



**Town of Wellesley Wetlands Protection Committee**  
**WELLESLEY WETLANDS PROTECTION BYLAW**  
**Request for Waiver of Performance Standards**  
**UNDER WELLESLEY WETLANDS PROTECTION REGULATIONS §1.9**

File Number:

**324-**\_\_\_\_\_

**To:** Town of Wellesley, Wetlands Protection Committee

**Applicant:**

**Property Owner** (if different from applicant):

Name

Name

Mailing Address

Mailing Address

City/Town, State, Zip Code

City/Town, State, Zip Code

**Project Location:**

Street Address

Wellesley

City/Town

Assessors Map/Plat Number

Parcel/Lot Number

**This Waiver Request is in conjunction with** (include file number):

☐ **Notice of Intent:** DEP #324- \_\_\_\_\_

☐ **Request for Determination of Applicability**

☐ **Other:** \_\_\_\_\_

**THIS WAIVER FORM ONLY APPLIES TO REQUIREMENTS OF THE WELLESLEY WETLANDS PROTECTION REGULATIONS (adopted pursuant to the Wellesley Wetlands Protection Bylaw, Article 44 of the Wellesley General Bylaws).**

**Performance standards in DEP's Wetlands Protection Regulations can only be waived under the Limited Project or Variance provisions of DEP's Regulations and should be addressed in your Notice of Intent.**

**Please list the Wellesley WPR performance standards or stormwater management requirements that you are seeking to waive (as provided by Section 1.6(9) of the Regulations):**

*[Example: Bank 2.3(4)(a)1.f: the capacity to provide for recreation]*

**Description of proposed project:**

Signature of Applicant, or Applicant's Representative:

Printed Name of Applicant, or  
Applicant's Representative:

Date Waiver Request Submitted:



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**GROUND FOR WAIVER**

1. Check the reason(s) that your project qualifies for a waiver (1.6(9)(b)1):

- ☐ The work would serve a substantial public interest, including the protection of the Bylaw Interests and Values.
- ☐ The work is required for compliance with the Massachusetts Contingency Plan (310 CMR 40.0000 *et seq.*).
- ☐ The work is required to protect public safety.
- ☐ Strict compliance with the regulations would result in a hardship greater in magnitude than the Bylaw Interests and Values to be preserved or protected.
- ☐ A credible expert has demonstrated that the Bylaw Resource Area does not serve to preserve or protect any of the applicable Bylaw Interests and Values.

2. Explain why the checked statement(s) is/are true for your project.

**REQUIREMENTS FOR WAIVER**

Provide information showing that your project meets ALL THREE of the criteria listed at 1.6(9)(b)2):

1. Demonstrate that there is no practicable and substantially equivalent economic alternative to the proposed project that would have less harmful effects on the Bylaw Interests and Values that are protected by the performance standards you are seeking to waive.

2. Explain how the proposed work and its natural, consequential, and cumulative effects on the Bylaw Interests and Values have been minimized.

3. Describe the mitigation measures you are proposing. These measures must be designed to functionally improve or enhance the natural capacity of the affected Bylaw Resource Area and/or other Bylaw Resource Areas to preserve or protect the Bylaw Interests and Values.