

The Building Commissioner shall issue no building permits for any of the lots of any subdivision unless notified in writing by the Planning Board that the approved subdivision plans and documents have been recorded at the Registry of Deeds.

The Building Commissioner shall not issue an Occupancy Permit for any of the lots of the subdivisions unless notified in writing by the Planning Board that the subdivision is in compliance with the subdivision regulations and the definitive plan approval.

**One Dwelling Per Lot:** Not more than one building designed or available for use for dwelling purposes shall be erected or placed or converted to use as such on any lot in a subdivision or elsewhere in the Town, without the consent of the Board, and such consent may be conditional upon the providing of adequate ways furnishing access to each site for such building, in the same manner as otherwise required for lots within a subdivision.

### **Section 3.     Waivers**

Approval of a subdivision plan, regardless of what is shown on the plan, does not relieve a project developer from complying with the Subdivision Rules and Regulations except as specifically provided for in any Planning Board issued waiver of those Rules and Regulations.

The Planning Board may, in special and appropriate cases, waive strict compliance with such portions of these Rules and Regulations, as provided for in M.G.L. Chapter 41, Section 81-R, where such action is in the public interest and not inconsistent with the purpose and intent of the Subdivision Control Law. Waivers are **only** granted for projects which provide, in the **sole opinion** of the Planning Board, **clear and significant improvements to the quality of a project compared with a project which meets the minimum** of the subdivision regulations.

Limited waivers may be granted when appropriate to encourage development which is in keeping with traditional rural character of Tyringham or to create significantly more permanently protected open space and public trails and/or create more affordable workforce housing than required by zoning.

A request for a waiver of a requirement, rule, or regulation shall be made in writing by the applicant, and submitted, whenever feasible, with the submission of the Preliminary Plan. If the Planning Board approves the request for a waiver, it shall endorse conditions of such waiver (if any) on the plan or set them forth in a separate instrument attached to and referenced to the plan, which shall be deemed a part of the plan. The Planning Board shall notify the applicant in writing of its approval, disapproval, or approval with conditions.