

10 SUNNYSIDE AVENUE

Revised List of Requested Waivers

Pursuant to 760 CMR 56.05(2)(h), the Housing Corporation of Arlington (hereinafter referred to as the “Applicant”), submits the following revised list of waivers, so-called, to “local requirements and regulations,” including without limitation the Town of Arlington Zoning Bylaw, as amended, and other local regulations and requirements as defined in M.G.L. c.40B, §56.02, including all local rules, ordinances, codes and regulations that are more restrictive than state requirements.

LIST OF WAIVERS

<i>By-law Regulation</i>	<i>Requirement</i>	<i>Proposed</i>	<i>Waiver</i>
By-law Section 5, Subsection 5.3.17	For buildings more than 3 stores in height, a 7.5 step back shall be provided at the fourth story or 30 feet above grade, whichever is less, along all building elevations with street frontage.	No step back.	Waiver requested – See Footnote “1”.
By-law Section 5, Table 5.5.2.A	Rear setback 10+ (L/10) 24’.	5’	Waiver requested – See Footnote “1”.
By-law Section 5, Subsection 5.3.21.A.2.D	10% minimum landscape, 20% minimum usable open space.		Waiver requested. See Footnote “1”.
By-law Section 6, Subsection 6.1.12 and the Bicycle Parking Design Guidelines	Long term: 1.5 spaces per residential unit and 0.2/1000 gsf spaces for office use. Short-term 0.1 per residential unit and 0.5/1000 gsf spaces for office use for a total of 70 spaces.	The Applicant proposes 43 spaces. The applicant seeks a waiver from the Bicycle Parking Design Guidelines.	Waiver requested – See Footnote “1”.
By-law Section 6, Subsection 6.1.4	1 spaces per dwelling unit, 1 space per 500 square feet of office gross floor area.	21 space	Waiver requested reduction in parking to 25% of that required as permitted by Section 6, Subsection 6.1.5. See Footnote 1.

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By-law Section 6, Subsection 6.1.11(C)(11)	Sizes of parking spaces.	To permit more than 20% of spaces to be sized for compact cars.	Waiver requested. See Footnote "1".
By-law Section 6, Subsection 6.1.11(C)(3)	Drive aisles size.	Reduction in drive aisles size.	Waiver requested. See Footnote "1".
By-law Section 6, Subsection 6.1.11(D)(1)-(6) By-law Section 5, Subsection 5.3.7(A) and (B)	Parking lot setbacks, landscaping and screening.	Modifications to parking lot setbacks, landscaping and screening.	Waiver requested. See Footnote "1".
Title IX, Article 3, Sections 4A and 4B – Enforcement and Fees	Town Fees and Charges – Department of Community Safety and Office of Building Inspector.	Fees and charges related to fire safety, building permits, plan reviews, occupancy permits, plumbing permits, gas fitting, infiltration and inflow fees and electrical permits.	Waiver requested allowing for 100% reduction of fees.
Title V, Article 15, Section 6(D), Regulations upon the use of private property	Compliance with the Arlington Stormwater Bylaw, which requires compliance with the MA Stormwater Handbook which would provide for an infiltration system.	No installation of an infiltration system.	Waiver requested. See Footnote "1".
Comprehensive permit requirement	Provision of a statement of impact on Municipal Facilities.	A waiver as to the provision of this information.	Waiver requested. See Footnote "1".

FOOTNOTE

1. Absent waivers of these requirements, the proposed project would be uneconomical and the Applicant would be unable to secure financing for the construction of the proposed project. The project is 100% affordable with units offered at 60% of the AMI and 30% of the AMI.

TOWN OF ARLINGTON GENERAL BYLAWS (AMENDED THROUGH AUGUST 1, 2023)				
REGULATION	TITLE	DESCRIPTION	REQUIRED	PROPOSED
ARLINGTON STORMWATER MANAGEMENT RULES & REGULATIONS Effective Date: 04/08/2022 Section 5.B 1(a)				<p>No person shall commence work within the Town of Arlington without having obtained a Stormwater Management Permit (SMP) from the Engineering Division for the property, unless exempt.</p> <p>Waived. 1. Stormwater management systems requiring major stormwater permits shall be designed to: a) Retain the volume of runoff equivalent to, or greater than, 1.0 inch multiplied by the total post-construction impervious surface area on the redeveloped site, including any directly connected impervious area draining onto the redeveloped site. The project has a reduction in impervious area and majority of runoff is clean water from the roof.</p>

ARLINGTON STORMWATER BYLAW WAIVERS

The Applicant requests that a Comprehensive Permit for the Project, as shown on the Plans, be issued in lieu of the requirement that the Applicant apply to the individual local boards, departments and officials separately and that waivers from Local Requirement and Regulations, as defined under Section 56.02 of the Chapter 40B Regulations (760 CMR 56.00), be granted as set forth below.

Applicant seeks waivers for the proposed 10 Sunnyside Avenue Project, a 43-unit residential project ("Project"), as shown on the plans submitted by the Applicant (and as they may be revised during the public hearing process and the conditions contained within the Comprehensive Permit Decision) (the "Final Plans"), from the Town of Arlington Local Requirements and Regulations in effect as of the date of the filing of the Comprehensive Permit Application with the Town of Arlington Zoning Board of Appeals, as set forth below, for all municipal Boards and Departments, including, but not limited to, the Engineering Division, and Department of Public Works.

The Applicant reserves the right to amend the requested Waivers during the public hearing process.

The Applicant requests the following specific waivers from the Zoning Board of Appeals ("ZBA") for the Project from the following Local Requirements and Regulations:

Note 1: Pursuant to the Chapter 40B Rules 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 for informational purposes only.