

Dover Homes, Dover, MA– Preliminary List of Requested Waivers 2023-06-07

Article/Section	Subject	Requirement	Waiver Requested/Applicability
Dover Zoning Bylaws			
Article I – General Provisions			
185-5	Definitions	Frontage – No lot shall be narrower than its minimum required frontage between such right-of-way line and the required perfect square.	A waiver is sought to allow Lot 1A to be narrower than the required perfect square.
Article V – Dimensional Regulations			
185-17	Dimensional Requirements	Applicable Dimensional Requirements in the R-1 District: Front Setback: 40' Side setback: 30'	A waiver is sought to allow reduced front setbacks for Lots 2A, 4, and 45. A waiver is also sought to allow the reduced side setbacks for Lots 1A and 2A.
185-19.A.1	Perfect Square	Lots shall be large enough to contain a perfect square in accordance with the Schedule of Dimensional Requirements. Perfect Square: 150'x150'	A waiver is sought from the perfect square requirements for Lot 1A.
185-19.A.3	Site Access	Physical access to the lot shall be through the frontage or, if the Planning Board approves, through an alternative point of access from a way described in § 185-19A(2).	A waiver is sought to allow site access to Lot 1A to be through Lot 2A and through the side lot line.
Dover Wetland Protection Bylaw			
181	General Wetlands By Law	The purpose of this By-Law is to protect the wetlands of the Town of Dover by controlling activities deemed to have a significant effect upon wetland values, including, but not limited to, the following: public or private water supply, ground water, flood control, erosion control, storm damage, water pollution, and wildlife habitat (collectively, the “interests protected by this By-Law”)	A waiver is sought for this section in its entirety to the extent that it would apply additional local requirements to the project site or any portion thereof (including, without limitation, the need to obtain Special Permits and/or comply with local regulations and/or performance standards) that differ from those state and federal requirements as may be applicable to the project. Instead, all work will be permitted pursuant to M.G.L. c. 40B and the regulations thereunder, as well as all state and federal wetland protections as may be applicable to the project site and any portion thereof.(Note: Procedural; waiver)
Rules and Regulations for the Dover Wetlands Protection Bylaw			
263-3.C.2.a.3.f	Plan Contents	Plans are to include all trees which are located within the proposed work area and have a diameter of four inches or greater at four feet above ground level.	A waiver is sought from requiring tree locations to be shown on the plans for all lots.

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263-5.K.1	Performance Standards	In no case shall more than 50% of the tree cover be removed for any 100-foot section of Buffer Zone.	A waiver is sought to allow greater than 50% tree cover removal within the buffer zone for all lots.
263-5.K.2	Performance Standards	Any project proposing work in the Buffer Zone must maintain certain setbacks from the resource areas. These setbacks, summarized in Table 3, include both structure setbacks and disturbance setbacks. Structure Setback: 70' Disturbance Setback: 50'	A waiver is sought to allow disturbance and structures within their respective setback zones as shown on the plans for all lots.
Dover Board of Health Sewage Disposal Systems Regulations			
217-3.C.6.a	Setbacks	Subsurface sewage disposal systems shall be not less than 100 feet from any open surface drain or watercourse, including streams, brooks, ponds, swamps or other wetlands.	A waiver is sought to allow the septic fields to be located within 100' of wetlands for all lots.
217-3.C.10.a.b	Soil Absorption Systems	No soil absorption system or alternative system for new construction on a previously undeveloped lot shall be installed in areas where the maximum seasonal high groundwater elevation (SHGW) occurring at any time is less than or equal to 3 feet below the existing natural ground surface.	A waiver is sought to allow soil absorption systems to be constructed in areas with groundwater less than 3' below the existing surface for Lots 2A, 4, and 45.
217-3.C.10.b.a.	Soil Absorption Systems	For new construction on previously undeveloped lots, area requirements shall be increased by 50% in the event that garbage grinders are later installed against Board recommendations.	A waiver is sought to not require 50% increased infiltration area for all lots because garage grinders will not be allowed.