

**Indian Ridge Realty Trust
223 Courtland Street
Holliston, MA 01746**

October 21, 2020

Zoning Board of Appeals
Town of Holliston
Town Hall,
703 Washington Street,
Holliston MA 01746

Attention: Mr. John Love - Chairman

RE: Geoffrey Park
0 Indian Ridge Road, Holliston

Dear Mr. Love:

As a follow-up to the meeting with the Board of Appeals (the "Board") on September 23, 2020, enclosed please find an updated list of the requested waivers of certain local bylaws, regulations and other requirements related to the proposed development of Geoffrey Park. Please note that this list will supersede any and all previous list of waivers.

As we proceed throughout the permitting process, we hereby reserve our right to amend, add or remove any and all changes to attached waivers as we deem necessary to allow the construction of the development as shown on the plans and as granted by Comprehensive Permit.

It's our hope this revised list of waivers is specific enough for the Board to take favorable action. We look forward to discussing these waivers with the Board at the next continued hearing.

Very truly yours,



Dean E. Harrison,
Agent for Indian Realty Trust

Cc: David J. Adams, Trustee, Indian Realty Trust
Rob Truax, GLM Engineering

APPLICATION FOR COMPREHENSIVE PERMIT APPLICANT
INDIAN RIDGE REALTY TRUST
GEOFFREY PARK
0 INDIAN RIDGE ROAD
REQUEST FOR WAIVERS
October 21, 2020

INTRODUCTION

The Applicant requests waivers from certain local bylaws, regulations and other requirements in connection with the proposed development entitled "Geoffrey Park". The development is proposed pursuant to M.G.L. Chapter 40B and, in accordance with M.G.L. 40B, all local approvals for the proposed development are to be granted pursuant to a Comprehensive Permit to be issued by the Town of Holliston Zoning Board of Appeals (the "ZBA") instead of being granted individually by other permitting authorities.

Under M.G.L. Chapter 40B, the ZBA performs a complete technical review of the Applicant's plans and specifications during the Comprehensive Permit hearing, including but not limited to site plans, grading, stormwater management, erosion and sediment control, etc. All the work proposed on the development will be (i) performed in accordance with the plans of record approved by the ZBA or its designee, (ii) subject to the conditions contained in the Comprehensive Permit, and (iii) the inspections of the ZBA or its designee for compliance with the plans of record and the Comprehensive Permit.

The Applicant, hereby requests waivers from the Local Requirements as follows:

1. Board of Appeals 40A Rules and Regulations:

The Zoning Board of Appeals (the "ZBA") Rules and Regulations are designed to address applications for Special Permits and Variances under M.G.L. c. 40A. As an affordable housing development, the Applicant seeks approval for Geoffrey Park pursuant to M.G.L. Chapter 40B. Accordingly, the proposed development will comply with the ZBA's 40B Rules (except for the provisions thereof from which waivers have been requested), and all local approvals for the proposed development are to be granted by a Comprehensive Permit issued by the ZBA. The applicant therefore requests a waiver from the ZBA's 40A Rules and Regulations.

2. Town of Holliston's Fee Schedules:

We are hereby request waiver of payment of any fees associated with the affordable units relating to the By-Laws and Rules and Regulations within the Town of Holliston, including but not limited to the following, Board of Selectmen, Board of Health, Planning Board, Zoning Board of Appeals, Water Department, and the Highway Department and Building Department.

TABLE I
APPLICATION FOR COMPREHENSIVE PERMIT GEOFFREY PARK
ZONING BY-LAWS – MAY 6, 2019
REQUEST FOR WAIVERS

<u>Applicable Bylaw/Regulation</u>	<u>Waiver Requested</u>
<u>Section III: Use Regulations</u>	
A. Residential Uses	To allow the proposed development as shown on the plans and as granted by Comprehensive Permit to the extent inconsistent with the Zoning By-law and to allow two-family use in the AR-1 district.
<u>Section IV: Intensity Regulations</u>	
IV-A, IV-B and IV-C	To allow the proposed development as shown on the plans, indicated in Table V and as granted by Comprehensive Permit to the extent inconsistent with the Zoning By-law.
<u>Section V: Special Regulations</u>	
<u>V-E (1 and 4) – Removal of Earth Products</u>	To allow, if necessary, the removal of more than 10 cubic yards of earth product and to allow the proposed development as shown in the plans and as granted by Comprehensive Permit to the extent inconsistent with the Zoning By-law.
<u>V – F - Architectural Controls</u>	To allow two basic home designs and one duplex design for the proposed development and allow the proposed development as shown in the plans and as granted by Comprehensive Permit.
<u>V-H (1 – 8) – Open Space Residential Development</u>	To allow the proposed development to be construct with the open space as shown on the plans and as granted by Comprehensive Permit.
, V-M (1- 6) – Special Permit: Low or Moderate Income Housing.	To allow the development of the Low or Moderate Income Housing per M.G.L. c. 40B, §§ 20 through 23, 760 CMR 56.00 as further determined by the Subsidizing Agency. To allow the proposed development as shown in the plans and as granted by Comprehensive Permit to the extent inconsistent with the Zoning By-law.
<u>Section VI: Administration</u>	
VI-D, VI-E	Allow all local approvals to be granted by a Comprehensive Permit issued by the ZBA, in their capacity as the granting authority in accordance with M.G.L. Chapter 40B.

TABLE II
SUBDIVISION RULES AND REGULATIONS
REQUEST FOR WAIVERS

The proposed development of Geoffrey Park does not involve a "subdivision" within the meaning of the Subdivision Control Law, M.G.L. c. 41, sec. 81K - 81GG, however, to the extent that such regulations, or any part thereof, were to be deemed applicable, the Applicant hereby requests the following waivers from such Regulation.

<u>Article III: General</u>	
Section 3.1, 3.2, 3.3 and 3.4	Allow all local approvals to be granted by a Comprehensive Permit issued by the ZBA, in their capacity as the granting authority in accordance with M.G.L. Chapter 40B. Furthermore, to allow the waivers for each as set forth herein and to allow the construction of the development as shown on the plans and as granted by Comprehensive Permit.
<u>Article IV: Procedure for the Submission and Approval of Plans</u>	
Section 4.1, 4.2, and 4.3	To allow the waivers for each as set forth herein and to allow the construction of the development as shown on the plans and as granted by the Comprehensive Permit issued by the ZBA, in their capacity as the granting authority in accordance with M.G.L. Chapter 40B.
<u>Article V: Requirements</u>	
Section 5.1 - General Section 5.2 – Streets	To allow the waivers for each as set forth herein and to allow the construction of the development as shown on the plans and as granted by the Comprehensive Permit issued by the ZBA, in their capacity as the granting authority in accordance with M.G.L. Chapter 40B.
Section 5.2.1 Location and Alignment	Request waiver to allow four percent (4%) slope for thirty-two (32) feet as shown on the plans.
Section 5.2.3 Grade	Request waiver to allow centerline grade of (9.35%) as shown on the plans.
Section 5.2.4 Dead End Streets	Request waiver to allow the extension of an existing dead end street beyond 500' in length as shown on the plans.
Section 5.2.5.5 Curbs	Request waiver to allow cape cod berm throughout as shown on the plans.
<u>Article V: Requirements</u>	
Section 5.3 – Storm Water Management	To allow the waivers for each as set forth herein and to allow the construction of the development per Massachusetts General Laws Chapter 131, section 40: The Wetlands Protection Act and as shown on the plans as granted by Comprehensive Permit.
Section 5.4.1 – Utilities	To allow the waivers for each as set forth herein and to allow the construction of the development as shown on the plans and as granted by Comprehensive Permit.
Section 5.5.1 – Sidewalks	To allow the waivers for each as set forth herein and to allow the construction of the development as shown on the plans and as granted by Comprehensive Permit.
Section 5.5.2 – Monuments	To allow the waivers for each as set forth herein and to allow the construction of the development as shown on the plans and as granted by Comprehensive Permit.

Section 5.5.5.1 – Open Space	To allow the waivers for each as set forth herein and to allow the construction of the development as shown on the plans and as granted by Comprehensive Permit.
Section 5.5.5.2 – Preservation of Trees	To allow the waivers for each as set forth herein and to allow the construction of the development as shown on the plans and as granted by Comprehensive Permit.
Section 5.6 – Easements	To allow the waivers for each as set forth herein and to allow the construction of the development as shown on the plans and as granted by Comprehensive Permit.
<u>Article VI: Performance Requirements</u>	
Section 6.1 and 6.2	To allow the waivers for each as set forth herein and to allow the construction of the development per Massachusetts General Laws Chapter 131, section 40: The Wetlands Protection Act and as shown on the plans as granted by Comprehensive Permit.
<u>Appendix A – Design Standards</u>	
Table 1 – Roadway Dimensional Requirements Center Line	To allow the waiver to allow 75’ centerline radius as shown on the plans and as granted by Comprehensive Permit.
Table 1 – Roadway Dimensional Requirements Center Line	To allow the waiver to allow 9.35% profile grade shown on the plans and as granted by Comprehensive Permit.
<u>Appendix D – Subdivision Fee Schedule</u>	To allow the waivers for all fees set forth in subdivision fee herein and to allow the construction of the development as shown on the plans and as granted by Comprehensive Permit.
<u>Appendix E – Subdivision Application Forms</u>	To allow the waivers for each as set forth herein and to allow the construction of the development as shown on the plans and as granted by Comprehensive Permit.
Section 4810 through Section 4820	To allow the waivers for each as set forth herein and to allow the construction of the development as shown on the plans and as granted by Comprehensive Permit.

**TABLE III
WETLANDS PROTECTION BY-LAW
REQUEST FOR WAIVERS**

<u>Wetland Protection By-Law</u>	
<u>III Jurisdiction:</u>	
Section III.E -Any land subject to flooding or inundation by groundwater or surface water	To allow the waiver of isolated land subject to flooding and to allow the construction of the development as shown on the plans and as granted by Comprehensive Permit.

TABLE IV
2019 STORMWATER AND ILLICIT DISCHARGE PLANS AND
REGULATIONS
REQUEST FOR WAIVERS

<u>2019 Stormwater and Illicit Discharge Plans and Regulations</u>	
Section 7.1.b	To allow the development to meet the DEP Stormwater Management minimum requirement for discharge and is designed to meet removal of 97% to 98% of Total Suspended Solids and to allow the construction of the development as shown on the plans and as granted by Comprehensive Permit.

TABLE V
APPLICATION FOR COMPREHENSIVE PERMIT GEOFFREY PARK
ZONING BY-LAWS
REQUEST FOR WAIVERS FROM DIMINSIONAL
REQUIREMENTS

IV-B Schedule of Intensity Regulations

	Required	Proposed (Individual Parcels) ¹
Minimum Lot Size	40,000	9,990 s.f (min)
Minimum Lot Frontage	180'	45'(min)
Front Yard	40'	28'
Each Side	40'	12'
Rear yard	40'	20'

1. The proposed dimensions noted above is the minimum. Dimensions for each lot is outlined below.

Proposed Parcels¹ – Set-back Dimensions					
	Area (s.f.)	Front (feet)	Rear (feet)	R-Side (feet)	L-Side (feet)
Lot 1	60,814	n.a.	n.a.	n.a.	n.a.
Lot 2	12,662	30	79	13	13
Lot 3	11,964	30	71	13	13
Lot 4	11,711	30	68	13	13
Lot 5	13,286	39	70	12	12
Lot 6	17,361	64	55	12	12
Lot 7	16,786	64	64	12	12
Lot 8	11,331	32	65	15	15
Lot 9	11,250	31	65	15	15
Lot 10	12,199	32	65	15	15
Lot 11	14,361	31	100	12	12
Lot 12	14,891	31	100	12	12
Lot 13	34,781	105	80	17	17
Lot 14	51,030	31	225	17	16

Lot 15	40,124	31	166	18	18
Lot 16	18,104	40	175	15	15
Lot 17	27,613	30	20	70	120
Lot 18	10,498	28	n.a.	12	12
Lot 19	9,994	29	55	12	12
Lot 20	10,789	30	55	14	14
Lot 21	11,228	29	n.a.	14	14
Lot 22	11,234	30	55	14	14
Lot 23	10,545	30	55	12	12
Par A	36,487				