

Waiver Requests as of April 16, 2021

Through a Comprehensive Permit, the Manchester-By-The-Sea Board of Appeals has the authority under M.G.L. Chapter 40B and its implementing regulations to waive requirements of local bylaws; further, the Board of Appeals can act on behalf of any local permitting authority through the Comprehensive Permit process. The project plans reflect an attempt to minimize the number of waivers requested and we believe reflects a plan that is contextually appropriate on several different levels. Please find a revised table of the waivers necessary to permit the proposed project. This document and waivers shown on the Civil Site Plans revised through 4/16/2021 supersede all prior waiver requests.

WAIVERS FROM ZONING BYLAW OF THE TOWN OF MANCHESTER-BY-THE-SEA FOR THE SANCTURAY AT SHINGLE HILL		
LOCAL REGULATION	REQUIREMENT	PROPOSED
1. Section 4.4 – Limited Commercial District (LCD) Use Regulations <ul style="list-style-type: none"> • Multi-family/unit Dwelling 	Use(s) not allowed in the LCD	Waiver granted to allow the Multi-family/unit Dwelling, Accessory Uses, Leasing offices, covered parking and associated Amenity areas for residents
2. Section 5.5 – Building Height	2.5 Stories (Max.)	3 Stories
3. Section 5.7.1 – Lot Width	500'	291.2' (Existing Non-Conforming)
4. Section 5.7.3 – Building Setback	All Structures shall be set back from any street at least one hundred and fifty (150) feet, and from any other lot line at least one hundred (100) feet.	Street setback = 204.3' Side setback = 79.9' Rear setback = 84.3'
5. Section 6.2.2 – Parking Space Dimension	Off-street parking spaces shall be designed with minimum dimensions of 9'x20'	Off-street parking spaces shall be designed with minimum dimensions of 9'x18' and minimum 23' access drive aisles.
6. Section 6.2 – Number of Parking Spaces	383 Required Parking Spaces (See Parking Table for breakdown)	242 (See Parking Table for breakdown)
7. Section 6.2.6 – Parking Lot Plantings	Parking lots containing five (5) or more parking spaces shall have at least one (1) tree per five (5) parking spaces.	Minimum one (1) tree per five (5) surface parking spaces will be planted. Waiver requested to clarify this is not applicable to the structured parking garage stalls.
8. Section 6.15 – Stormwater Management Special Permit	Special Permit from the Planning Board	Waiver granted to allow review of the stormwater management system under the comprehensive permit by the zoning board of appeals.
9. Section 6.4.3.2 – Signage	One nonilluminated announcement sign no larger than 3 feet by 3 feet, at the entrance or gates of a building.	One monument sign with sign with up-lighting approximately 6 feet by 6 feet, at the entrance of the site.

By requesting the foregoing waivers from local bylaws and regulations, it is the intention of the Applicant to request a Comprehensive Permit to permit construction of the Project as shown on the Plan. If, in reviewing the Applicant's building permit application(s), the Building Commissioner determines that any additional waiver from local bylaws or regulations is necessary to permit construction to proceed as shown on the Plan, the Applicant requests that the Building Commissioner proceed as follows: The Applicant shall be informed of any additional waiver required and (a) any matter determined by the Building Commissioner to be of a de minimis nature shall be deemed within the scope of the waivers granted by the Comprehensive Permit; or (b) for any matter determined by the Building Commissioner not of a de minimis nature, including but not limited to potential adverse impacts on public health, safety, welfare or the environment, Applicant may submit a request to the Board for a determination under 760 CMR 56.05(11).