

6.4 Village Overlay District

A. General

The Village Overlay District is established to ensure that future development in Downtown Berwick reflects the concepts presented in the Berwick Downtown Vision Report and Implementation Plan, 2014 Addendum to the Comprehensive Plan.

No residential uses shall be allowed on the first floor of any new building (See Note 3).

B. Building Placement

Build-to-Line (Distance from Property Line)

Front	0' 5'	See Note (1)
Side Street	0' 5'	See Note (1)

Setback (Minimum Distance from Property Line)

Side	0'	See Note (4)
Rear	0'	See Note (4)

C. Parking.

1. Minimum Required Spaces: Minimum parking space requirements are set with the requirements described in Section 7.7. The Planning Board may waive or adjust the base zone requirements for parking with the Village Overlay District when it is not possible or in the best interest of the Town to meet the basic requirements.
2. The requirements listed below are intended to regulate the location of proposed parking areas within the Village Overlay.
3. When not set behind a building parking lots will be held to the following location requirements:

a. Location (Distance from Property Line)

Front Setback	30 feet
Side Street Setback	10 feet
Side Setback	0 feet
Rear Setback	5 feet

See Note (2)

D. Design Standards. (Reserved)

Notes:

- (1) Buildings may be setback further than the required build-to-line to provide room for public spaces and street improvements.
- (2) All surface parking areas that are not behind buildings must be screened by a street screen as defined in Article 2.2 Street Screen.
- (3) Residential uses on the first floor of a building shall be allowed in nonconforming structures in existence prior to May 12, 2015, but shall not be allowed once an expansion of 30% or more is made outside of the current building footprint.
- (4) When a structure within the village overlay district is constructed next to an existing single family residential structure the applicable side or rear setback shall be no less than 10 feet.
- (5) The Planning Board may permit residential uses on the first floor of new buildings within the Village Overlay on a case by case basis when the application satisfies the following criteria:
 - a. The first floor residential use is entirely made up of workforce housing or elderly housing.
 - b. New residential uses within the village overlay do not exceed a 4:1 ratio of residential to non-residential use measured by constructed floor space. This statistic is tracked by the Planning Department and updated as new permits are issued.
 - c. The proposed development application provides substantial improvements to the downtown area that serve to advance the principles defined in the Downtown Vision & Implementation Plan.

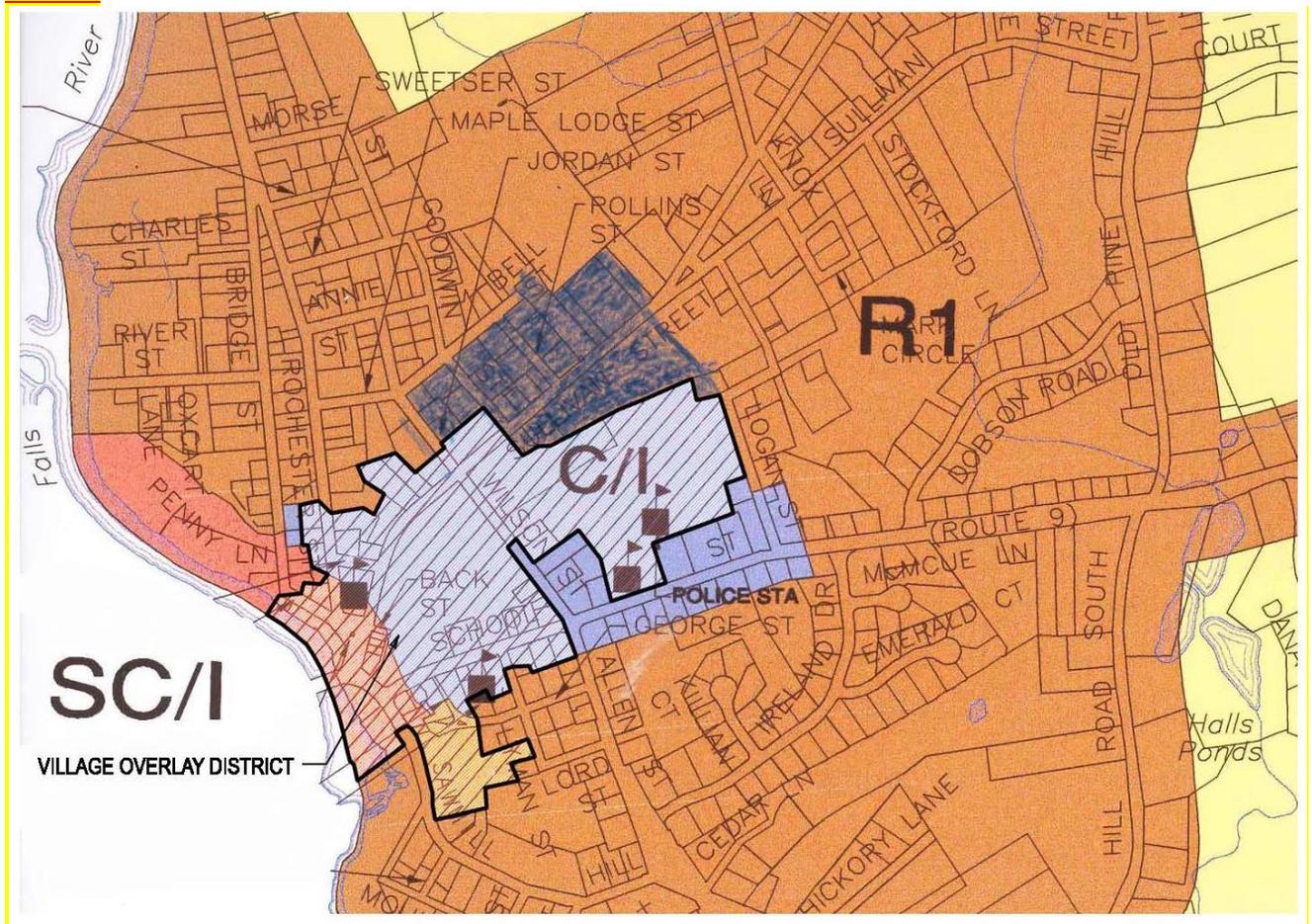
6.4 Form-Based Code Districts

The purpose of Form-Based Code is to:

- Allow for a diversity of appropriate and compatible uses within a zoning district
- Provide a more concise building design, review and approval process
- Deliver a development outcome that is more consistent with a traditional pedestrian-oriented street development pattern

Berwick's Form-Based Code zoning district is the Village Overlay District which overlays portions of the R1, SC/I and C/I Zoning Districts.

FIGURE 1. – Map of Village Overlay District



6.4.1 General: Purpose and Intent

- A. The Village Overlay District ensures that future development of the former tannery site bounded by Sullivan, Wilson and School Streets reflects the vision presented in the Comprehensive Plan which includes the Berwick Downtown Vision Report and Implementation Plan. The intent is to transform the former tannery site into a new village center reflecting both the industrial past and a mixed use future. The reuse of the industrial buildings along with new buildings, a new street, and new public and private spaces will become the foundation of a thriving downtown.
- B. The Village Overlay District is the culmination of five years of dedicated work by the Berwick community. The Form-Based Code defines building use, size, and features along with site amenities such as road, sidewalks and green spaces. The guidelines reinforce this community's goals to create a walkable town center and main street reflecting regional historic development patterns.

6.4.2 Village Overlay District

A. Purpose and Intent

1. The Village Overlay District will improve and expand Berwick's downtown and provide connections to the open community spaces and adjacent residential neighborhoods.
2. The former Prime Tannery site was the business and employment center for Berwick for many years. The site is surrounded by well-established primarily residential neighborhoods of typical New England two-story structures. Some structures have been converted to apartments or businesses. Multistory commercial structures exist on Sullivan Street across from Town Hall.
3. Continuous open space (known as a greenway) will run through former tannery site connecting the recreational river area and the downtown neighborhoods to the community open space near the former Estabrook School.
4. The district will consist of a core of higher density mixed use buildings including low-impact industry, offices, retail shops and apartments. It has a tight network of streets, including a new main street, with wide sidewalks, street trees and buildings set close to the street or with frontage on pleasing outdoor public spaces. A greenway connects public open spaces and the downtown to adjacent neighborhoods.
5. A wide range of residential building types; including single-family, two-family, town houses or row houses and apartment houses are found in the district.

6.4.2.1 Design Standards

A. Intent

The large post-industrial tannery site will make way for an integrated mix of new structures and remaining industrial buildings as well as a new main street which will connect from Sullivan Street to School Street. This combination of old and new structures and the new

street will provide the basis for a viable town center. Mixed uses, housing and unique business opportunities will become possible within the rejuvenated older industrial buildings. The goal is to increase density and allow a variety of uses to promote a vibrant downtown. A greenway connects from downtown to the open space near the former Estabrook School. As the downtown grows, this district will become denser and support more households and businesses.

B. Key aspects:

- 3 to 4 story mixed use buildings on Main Street with front façade detailing
- Active interaction between public and private realms
- Increased density
- Parallel parking on the street
- Wide sidewalks
- Street trees
- Small off-street parking areas
- Public commons, outdoor spaces for restaurants and open space for civic activities
- Well defined corner buildings at the Main Street intersections with Wilson and Sullivan Streets.
- Greenway connectivity between the downtown, the river and surrounding neighborhoods
- Underground power and utilities

6.4.2.2 Main Street Design Standards

**Refer to Figure 2 and Figure 3*

The new street to be designated Main Street shall run east to west through the former tannery site, connecting to School Street at its eastern end and to Sullivan Street, approximately opposite of Eleanor's Street, at its western end.

Minimum Right-of-Way Width	60 feet
Curb face to curb face	40 feet
Minimum Traveled Way Width	24 feet total paved driving lanes (12-feet for each direction) Refer to Figure 2 and 3
Parking Lanes	Parallel, 8 feet wide, paved, total length of street except for pedestrian crossings and intersections
Minimum Sidewalk Width	8 feet
Minimum Grade	.5%
Minimum Angle of Street Intersections with School and Sullivan Streets	90 degrees
Pedestrian crossing	<ul style="list-style-type: none"> • Raised: approximately same height as the curb • Use pavers or material different in color and texture than the travel lanes but must be ADA-friendly. • Provide bump outs at pedestrian crossings to shorten length of travel from sidewalk to sidewalk.

	<ul style="list-style-type: none"> • <u>Granite curbing</u>
<u>Landscaping</u>	Provide street trees every 25 feet on center in tree grates or as necessary to allow for ample growth
<u>Street Lighting</u>	Lighting fixture types to be similar along Main Street, School Street and Sullivan Street See Figure 6.4.2.4 Street Lighting
<u>Access</u>	To minimize curb-cuts, access to parking areas and driveways servicing buildings both new and existing, shall be shared.
<u>Utilities</u>	All utilities, including power, shall be installed underground.

FIGURE 2.- MAIN STREET SECTION A- without planting strip along road

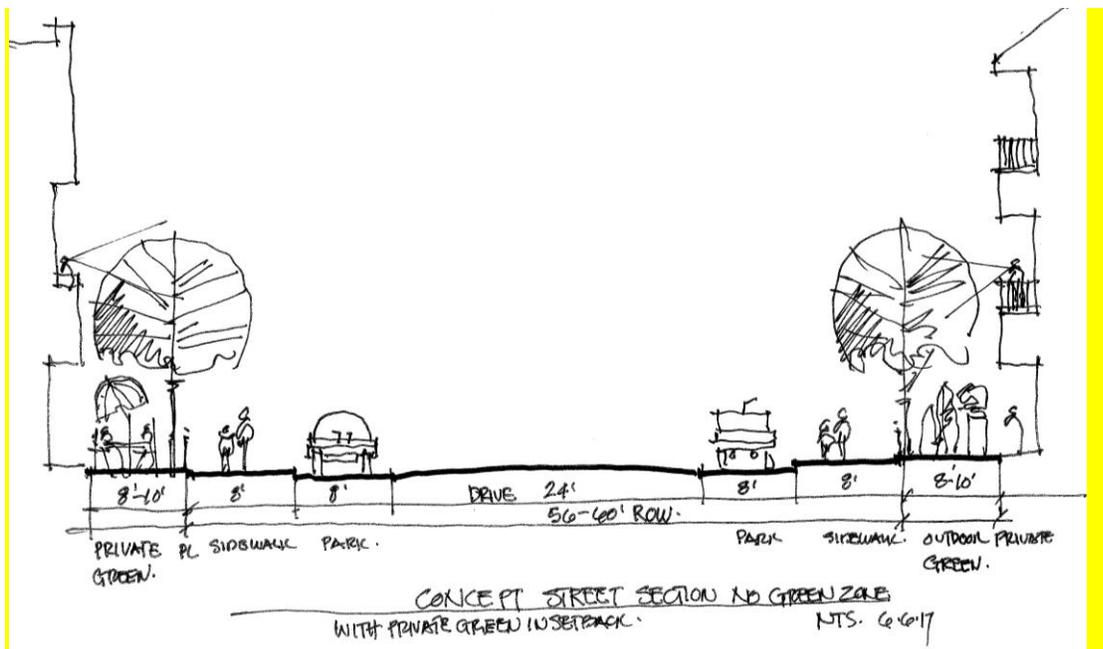
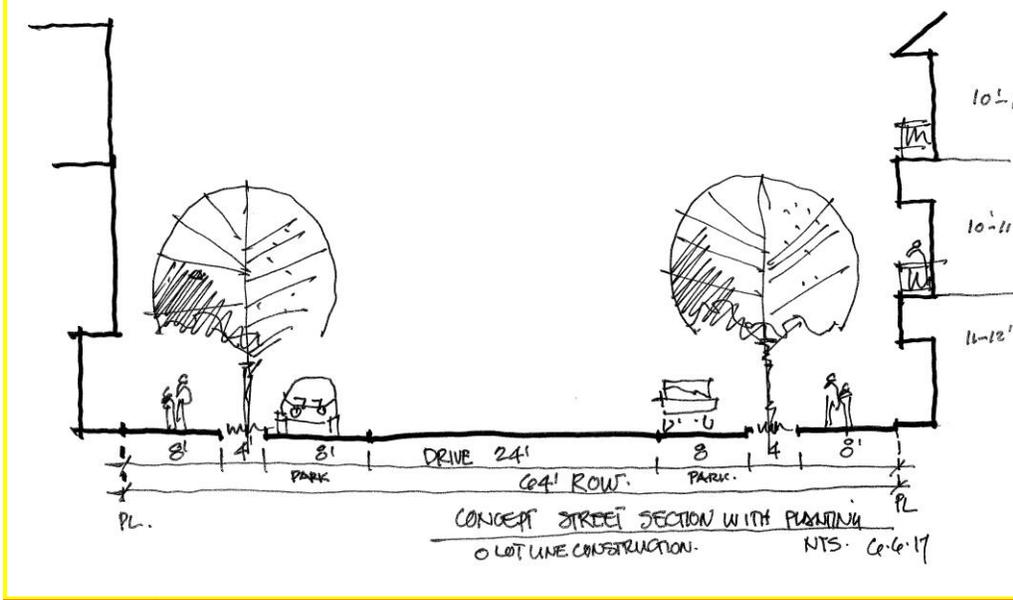


FIGURE 3. MAIN STREET SECTION B- with planting strip along road



6.4.2.3 Additional Streets

As redevelopment occurs within the former tannery site, portions of Sullivan Street, Wilson Street and School Street will be affected and will change. As parcels with frontage on the above-mentioned streets and others within the district are redeveloped, the following design standards shall apply when and where feasible. Feasibility shall be determined by the Planning Board.

<u>Minimum Sidewalk Width</u>	<u>6 feet</u>
<u>Pedestrian crossings</u>	<ul style="list-style-type: none"> • <u>Use materials different in color and texture than the travel lanes but must be ADA-friendly.</u> • <u>Granite curbing</u>
<u>Access</u>	<u>To minimize curb-cuts, access to parking areas and driveways servicing buildings both new and existing, shall be shared.</u>
<u>Landscaping</u>	<u>Provide street trees every 25 feet on center in tree grates or as necessary to allow for ample growth</u>
<u>Street Lighting</u>	<u>Lighting fixture types to be similar along Main Street, School Street and Sullivan Street</u> <u>See Figure 6.4.2.4 Street Lighting</u>
<u>Utilities</u>	<u>Utilities, including power, shall be located underground.</u>

6.4.2.4 **Street Lighting**

All new street lighting added along Main Street, Sullivan Street, Wilson Street and School Street shall be in a style similar to Figure 4 below. Street lighting along Main Street must also include accessory arms for hanging banners and decorations.

FIGURE 4. - CONCEPT SITE LIGHTING-

LIGHTING TYPE	
 <p data-bbox="228 947 354 972">Gooseneck</p>	<p data-bbox="396 621 659 646">Gooseneck Street Lamp</p> <p data-bbox="396 653 440 678">LED</p> <p data-bbox="396 684 745 709">Black post with candy cane arm</p> <p data-bbox="396 747 829 772">*Approved light fixture for Main Street</p>
	<p data-bbox="396 984 1305 1010">All other site and exterior building lighting are subject to Planning Board approval.</p>
	<p data-bbox="396 1016 1419 1073">All exterior lights shall have full cut off/fully shielded luminaries approved by the International Dark-Sky Association.</p>

6.4.2.5 **Open Space**

- A. Redevelopment of the former tannery site requires 25% of the total site (comprised of the area bounded by Wilson Street, Sullivan Street, Saw Mill Hill and School Streets, excluding the area between Back Street, Sullivan Street and Saw Mill Hill) to be open space. This should be a combination of larger spaces suitable for public/civic events, greenways and smaller more intimate spaces. Some of this open space will be public and some will be private.

Refer to Section 6.4.4 Open Space/Greenways.

6.4.2.6 **Building Standards and Features**

- A. New buildings shall relate to the street on which they have frontage, with large windows, covered entries, easy pedestrian access, and little to no setback from the street for business/commercial uses. Buildings with first floor residential units shall be set back with small yards and/or porches and primary entrances facing the street. Garages are encouraged for residential structures but shall be located in back or to the side of the buildings. Building forms, their relationship to the street, creation of public and private spaces and allowing a variety of uses will combine to create a pedestrian-friendly downtown with a traditional feel.
- B. Building designs and construction shall meet all current energy codes and strive for near net zero. Best practices for storm water management and low-impact design are required. See Section 6.4.6 Energy and Sustainability and Section 6.4.7 Storm water.
- C. Building materials, including siding and trim, shall be reviewed and approved by the Board.
- D. Residential uses on the first floor of a building shall be allowed in nonconforming structures in existence prior to May 12, 2015, but shall not be allowed once an expansion of 30% or more is made outside of the current building footprint.
- E. All first floor residential uses in new buildings with frontage on the new main street shall be:
- reviewed by the Planning Board as a conditional use; and
 - allowable only when found to be in the best interest of the Town by the Planning Board.

MAIN STREET NEIGHBORHOOD BUILDING PLACEMENT



A- FRONT SETBACK- MAIN STREET: 0'-0" TO 5'-0" SETBACK FOR NON-RESIDENTIAL USES; 5'-0" TO 15'-0" FEET SETBACK FOR RESIDENTIAL USES.

B- FRONT SETBACK- ALL OTHER SIDE STREETS (SULLIVAN ST., WILSON ST., SCHOOL ST.): EQUAL TO THE AVERAGE SETBACK FOR EXISTING BUILDINGS WITHIN THE SAME BLOCK

C- SIDE SETBACK: MAXIMUM 5'-0"

D- BUILDING HEIGHT: MAXIMUM 40'-0"

BUILDING PLACEMENT (PRINCIPAL BUILDING)

<p><u>Front Setback: Main Street, Sullivan Street, Wilson Street and School Street</u></p>	<p><u>0 feet to 5 feet setback for non-residential uses (1)</u> <u>5 feet to 15 feet setback for residential uses depending on whether porches or front yards or both are proposed.</u></p>	<p><u>A</u></p>
<p><u>Front Setback: All other streets</u></p>	<p><u>Equal to the average setback for existing buildings within the same block.</u></p>	<p><u>B</u></p>
<p><u>Front Setback, Secondary Street: (Corner Lot)</u></p>	<p><u>0 feet to 10 feet setback for non-residential uses (1)</u></p>	<p><u>B</u></p>

	5 to 10 feet for residential uses	
Side Setback:	0 to 5 feet (3)	C
Rear Setback:	10 feet minimum (3)	
Frontage Build out:	75% minimum at front setback	

Notes:

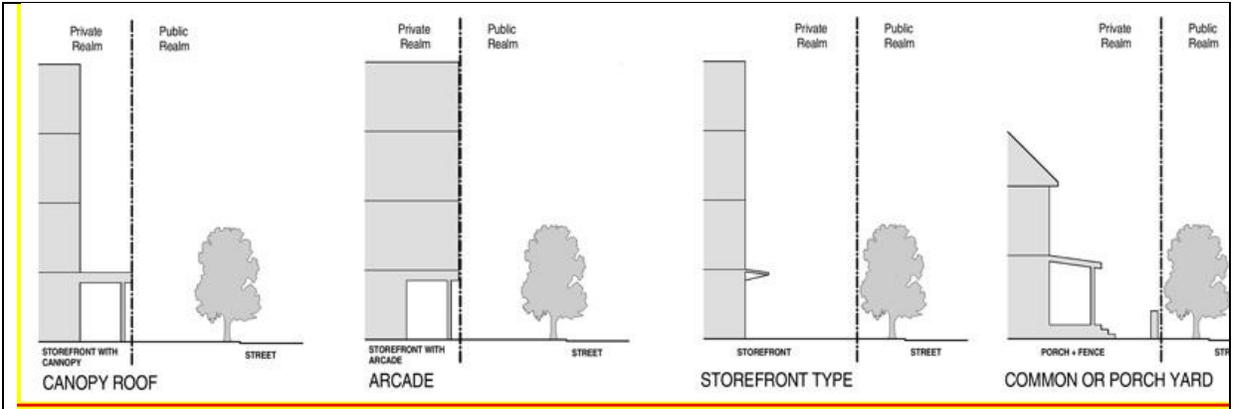
- (1) Setbacks can be greater if outdoor seating for dining or public space needs require. Setbacks can also be increased in order to provide room for street improvements.
- (2) Building height shall not exceed immediately adjacent existing residential buildings by more than one story unless the existing building will be separated from the proposed building by more than 50 feet.
- (3) When a building is constructed adjacent to an existing single-family residence, the applicable side or rear setbacks shall not be less than 10 feet.

LOT OCCUPATION		
Maximum lot coverage	95%	
Lot Width	18 feet minimum, 150 feet maximum	

BUILDING FORM (PRINCIPAL BUILDING)		
Maximum building footprint	15,000 square feet	
Building Height:	2 story minimum, maximum of 4 stories/40 feet excluding unlivable attic space or as approved by Berwick Fire Department (see Note (2) above)	D
Entries	Primary entry door is encouraged along ground story facade facing a primary street.	
Facade Glazing	20%-70% - first floor commercial uses must have 70% except for financial, legal and insurance services offices	
Front Façade Wall	Blank lengths of wall exceeding 12 linear feet are prohibited.	
Roof type	Gable, hip, flat	

BUILDING PLACEMENT (ACCESSORY)		
Front setback:	Principal building setback + 20 feet at minimum	
Side setback	0 feet minimum.	
Rear setback:	5 feet minimum	

BUILDING SECTION- FRONTAGE TYPES



EXTERNAL ELEMENTS	
Fencing (residential):	A front yard fence, a minimum of 2 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street. No chain link, vinyl, split rail, wire, or barbed wire is allowed.
Access:	A vehicle entry way to a parking or loading area shall be a maximum width of 18 feet. Pedestrian access from parking areas, garages or parking structures shall exit directly to a frontage line except for underground parking accommodations.
Building Projections:	No part of any building, except overhanging eaves, awnings, balconies, bay windows, and other architectural features shall encroach beyond the minimum front setback line.
Landscaping:	Landscaping is encouraged but shall not be an impediment on streets, sidewalks or travel ways. Street trees are encouraged. See Section 6.4.5

PARKING	
Residential	Vehicle parking areas shall be located only on driveways, in garages or designated parking areas and shall not extend into the street right of way or sidewalk. Residential parking areas and/or garages shall be located to the rear of the building whenever possible or to the side if rear location isn't achievable. Screening and/or fencing is required for parking areas along a street. Parking areas larger than 10 spaces require additional landscaping. See Section 6.4.3
Commercial	No on-site parking is required for certain commercial uses, see Section 6.4.3. However, if on-site parking is required or is to be provided, such parking shall be located to rear of the property to the greatest extent possible. Parking to the side is limited to no more than 40% of the lot width. Screening and/or fencing is required for parking areas along a street. Parking areas larger than 10 spaces require additional landscaping. See Section 6.4.3.
Low-Impact Industrial	Parking shall be located to rear of the property to the greatest extent possible. Parking to the side is limited to no more than 40% of the lot width. Screening and/or fencing is required for parking areas along a street. Parking areas larger than 10 spaces require additional landscaping. See Section 6.4.3.

6.4.3 Parking

Article 7.7 for parking requirements shall apply except as noted below.

6.4.3.1 Parking Waivers

The Planning Board may waive or adjust all requirements for parking within the Village Overlay District when it is not possible or in the best interest of the Town to meet the requirements.

6.4.3.1 General Parking Standards for Commercial, Office, Mixed-Use or Multi-family Structures in the Village Overlay District

- A. On-street parking along the new main street shall be parallel parking only.
- B. All off-street surface parking areas shall be located to the rear of the building. If this is not possible, as determined by the Planning Board, the parking area shall be to the side of the building.
- C. No off-street surface parking area may contain greater than 30 parking spaces.
- D. All off-street surface parking areas which are not located behind a building or are located along a street must be screened from the street (see Section 6.4.5 Landscaping).
- E. Any off-street parking area which contains greater than 10 spaces is required to have additional landscaping (see Section 6.4.5 Landscaping).
- F. Shared parking is encouraged. A plan describing how shared parking would work is required as part of application that proposed such parking.

6.4.3.3 Parking Standards for Certain Uses

- A. Retail uses located on the first floors of mixed-use buildings are not required to have on-site parking. If on-site parking is proposed for a retail use, the standards in 6.4 shall apply.
- B. Restaurants are not required to have on-site parking if they will seat 40 or fewer people. If on-site parking is proposed for such a restaurant use, the standards in 6.4 shall apply.

6.4.4 Open Space/Greenways

A. Intent

The Village Overlay District shall include open spaces both public and private. Open space means landscaped green areas designed for a purpose such as civic gatherings, outdoor performances, playgrounds, or sitting. These open spaces may or may not also contain hardscaped or paved walkways, seating areas, performing areas or sidewalks. Open space which may include a walkway and primarily exists to connect from one place to another is a greenway. A continuous greenway shall connect the former tannery site to the Salmon Falls River to the south and to the open space adjacent to the former Estabrook School to the north. Such greenway may connect along the way to other open space.

Redevelopment of the former tannery site within the Village Overlay District requires 25% of the total site (comprised of the area bounded by Wilson Street, Sullivan Street, Saw Mill Hill and School Streets, excluding the area between Back Street, Sullivan Street and Saw Mill Hill) to be open space.

Developers shall coordinate with the Town on locations of open space, greenways and connections to adjacent community spaces, seating areas, residential housing and playgrounds.

B. Key Aspects

1. Sustainably landscaped, using drought-tolerant and when possible, native plantings
2. Shade trees
3. Benches
4. Continuous greenway through former tannery site
5. Green infrastructure and best practices storm water management, such as rain gardens to manage and filter storm water
6. Places to sit, play and gather for all ages
7. Public art

6.4.4.1 Design Standards

- A. Greenways or paved/hardscaped walkways must be a minimum of 8 feet wide.
- B. The required continuous greenway shall connect the public park at the intersection of Saw Mill Hill and School Streets to the Town owned land on Wilson Street adjacent to the former Estabrook School.
- C. Open space shall comprise 25% of the former tannery site comprised of the area bounded by Wilson Street, Sullivan Street, Saw Mill Hill and School Streets, excluding the area between Back Street, Sullivan Street and Saw Mill Hill.
- D. All open space which includes seating shall have either trees or shrubs to provide shade and/or a sense of enclosure
- E. Shade trees shall be installed along greenways whenever feasible, as determined by the Planning Board.
- F. Greenways and open space shall be included on site plans and landscape plans submitted for consideration by the Planning Board.

6.4.5 Landscaping

A. Intent

This section consists of landscaping and screening standards for use throughout the Main Street Neighborhood and Village Residential Districts. The Town of Berwick recognizes the aesthetic, ecological, and economic value of landscaping and requires its use to:

- Promote the reestablishment of vegetation in more densely settled areas for aesthetic, health, and urban wildlife reasons;
- Reduce storm water runoff pollution, temperature, and rate and volume of flow;
- Promote compatibility between land uses by reducing the visual, noise, and lighting impacts of specific development on users of the site and abutting uses;
- Unify development, and enhance and define public and private spaces;
- Promote the retention and use of existing non-invasive vegetation;
- Aid in energy conservation by providing shade from the sun and shelter from the wind.

B. Key Aspects

- Diversity of street trees
- Shade trees within the open spaces and along the continuous greenway
- Purpose-driven landscaped open spaces
- Landscaped parking areas
- Fencing
- Hardscaped or paved walkways

6.4.5.1 Design Standards

Landscape plans shall be submitted for all projects for the Planning Board's review and approval.

A. Screening for Parking Lots

All parking lots not located behind a building or located along a street shall be screened as follows:

1. By trees and/or shrubs at least six feet tall, composed of at least 50% evergreen plantings, in numbers as determined by the Planning Board or;
2. By a fence between five and six feet tall, constructed of a material matching the finishes of surrounding buildings or;
3. By a combination of a fence four feet tall, constructed of a material matching the finishes of surrounding buildings, and deciduous trees and shrubs

B. Screening for Service and Loading Areas

1. All service areas for dumpsters, compressors, generators and similar items shall be screened as follows:
 - a. By a fence six feet tall, constructed of a material matching the finishes of surrounding buildings, surrounding the service area except for the necessary ingress/egress.
2. All areas to be used for loading that are not located within a parking area or that are not located behind a building shall be screened as follows:
 - a. By a fence six feet tall, constructed of a material matching the finishes of surrounding buildings, screening it from the street.

C. Landscaping for Parking Lots

All parking lots with more than ten parking spaces must:

1. Plant shade trees on planting strips at least four feet wide around the perimeters of the parking area at 12 foot intervals or
2. Provide a four foot interior planting strip within the parking area and plant shade trees at 12 foot intervals

D. Street Trees

1. Street trees shall be of a diversity of deciduous species to avoid decimation in the event of a disease or a pest and shall be non-fruit bearing.
2. Street tree species shall be native when possible but shall be tolerant of salt and drought. Tree gators are required for the first several years after a tree is installed.
3. Street tree species chosen shall not be known for weak branching structure or a propensity for shallow roots that may cause sidewalk/walkway heaving.

E. Types of Plantings (Trees, Shrubs, Perennials, Ornamental Grasses)

1. Native plants are preferred
2. Invasive species as defined by the State of Maine are prohibited
3. Herbaceous perennials and ornamental grasses are encouraged
4. Low maintenance, drought-tolerant plants are encouraged

F. Installation and Maintenance

1. All planting beds and strips shall be mulched either with compost or with a natural-colored bark mulch. No dyed mulches such as orange or red are permitted.
2. All trees shall have tree gators installed to provide moisture during their first years of being planted.
3. Any tree, including a street tree, shrub or plantings that are part of a plan, reviewed and approved by the Planning Board which does not survive for one full year after installation shall be replaced by the applicant at the applicant's cost.
4. Even if drought-tolerant, all plantings will require water at least occasionally the first year or two after planting in order to survive.
5. While plantings should be drought-tolerant, drip irrigation may be used if regulated by a timer and conditions. Irrigation may not be run indiscriminately.

6.4.6 Energy and Sustainability

- A. Site design and building placement shall be attentive to the surrounding environment including sun, wind and shade patterns related to existing buildings.
- B. Buildings must be built to meet IECC2015 standards. Building designs and construction shall meet all current energy codes. Energy efficiency with a goal of near net zero is strongly encouraged.
- C. Use of solar power, geothermal, and other alternative and sustainable power sources are encouraged.

6.4.7 Storm water

- A. All applications in the Village Overlay District shall be required to comply with the Town of Berwick's storm water regulations as found in Berwick's Zoning Ordinance.
- B. Best management practices such as green roofs, rain gardens, and bioretention cells are both strongly encouraged and preferred.

6.4.8 Application and Process

6.4.8.1 Application

- A. All applications must include:
 - 1. Village Overlay District application form
 - 2. Site plans which meet the requirements of Article 9.8 and in addition must show:
 - a. All greenways, open space and sidewalks, both proposed and existing
 - b. The footprint of all existing abutting buildings
 - c. All existing or proposed utilities
 - d. All on-site parking, loading and service areas
 - 3. Building elevation drawings showing all four sides of the building including details such as windows, doors, trim, etc.
 - 4. A materials list to include the type of siding, roofing and trim.
 - 5. Landscape plan as a separate plan if a parking area and/or open space area, either public or private is proposed. Such plan shall include a planting list and hardscaping and/or fencing details.
 - 6. A storm water management plan prepared in accordance with Article 7.16 if required.
- B. The Planning Board may request additional plans or reports as they deem necessary at any time during the approval process.

6.4.8.2 **Process**

- A. Prior to submitting the application, the Applicant is strongly encouraged to meet with the Code Enforcement Officer and the Town Planner/Planning Consultant to discuss the application.
- B. The process as described in Article 9.8 Conditional Use Permits and Site Plan Review shall be followed unless otherwise noted.
- C. The Planning Board may, at the Applicant's expense, hire an engineer, consultant or other professional to review the plans. The Applicant shall be given an estimate of the cost of such services and shall submit that sum to the Town before being placed on the agenda for further discussion with the Planning Board. Any funds remaining after the Town has paid the review bill in full shall be remitted to the Applicant. If the Planning Board requires additional review or the funds are not sufficient to complete the review, the Applicant shall submit the necessary funds before being placed on the Planning Board agenda. No building permit may be issued until all review costs have been submitted in full by the Applicant to the Town.

6.4.8.3 **Waivers**

- A. The Planning Board may waive a submission requirement when doing so will serve the best interests of the Town. The Applicant shall submit a written request and the reason for the waiver at the time of application submission.
- B. The Board shall consider and accept or reject each waiver request separately.