

**REQUIRED EXCEPTIONS FROM LOCAL BYLAWS AND ORDINANCES
RESIDENCES AT ACORN PARK
"BELMONT UPLANDS"
ACORN PARK DRIVE
BELMONT, MASSACHUSETTS**

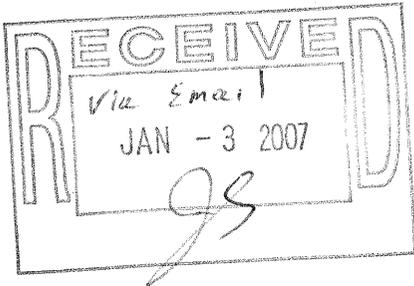
I. ZONING BY-LAWS

A. Belmont Uplands District: Note: The property is in the Belmont Uplands District and pursuant to Section 6B.9 the zoning by-law provisions applicable to that district pre-empt and supersede other provisions of the Belmont Zoning By-Law as set forth in Section 6B.9. The exceptions from the Uplands District for the Residences at Acorn Park are set forth below in this section "A" and those exceptions from the other applicable sections of the Belmont Zoning By-Law (not pre-empted or superseded by Section 6B.9) are set forth below in section "B".

1. Use: Exception from the prohibition of residential uses set forth in 6B.1.

2. Dimensional: Exception from the following dimensional regulations of §6B.2

- a.) Exception from §6B.2(c), minimum front set back
Required: 65' Provided: 53'.8"
- b.) Exception from §6B.2(e), minimum rear set back
Required: 40' Provided: 27'
- c.) Exception from §6B.2(g), maximum gross floor area
Required: 245,000 sf Provided: 337,884 sf
- d.) Exception from §6B.2(h), minimum open space
Required: 65% Provided: 60.36%
- e.) Exception from §6B.2(k), maximum impervious surface coverage
Required: 35% Provided: 37.64%



3. Parking: Exception from §6B.3.3, limitation on number of outdoor parking spaces, the 212 outdoor spaces of the project exceeds the permitted 100 outdoor spaces.

4. Lighting: Exception from §6B.5. A waiver is requested for an increase of the maximum of 175 watts to 400 watts, the light poles have been maintained at a lower height (15') in order to provide proper safe lighting. Proposed lighting is

confined primarily to the interior of the building layout and parking lot lighting is 175' or more from Frontage Road.

5. Design and Site Plan Review: Exception from all provisions of §6B.6, permit approval procedure is governed by M.G.L. c.40B.

6. Site Plan Review Procedures: Exceptions from all provisions of §6.B.8, permit approval procedure is governed by M.G.L. c.40B.

B. General Zoning By-Laws NOT Superseded By Belmont Uplands District:

1. Parking:

- a.) Exception from 5.1.3(e), see note on §5.4.3(b), below.
- b.) Exception from §5.1.3(g), egress location, exception from the limit of 2 driveway openings onto a street from a parking area serving more than 20 parking spaces where all driveways are not separated by 150'.

2. Landscaping:

- a.) Exception from §5.3.5, existing vegetation, exception from the retention of trees exceeding 6" in caliper within 25' of the street.

3. Lighting:

- a.) Exception from §5.4.3(b) for the safety of pedestrians and vehicles, project will exceed the lighting level of 0.3fc at the project driveways.

4. Cluster Development Special Permit

- a.) Exception from all provisions of §6.5, permit approval provided is general by M.G.L. c.40B.

5. Floodplain District
 - a.) Exception from §6.6.3, use regulations
 - b.) Exception from §6.6.5, floodway requirements, to the extent such section conflicts with State law
 - c.) Exception from §6.6.6, special permits, permit approval procedure is governed by M.G.L. c.40B.

5. Design and Site Plan Review
 - a.) Exception from all provisions of §7.3, permit approval procedure is governed by M.G.L. c.40B.

6. Special Permits
 - a.) Exception from all provisions of §7.4, permit approval procedure is governed by M.G.L. c.40B.

7. Development Impact Report
 - a.) Exception from all provisions of §7.5, permit approval procedure is governed by M.G.L. c.40B.

II. OTHER NON-ZONING BYLAWS AND REGULATIONS

- A. Water Department Regulations. To the extent Section C (paragraphs 1 through 3) of the regulations for water main pipe extension require Applicant to increase the size of proposed water pipes to accommodate **future non-project extensions an exception is required.**

III. RESERVATION OF FURTHER EXCEPTION REQUESTS

- A. To the extent the proposed project changes during the public hearing process or some additional, currently not requested, exception is required, the Applicant reserves the right to amend or modify this document.