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November 8, 2021

Russell W. Williston
Planning Board Chair
Prescott Building Suite 4
701 Main Street
Lancaster, MA 01523

RE: **Written Waiver Request** to the required submittals of an application for and Issuance of a Stormwater Management Permit by the Lancaster Planning Board – 201 Hill Top Road in accordance with the Cease & Desist Order dated July 28, 2021.

Stormwater Management Plan (2 Sheets) – Interim Date: November 8, 2021.

Existing Conditions Plan (2 Sheets) – Interim Date: November 8, 2021.

Checklist for Stormwater Report (MA DEP) – Interim Date: November 8, 2021.

Dear Mr. Williston and members of the Board,

On behalf, of our client, Dan Loring and Kathryn M. O'Hearn Loring, our office hereby submits the following written waiver requests to Article I, Stormwater Management, in accordance with Section 170-11.A. of the Stormwater Control Bylaw as follows:

Section 305-6. Permits and Procedures.

A. Application.

- (1) Due to the continued request by the Conservation Commission, acting thru its Conservation Agent, to request additional consultant information outside the scope of the MA Stormwater Management Policy, we request, that the Planning Board accept, during this third attempt, the filing of the Application with the referenced plans which we believe provide sufficient information to evaluate and discuss the proposed stormwater management structures and their anticipated locations.
- (2) The adjustment, by the Commission, to the edge of bordering vegetated wetlands within the boundaries of Lot 9, following the issuance of the Cease & Desist, has eliminated suitable stormwater areas, previously available for consideration. The Board has been updated, on an ongoing basis, regarding the impact this has created to providing the required information to properly design and submit plans in compliance.

Page 2
November 8, 2021
201 Hill Top Road, Lancaster, MA

B. Standards.

The successful completion of the information necessary, to demonstrate that the project meets the standards of the MA Stormwater Management Policy is dependent upon the allowance of the Board to permit access to the site for soil investigations.

Section 305-7, 305-8, 305-9 & 305-10.

On this day, during the Cease & Desist, the maintenance schedule for all erosion controls and drainage structures is subject to completion of earlier mentioned sections of this Bylaw.

Thank you for your attention and consideration to this ongoing matter, we look forward to discussing this project schedule further with the Board at a future public hearing.

Regards,

A handwritten signature in black ink, appearing to read "Richard J. Harrington". The signature is stylized and cursive.

Richard J. Harrington, P.E.

Principal

CC: Applicant, David Koonce,