and not individual trees) on site plans to be reviewed by the Town planner, and all trees within these limits shall be flagged for clearing prior to construction.
Section 4.0 Subsection 4.14	Streets; Vertical Alignment; Cul de Sacs	Right of Way Widths and Alignments; Access; Vertical Alignment; Street jogs; Reverse Curves; Right of Way Widths and Alignment; Table of Right of Way Widths and Alignments Intersections; Future Access Provision; Cul de Sac Design Requirements; Plantings; Sight Distances; Vertical Alignment and Cul de Sac requirements.	Various Standards. Requires grade of any proposed street meeting another existing or proposed street within or adjacent to the subdivision shall not exceed 2% for a distance of not less than 100 feet. Paved portion of cul de sacs shall not be less than 250 feet and exceed 500 feet in length and shall not provide access to more than 7 lots.	Waived. Driveways and roadways are to be as depicted on the Site Plans. At least the first 50 feet shall maintain the 2% slope to ensure adequate site distances and safe access and egress to the development.
Section 4.0 Subsection 4.15	Slopes	Slopes of Excavated Cuts	Excavated cuts shall have a minimum slope of 3:1.	Waived, but as depicted on the Site Plans.
Section 4.0 Subsection 4.17	Street Cross-Sections	Street Cross-Section Standards	Requires cross-sections to be drawn at 50 foot stations and at all proposed culverts at a scale of 8 feet to the inch.	Waived, but as depicted on the Site Plans.
Section 4.0 Subsection 4.18	Walkways on Existing Roadways; Widths	Walkways on Existing Roadways; Widths	Design Standards	Waived. Walkways are as depicted on the Site Plans.
Section 4.0 Subsection 4.19	Stormwater Management System	Stormwater Management System	Stormwater Management System requirements.	Waived. To be governed by the MassDEP Stormwater Management Regulations and Policy and Handbook..

Section 5.0	Required Improvements for Subdivisions	Streets and Roadways; including but not limited to: Minimum Width and Depth; Clearing; Excavation; Embankments; Gravel Base, Roadway Base; Sloped Granite Curbing; Walkways; Stormwater Drainage; Utility Installation, and Backfilling; Water and Sewer Systems and Utilities; Street Trees; Signs; Lighting; Loaming and Seeding; Guardrails, Posts and Fencing; Final Cleanup; and Certificates of Compliance.	Design specifications and standards.	Waived, design to be as depicted on the Site Plans.
Appendix A	Supplemental Requirements	Fees – Earth Relocation / Removal	Fees and Permits and other Requirements.	Waived, to be governed by the Comprehensive Permit Decision
Appendix B	Forms	Forms	Completion and / or filing	Waived, to be governed by the Comprehensive Permit Decision
Appendix C	Typical Cross Sections	Typical Cross Sections	Typical Cross Sections	Waived, to be governed by the Comprehensive Permit Decision
Appendix D	Typical Details / Figures	Design details and figures	Compliance	Waived, to be governed by the Comprehensive Permit Decision

D. TOWN OF NORFOLK BOARD OF HEALTH RULES, REGULATIONS, GUIDANCE, POLICY AND GUIDELINES				
REGULATION	TITLE	DESCRIPTION	REQUIRED	PROPOSED
Guidelines	Submittal Guidelines for Subdivision Plans, Site Plans or Other Types of Project Plans	Submittal requirements and fees.	Requirements and fees.	Waived, to be governed by the Comprehensive Permit Decision
Regulations	Regulations for Project Plan and Subdivision Approval	Submittal requirements and fees.	Requirements and fees.	Waived, to be governed by the Comprehensive Permit Decision
Regulations	Norfolk Board of Health Regulations – Design, Operation and Maintenance of Small Wastewater Treatment Facilities (September 30, 1992)	Design operation and maintenance requirements.	Design operation and maintenance requirements.	Waived. To be governed by State Groundwater Discharge Permit regulations at 314 CMR 5.00.
Groundwater Supply Protection Regulations	Groundwater Supply Protection Regulations (Revised August 10, 1988)	Regulations and requirements.	Regulations and calculations, including a groundwater impact report, related to septic system nitrate loading.	Waived. To be governed by State Groundwater Discharge Permit Regulations, 314 CMR 5.00.

E. TOWN OF NORFOLK FEE, BOND OR OTHER SECURITY REQUIREMENTS				
REGULATION	TITLE	DESCRIPTION	REQUIRED	PROPOSED
	Town Bond and Security Fees and Related Costs/Requirements			Waive all bond and surety requirements except as provided in the Comprehensive Permit Decision.
Department of Public Works	Fee and Service Schedule	Schedule of Water Rates and Fees	Application Fee, Standard Inspection Fee, Service Connection Fees, Semi-Annual Service Charges, Backflow Inspection Fees, and, Field Services.	Waived with respect to Affordable Units. To be governed by Comprehensive Permit Decision.
Zoning Board of Appeals	Town of Norfolk Comprehensive Permit Rules of the Zoning Board of Appeals For Application of Comprehensive Permits, as amended (Section 7 of Article II, Norfolk Zoning Board of Appeals "Organization, Rules and Procedures") (the "Local Rules")	Substantive, Procedural and Fee Requirements for Comprehensive Permit Projects.	Section 7(c)(11) requires copies of the purchase and sale agreements to be provided with the Application.	Waived. Applicant has provided an opinion and evidence confirming the existence of binding purchase and sale agreements with respect to the Property.
Zoning Board of Appeals	Town of Norfolk Comprehensive Permit Rules of the Zoning Board of Appeals For Application of Comprehensive Permits, as amended (Section 7 of Article II, Norfolk Zoning Board of Appeals "Organization, Rules and Procedures") (the "Local Rules")	Substantive, Procedural and Fee Requirements for Comprehensive Permit Projects.	Section 7(b)(1) requires 20 copies of the complete application be submitted to the Zoning Board of Appeals.	Waived. Applicant has provided, as requested, 10 sets of application materials, two sets of full-sized plans, and one electronic version of the Application materials, as well as such additional requests to additional copies of all or a portion of the Application materials as may be reasonably requested to expedite review of the Project.