

TABLE OF ATTACHMENTS

APPLICATION FOR A COMPREHENSIVE PERMIT

MGL Chapter 40B, Sections 20-23 and 760 CMR 56.00

Applicant: Habitat for Humanity of Cape Cod, Inc.
Site: 93 and 97 Main Street, West Harwich
Project Name: Main Street West Harwich Community Housing
Date: February 2, 2017. Revised June 15, 2017

WAIVERS REQUESTED:

Habitat for Humanity of Cape Cod, Inc. requests the following waivers from local code and regulations in order to promote the creation of affordable housing.

Code of the Town of Harwich, Massachusetts, Chapter 325: Zoning

W1. Article V: Use Regulations

§ 325-8 Applicability of use regulations, 325-9 Permitted uses and § 325-9 Table of Use Regulations

Waiver requested from the applicability of use regulations for Lot 7 and Lot 8; waiver requested to allow multifamily use on Lot 7 and two-family on Lot 8

W1. § 325-12 Road construction requirements for certificate of occupancy.

Instead of the Planning Board in the role of determining completeness of road construction, approval by the Town of Harwich Department of Public Works Director or Town Engineer.

W3. Article VI: Area, Height and Bulk Regulations

Waive this Article to the extent required to build to plans as submitted.

	Lot Size	Frontage	Frontyard Setback	Sideyard Setback	Backyard Setback	Min Bldg Height
	Table Format : Dimensional Requirement Minimum CH1 and RH1/Provided					
Lot 1	40,000/8,187	150/186.14	25/13.6	20/46.3	20/10.5	No waiver
Lot 2	40,000/11,130	150/50.37	25/12.8	20/10.6	20/44.5	No waiver
Lot 3	40,000/10,668	150/33.62	25/43.0	20/11.1	20/40.2	No waiver
Lot 4	40,000/9,469	150/33.83	25/43.9	20/10.3	20/49.0	No waiver
Lot 5	40,000/9,385	150/48.56	25/7.8	20/19.7	20/20.1	No waiver
Lot 6	40,000/10,426	150/86.01	25/11.3	20/12.4	20/62	No waiver
Lot 7	40,000/21,436	150/152.0	25/42.2	20/28.9	20/15.9	No waiver
Lot 8	40,000/9,262	150/256.25	25/13	20/7.8	20/corner lot	No waiver
Lot 9	Cul-de-sac Roadway, not buildable, no dimensional requirements applicable					

Waivers requested from this article include, but are not limited to, the above dimensional requirements as well as a request for a waiver from §325-18 A: waive minimum width of lots and shape number requirements; §325-18 C: waive requirements for corner lots; §325-18 G: waive setback requirements for accessory structures (sheds) for lot lines internal to the development (see note 1 below); §325-18 O: waive prohibition on site preparation prior to building permits

Note 1: Sheds siting as shown on the submitted plans is an approximation. Based on field conditions sheds may be sited differently, but setback to perimeter abutters (not lot lines internal to the development) will adhere to §325-18 G.

W4. Article VII: Sign Regulations

Waiver requested from the size and durational requirements in §325-25: Definitions so that the Habitat for Humanity donor and volunteer recognition signage erected during construction is classified as a “Temporary Sign” and so is exempt from regulations under §325-31 O..

W5. Article IX Off Street Parking and Loading Requirements § 325-42H Design requirements.

Waiver requested from 20’ minimum distance for a driveway serving a dwelling unit from other drives.

Waiver requested from 10’ minimum distance for a driveway from a side lot line

Town of Harwich, Massachusetts, Board of Health, Regulations and Policies

W6. § 1.211 Request waiver from the requirements in this section, including the requirement of a hearing before the Board of Health.

W7. FEES: request waiver from Board of Health fees, except for fees for inspections.

Code of the Town of Harwich, Massachusetts, Chapter 400: Subdivision of Land and Site Plan Special Permits

W8. § 400-10 Subdivision filing A (1-7), B (1-3) Plan, profile and cross section requirements

Due to site being a comprehensive permit, relief from normal subdivision filing requirements is requested. The roadway is small and simple and fairly level, and is adequately shown in plan view with grades and drainage clearly indicated, so profiles and cross sections are not required. There are details and drainage sections for construction provided, and the plans are stamped by a Professional Engineer.

W9. § 400-11 Subdivision review procedure C (1-4) Definitive Plan

Request waiver from normal review process due to site being a comprehensive permit applicant.

W10. § 400-11 Subdivision review procedure D, Performance guarantee, E Recording, F. Evidence of Satisfactory performance, G Release of performance guarantee

Due to comprehensive permit, request ZBA be permitting authority, with building department and engineering department handling oversight of construction, occupancies and roadway completion. As part of the Comprehensive Permit process, upon approval the ZBA, sitting in place of the Planning Board, would endorse subdivision plan, and the plan would then be recorded at the Barnstable Registry of Deeds. Applicant requests waiver from subsection D(1) financial security, but will file a covenant per subsection D(2).

W11. § 400-12 B. Width (1) Right Of Way

Request reduction from 50' to 40' in width in the Right Of Way (ROW)

The reason for the request is due to the small size of the subdivision, the number of homes served is seven, only two homes over the threshold for a "Way" which needs only a 40' ROW per current Harwich regulations in Table 1. A smaller ROW saves room for the homes and lots in this 100% affordable development.

W12. § 400-12 A. Location and alignment

Request reduction from the 25' road layout intersection radius noted on Figure No. 1; roadway pavement meets minimum radius, so intent of rule is met, right of way was flared to accommodate the proper pavement radius. Creating a 25' Right of Way radius in this North West corner of the site would result in a small and odd shaped remainder parcel.

W13. § 400-12 B. Width (2) minimum pavement width and berms

Request reduction from 22' to 21' exclusive of berms, request to have twelve inch machined berm on both sides of roadway rather than 18" wide berms. The reason for this request is to maintain the rural character of the area by reducing impervious area (see section 400-12E). The number of lots is only two over the threshold for the twenty foot pavement width. The size of the berms is requested to be a 12" x 3" Cape Cod berm typical for smaller roadways in the region.

W14. § 400-12 C Dead-end way (2)

Request circular turn around with outside diameter of 84' and right of way diameter of 86' less than the 90' and 110' required. This request is made to help maintain the rural character of the roadway, and to reduce impervious area. The proposed cul-de-sac has oversize entrance radii and is sufficient to turn around a 30' single unit truck, which replicates many fire trucks. There is no center island proposed which will also help facilitate vehicle turn arounds at the roadway end.

W15. § 400-12 E rural character.

Request waiver from requirement from filing Preliminary Plan when requesting design standard relief to maintain Rural Character. Waiver requested to simplify permitting under the comprehensive permit statute.

W16. § 400-13 Design standards for utilities A. Drainage (5)

Request ability to install subsurface drainage partially beneath roadway surface instead of completely within easements outside of the right of way. The reason for this request is to save trees and room for homes and septic systems in this 100% affordable development.

W17. § 400-14 A (1) Required improvements and specifications for construction

Request Figure 4 centerline radius be reduced to 65' from 150'. The reason for this request is due to the roadway needing to turn left toward the center of the site in a short distance. The reduced radius does not affect the safety due to the turn only being a short distance at this radius, only about a fifty five degree bend. The fact that the roadway is a short cul-de-sac and driving speeds will be minimal further ensures safety. Fire trucks can easily navigate this shallow bend.

W18. § 400-14 E (2) Drainage System

Request drainage systems be installed on low side of superelevated roadway only, and at lowpoint in cul-de-sac, instead of pairs of interconnected basins. The proposed drainage system will adequately drain the small roadway, which pitches with the natural terrain. Not having cross pipes means less interference if a gravity sewer is run down the center of the roadway in the future. Eliminating extra structures gives economy to the 100% affordable development. Further the proposed system utilizes secondary deep sump hooded manholes to provide the 44% TSS removal prior to infiltration mandated by the State DEP guidelines, and this is in excess of the diagram shown in the subdivision regulations.

W19. § 400-14 H Base and leveling course (1)

Request reducing width of T-base to 26' from 28', due to reduced pavement width. Extending the T-base 18" beyond the pavement is requested, as this will be adequate to support the edge of pavement.

W20. § 400-14 J Berms

As stated earlier in 400-12 (B) request 12"x3" Cape Cod berms. Larger berms not needed in small development, helps maintain rural character and provide smoother transitions to driveways.

W21. § 400-14 M (1)(7) Sidewalks

Waiver requested from having a sidewalk on one side of roadway. Subdivision is only 2 lots over "Way" which does not require sidewalks. To maintain the rural character and reduce impervious area, it is requested to eliminate the requirement for sidewalks. The subdivision is a short dead end route, residential in nature, and there is not a sidewalk on Rt. 28 to connect to. It is further requested to waive the requirement in (7) to provide the in lieu payment when sidewalks are waived. This subdivision is being constructed by a not-for-profit corporation with 100% of the new homes being affordable, no profit which could pay for sidewalks elsewhere is being generated.

w22. § 400-14 N Bounds (1) and O.

Waiver requested to reduce the number of cement bounds to four points on the roadway is requested. Numerous perimeter bounds exist, and four additional monuments on select corners is requested to be adequate to monument the subdivision. Rebar with survey caps are requested to be set on remaining front lot corners. Cost savings are the reason for the request, as the development is 100% affordable and will not generate a profit.

General

Fee Waivers – Under MGL Chapter 40B, the Zoning Board has the authority to grant fee waivers. Habitat typically requests waivers from local fees such as Building Department, Health Department and Fire Department. Habitat respectfully requests the Zoning Board of Appeals waive all local fee payments to the Town of Harwich.