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August 20, 2025

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Medfield Zoning Board of Appeals
Town House
459 Main Street
Medfield, MA 02052

RE: Comprehensive Requested Waiver List
Winder Estates Residential Development – Comprehensive Permit
86 Plain Street
Medfield, Massachusetts

Dear Members of the Board:

On behalf of the Applicant, 86 Plain Street LLC, Merrill Engineers and Land Surveyors kindly requests the following comprehensive waiver list to be reviewed by the Zoning Board of Appeals as part of the Comprehensive Permit – Winder Estates Residential Development, located at 86 Plain Street, Medfield MA.

The Applicant seeks waivers from the Town of Medfield local Bylaws, rules and regulations, as shown below. The Applicant also requests that waivers be granted from any requirements to apply to the Town or other municipal Boards or departments, including but not limited to the Board of Health, Conservation Commission, Select Board, Department of Public Works, Planning Board, and Water Department, if normally required; and the Applicant requests that the Comprehensive Permit be issued in lieu of all of the aforementioned permits, inclusively, including but not limited to the permits and approvals to connect to the municipal water system. Please note that the Applicant will comply with all technical requirements related to the said municipal water system.

If in the course of the hearings it is determined that there are other local by-laws, rules and regulations that would otherwise be applicable to this development as shown on the site plans and permit documentation that have not been requested in this application, the Applicant reserves the right to amend the Requested Waivers.

The local Bylaws and Regulations which were reviewed as part of this waiver list were:

1. *Chapter 300 - Zoning Bylaws*
2. *Medfield Board of Health regulations for the Siting, Construction, Inspection, Upgrade, Repair, and Expansion of On-Site Wastewater Disposal Systems. (Effective October 2, 1995)*
3. *Regulations for Stormwater and Runoff Management (Effective April 1991 – Amended January 2000) - Board of Health*
4. *Chapter 290 – Wetlands*
5. *Article IX – Medfield Wetlands Bylaw*
6. *Chapter 235 – Stormwater Management*
7. *Chapter 310 – Subdivision of Land*

Please see a detailed waiver list below:

Chaper 300 - Medfield Zoning Bylaws:

Section(s) of Rule, Regulation or Bylaw	Requirement	Proposed	Relief
300-5.1 Applicability of use regulations	No building, structure, or land shall be used or occupied except for the purposes permitted in its district	Allow 24 residential homes on one property within the Residential Town (RT) Zoning District	To meet the ongoing regional need for affordable housing
300-5.2 Permitted uses	Permitted uses – Residential Town (RT) Zoning District	Allow 24 residential homes on one property within the RT Zoning District	To meet the ongoing regional need for affordable housing.
300-5.3 A Uses subject to other regulations	Uses permitted by right or by special permit shall be subject to all provisions of this bylaw	Allow 24 residential home development with relief from this bylaw	To meet the ongoing regional need for affordable housing.
300-5.4 Table of Use Regulations	Uses allowed within the Residential Town (RT) District	Allow 24 residential homes on one property	To meet the ongoing regional need for affordable housing.
300-6.2 A Area Regulations	Only one principal structure shall be permitted on one lot	Allow 24 residential homes on one property	To meet the ongoing regional need for affordable housing.
300-6.2 O Area Regulations	All R and A uses shall conform to R and A District regulations		
300-6.2 Table of Area Regulations	Area Regulations: Rear Setback = 50 ft	Allow 14.2 ft rear setback.	Relief to rear setback along undeveloped open space only.
300-6.3 D Height and Bulk Regulations	Table of Height and Bulk Regulations - Maximum Lot Coverage: 15%	Proposed lot coverage: 17.8%	Allow the development of 24 homes on one property including the access driveway and infrastructure.
300-8.2 F General parking and loading regulations	No accessory off-street parking shall be permitted within the front or side yard in any R District	To allow 2 bus drop off parking spaces at driveway entrance	Additional parking as requested by the Zoning Board of Appeals
300-12.1 Rules and Regulations Governing Earth Removal Uses – Permit required	Permit required for land development with earth removal	The project is not anticipated to export materials	If permit is required, it would be included in the Comprehensive permit.

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300-14.5 Administration and Enforcement - Permit and Certificate fees	Fees shall be established by the Select Board	Request fees to be waived from otherwise applicable building permit and water department fee as to affordable units	To help meet the ongoing regional need for affordable housing.
300-14.12 A Administration and Enforcement - Site Plan approval by Planning Board (4 & 6)	No building, except a single-family dwelling shall be constructed except in conformance with this section	Allow 24 residential homes on one property and be reviewed through the Comprehensive Permit	To help meet the ongoing regional need for affordable housing.
300-14.16 Administration and Enforcement - Inclusionary Zoning Bylaw	Special permit by Planning Board		If permit is required, it would be included in the Comprehensive permit.

Medfield Board of Health Regulations for the Siting, Construction, Inspection, Upgrade, Repair, and Expansion of On-Site Wastewater Disposal Systems

Section(s) of Rule, Regulation or Bylaw	Requirement	Proposed	Relief
IV. General Regulations – 6. On-Site Wastewater System Limitations	On-site sewage disposal system by more than one property or single dwelling is prohibited	Title 5 compliant common septic system for 24 residential dwellings.	Individual septic systems would require more space than a common system
VII. Specifications for Systems – 1. Plans	Drawing Scale: 1"= 20'	Drawing Scale Varies	For ease of review with the entire site plan view on one plan
	Elevation Datum: NGVD datum of 1929	Elevation Datum: NGVD datum of 1988	NGVD datum is the professional standard
VII. Specifications for Systems – 2. Percolation and Water table Data	Soil testing to be completed after December 20th and before May 29th	Soil suitability testing for the septic system took place in October of 2024.	Not a Title 5 requirement, soil testing has been completed
	Monitor groundwater conditions during the 22nd and 29th of month following soil testing	Did not complete groundwater monitoring.	Not a Title 5 requirement
	Test pits to be dug at the location of proposed dwelling(s).	Test pits can be completed prior to construction if required	At the time the test pits were performed, dwelling locations were not finalized.

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	Grain size sieve analysis shall be completed when design flows are greater than 1,000 gallons per day (GPD).	No grain size sieve analysis was performed.	Not a Title 5 requirement
VII. Specifications for Systems – 3. Septic Tanks – B.(1)	Septic tanks shall be designed to incorporate the use of a garbage grinder.	The use of garbage grinders are not considered in the design.	Garbage grinder shall be prohibited
VII. Specifications for Systems – 4. Leaching Facilities – A. & C.	Leaching trenches shall be used. Leaching systems in bed configurations are not allowed for new construction.	A Presby leaching field in bed configuration is proposed.	Individual septic systems would require more space than a common system
VII. Specifications for Systems – 4. Leaching Facilities – D.	All single family dwellings shall be designed for a minimum of 4 bedrooms.	Six (6) of the proposed dwellings are designed for 3 bedrooms.	To meet bedroom requirements per the Comprehensive permit, 6 homes will have 3 bedrooms
VII. Specifications for Systems – 6. Expansion Area and Trench Spacing	For new construction, the minimum distance between trenches shall be ten (10) feet.	The leaching system is proposed in a bed configuration.	Individual septic systems would require more space than a common system
VII. Specifications for Systems – 7. Minimum Setback Distances and Vertical Clearance	No leaching area shall be constructed within 100 feet of a swamp or marsh and 50 ft from bordering vegetated wetlands	The proposed leaching field is setback 85 ft from the bordering vegetated wetland.	Should the BVW be considered a swamp, relief would be requested.
	Leaching area shall be a minimum of 25' from a foundation or basement drain.	Foundation drain line may encroaching within 25 ft	Request relief if necessary for foundation drains, all foundations are setback 25 ft from leaching area.
	Separation to GW	Request 1 ft reduction from 6 ft for percolation rate of 2 min/inch or less to 5 ft.	Title 5 requirement is 5 ft vertical separation
VII. Specifications for Systems – 9. Vertical Separation to Wetlands and Flood Plains	No basement floor shall be constructed less than 2 feet above the high groundwater elevation.	Basement floors may be constructed with less than 2 feet of separation to high groundwater.	Due to site constraints including topography
VIII. Alternative, Innovative and Shared Systems	Construction or use of shared systems for new construction is prohibited.	A common septic system with advanced treatment is proposed	Advanced treatment is provided to meet nitrogen removal requirements

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		for the 24 residential dwellings	
XIII. Pump Systems Following a Septic Tank -c.	Pump force main drain pipe shall have a constant uphill pitch from the pump to point of discharge.	A constant uphill pitch from the pump to point of discharge for the *reserve* leach area.	Due to topographic site constraints to reach the reserve leach area only.

Regulations for Stormwater and Runoff Management (Effective April 1991 –Amended January 2000) - Board of Health

Section(s) of Rule, Regulation or Bylaw	Requirement	Proposed	Relief
Section 5.	Detention or retention ponds shall not have slopes steeper than 4 horizontal to 1 vertical.	Slopes in the proposed wet basin are 3 horizontal to 1 vertical.	Topographic site constraints to limit land disturbance.
Section 7.	Structure design shall comply with standards of USDS SCS Publication TR-60 for containments for detention or retention areas.	Massachusetts Stormwater Management Handbook was utilized for the design of the wet basin.	Complying with MA DEP Stormwater Management Requirements.
24 Hour Rainfall	Utilize 24-hour storm events for design purposes, as listed in this section.	Rainfall values for 24-hour storm events were utilized from the National Oceanic Atmospheric Administration (NOAA) Atlas values for Medfield.	
Stormwater Checklist	Soil conductivity testing at stormwater facilities.	No soil conductivity was completed.	Complying with MA DEP Stormwater Management Requirements infiltration rates.
Stormwater Checklist	Groundwater mounding should be considered in the design of infiltration systems.	Groundwater mounding was not considered.	Providing 4 ft of separation to seasonal high groundwater for infiltration systems per MA DEP Stormwater Management Requirements.

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Chapter 290 (Article IX) – Medfield Wetlands Bylaw

Section(s) of Rule, Regulation or Bylaw	Requirement	Proposed	Relief
Section 8.4 – Vernal Pool (Section 290-11 Definitions)	The boundary of the resource area for vernal pool shall be 100 feet offset from the vernal pool.	The boundary limit of the resource area for the vernal pool follows State Wetland Protection Standards, as being defined up to the bordering vegetated wetland line when within a defined resource area (BVW).	Comply with Wetland Protection Act boundary definition
290-2D Restricted activities; applications for permit; outside consultants	Require consultant review/fees	Request review be completed through Comprehensive Permit process	Peer review completed in Comprehensive Permit process by ZBA

Rules and Regulations: Article IX, Section 6 (Wetland Bylaw)

Section(s) of Rule, Regulation or Bylaw	Requirement	Proposed	Relief
Requirements for Plans – 2. Plans	All plan scales shall be 1 inch = 20 feet or 1 inch = 40 feet	The proposed plan is set at a scale of 1 inch = 50 feet.	Due to size of property.
50-Foot Undisturbed Resource Area - 2/3.	A 50 foot undisturbed buffer shall be effective adjacent to any applicable wetlands.	The project will provide min setback of 20 ft with two exceptions for along driveway entrance and at wetland crossing for reserve area.	Due to topographic site constraints and existing driveway location.

Chapter 310 – Subdivision of Land

Section(s) of Rule, Regulation or Bylaw	Requirement	Proposed	Relief
310-1.2 Authority	Planning Board is the granting authority for the Land Subdivision Rules and Regulations	Allow ZBA granting authority if necessary	Not Applicable
310-3.1-3.3	General Requirements for Subdivision	The project is not a subdivision of land	Not Applicable

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310-4.2	Definitive Plan	The project is not a subdivision of land	Not Applicable.
310-5.2 Design Standards – A. Roads (2)	Grades of less than 1% and more than 6 % shall be approved under exceptional circumstances by the Board.	Drive 2 has a proposed maximum slope of 8.8% approximately.	Not Applicable.
310-5.2 Design Standards – A. Roads (3)	Streets shall be constructed in accordance with the standards as shown on the Typical Roadway Cross Sections (Plates 3A, 3B, 4 and Table 1). Primary roadways shall be 27' wide with sloped granite curb, grass strips on both sides, and a 5' sidewalk 8' off the edge of roadway.	The proposed Main Driveway and Drives 2/3 will be paved 20' wide with cape cod berm or vertical granite curbing. A 5' sidewalk is proposed along the main driveway, but the distance between the Main Driveway and sidewalk varies.	Not Applicable.
310-5.2 Design Standards – A. Roads (4)(a)	The maximum length of a non-through street and its extension shall be 500 feet, including turnaround.	The proposed driveway will have a total length of approximately 1,863 LF to accommodate the development and tight entrance to the site.	Not Applicable.
310-5.2 Design Standards – A. Roads (4)(d)	Cross sections shall be in accordance with the standards as shown on the Typical Roadway Cross Sections (Plates 3A, 3B and 4).	*See 310-5.2 Design Standards – A. Roads (3)*	Not Applicable.
310-5.2 Design Standards – A. Roads (5)(a)	Curbing required shall be sloped granite curbing.	The proposed curbing will be vertical granite curbing and cape cod berm.	Not Applicable.
310-5.2 Design Standards – A. Roads (8)	Grass strips of a width required by the Typical Roadway Cross Sections, along with adequate grades shall be provided.	Grass strips, plantings, and grades proposed will likely not be in accordance with the standard.	Not Applicable.

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310-5.2 Design Standards – A. Roads (9)(a)	The areas in back of the sidewalk where slope is required shall be graded to a slope of four feet horizontal to one foot vertical.	There are proposed areas abutting the sidewalk where the slope will approximately sloped at a 1V:1H due to existing topography.	Not Applicable.
310-5.2 Design Standards – A. Roads (9)(c)	Field stone retaining walls may be used to reduce sloping limits and the exposed face of the wall shall not exceed four feet in height.	Versa-lok block walls are proposed, and several wall sections exceed four feet in height. The maximum proposed wall height will be approximately 8.6 FT.	Not Applicable.
310-5.2 Design Standards – A. Roads (11)	Tree planting at 40' intervals as shown on the Typical Roadway cross-sections	Trees plantings may not comply with this standard. Existing trees will be maintained to the extent practicable.	Not Applicable.
310-5.2 Design Standards – C. Drainage (1)(b)	Street drainage design shall be of the type known as a "manhole system".	There is a section of roadway which doesn't utilize closed drainage and instead captures stormwater runoff in a swale and rain garden. This is due to existing topography and groundwater limitations.	Not Applicable.
310-5.2 Design Standards – C. Drainage (1)(c)	Where groundwater is encountered at an elevation of less than four feet below the proposed grade of the street, drainage piping and/or subdrains shall be installed as shown on Plate 20.	The proposed drainage may not comply with this standard. Pipes are not proposed with perforations.	Not Applicable.
310-5.2 Design Standards – C. Drainage (1)(h)	All drainage basins shall have a no-disturb buffer zone extending 100 feet from the	The proposed wet basin does not have a 100 foot no-disturb buffer as the	Not Applicable.

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	maximum groundwater contour.	driveway directly abuts the basin.	
310-5.2 Design Standards – C. Drainage (2)(b)	Pipe drains shall be reinforced concrete Class III. Minimum velocity of flow shall be 2.5 feet per second.	Stormwater drain pipes are proposed to be HDPE.	Not Applicable.
310-5.2 Design Standards – C. Drainage (2)(c)(ii)	Stormwater runoff shall not be permitted to flow upon a surface for a longer distance than 300 feet before it enters the underground system.	There is a roadway area which utilizes a grassed swale and rain garden for treatment.	Not Applicable.
310-5.2 Design Standards – D. Water Supply (c)(i)	In residential and industrial streets, all hydrants shall be installed so that the center line of the hydrant is as shown on Plates 3A, 3B, and 4 (required 7' off edge of traveled way).	The centerline for hydrants will be located approximately 5' off the edge of roadway, excluding curb.	Not Applicable.
310 Attachment 1 – Table 1	1. Min radius at CL =400'. 2. K value of 45 at crest. 3. K value of 50 at sag. 4. Maximum grade of 6%. 5. Max turnaround of 500 feet. 6. Minimum distance between entering streets not directly opposite each other is 225 ft. 7. Minimum radius at street side line 40 feet. 8. Intersection sight distance left is 530 feet. 9. Intersection sight distance right is 530 feet.	Proposed Driveway no Subdivision Road. 1. Minimum proposed radius at CL=60'. 2. Minimum K value of 6.11 at crest. 3. Minimum K value of 15.62 at sag. 4. Maximum grade of 8.77% for Drive 2. 5. Total length of main driveway is 1,863 LF. 6. The distance from the center of Briar Hill Road to the center of the main driveway entrance along Plain Street is approximately 187 feet. 7. Entrance radii is 20' at a minimum. 8. Intersection distance looking left is approximately 275 feet. 9. Intersection distance looking right is approximately 420 feet.	Not Applicable.

Should you have any questions, please do not hesitate to contact our office.

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Very truly yours,

MERRILL ENGINEERS AND LAND SURVEYORS

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Design Engineer

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Cc: Tetra Tech, Peer Review Consultant
86 Plain Street, LLC, Applicant
File

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