

COMMONWEALTH OF MASSACHUSETTS  
TOWN OF MANCHESTER-BY-THE-SEA

SPECIAL TOWN MEETING WARRANT

Essex, ss.

To any of the Constables of the Town of Manchester-by-the-Sea:

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Manchester-by-the-Sea qualified to vote in elections, to meet at the Middle-High School Gymnasium and Auditorium, at 36 Lincoln Street, in Manchester-by-the-Sea, on Saturday, the 13th day of November, two thousand and twenty-one AD, at one o'clock in the afternoon, for the purpose, to wit:

**ARTICLE 1.** To see if the Town will vote to: (a) transfer from the Board of Selectmen, acting as the Board of Water and Sewer Commissioners, for the purpose of holding, storing, purifying or preserving water, to the Board of Selectmen for the conveyance of easements, the care, custody and control of portions of the Town-owned property located in the Town of Hamilton, which property is shown on Hamilton Assessors Map 71 as Parcel 1, described in the Order of Taking recorded with the Essex South District Registry of Deeds in Book 3713, Page 278, and subject to a conservation restriction held by the Hamilton Conservation Commission and recorded in Book 15373, Page 403, and which portions to be transferred are shown approximately as "Proposed Permanent 40' Easement 33,530 Sq. Ft., 0.77 Acres" and "Proposed Temporary Construction Easement 20,916 Sq. Ft., 0.48 Acres" on a plan entitled "Town of Hamilton & Town of Manchester-By-The-Sea Proposed Easement Plan", prepared by Woodard & Curran, dated February, 2021, on file in the Town Clerk's office, as the same may be amended, (b) authorize the Board of Selectmen to convey to the Town of Hamilton a permanent public way easement and a temporary construction easement in, on and under the foregoing portions for the purpose of altering the layout of Chebacco Road in Hamilton, (c) to authorize the Board of Selectmen to accept from the Town of Hamilton, if applicable, deeds conveying Hamilton's right, title and interest in the portions of Chebacco Road to be discontinued upon said alteration, which discontinued portions are shown approximately on the aforesaid plan as "Existing ROW (To Be Abandoned) 31,272 Sq.Ft., 0.72 Acres" and "1964 ROW (To Be Abandoned) 44,726 Sq.Ft., 1.03 Acres" and are to be subject to the conservation restriction; and (d) authorize the Board of Selectmen to submit a petition to the General Court under Article 97 of the Massachusetts Constitution to authorize the change in use, transfer, and conveyance of easements in said portions of the Town-owned property and to amend the conservation restriction encumbering said property; or take any other action relative thereto.

Per petition of the Board of Selectmen

**ARTICLE 2.** To see if the Town will vote to raise and appropriate or transfer from available funds, including Community Preservation Funds, the sum of \$100,000 or some other sum for the development of the engineering plans and cost estimates for a new multi-purpose athletic field at the site of the old burn dump on Pine Street, or take any other action relative thereto.

Per petition of the Board of Selectmen

**ARTICLE 3.** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$120,000 or some other sum for the purposes of maintaining Harbormaster vessels and purchasing a replacement boat for the Harbormaster, or take any other action relative thereto.

Per petition of the Board of Selectmen

**ARTICLE 4.** To see if the Town will vote to Amend the Zoning Bylaw by ADDING A NEW TABLE OF CONTENTS AND RENUMBERING AND REORDERING OF ALL SUB-SECTIONS ACCORDINGLY including references to said sections. The following changes will be made:

Create Section 7: Intentionally Left Blank  
Create Section 8: Special Regulations  
    Renumber section 4.10 to 8.1  
    Renumber section 4.11 to 8.2  
    Renumber 6.19 to 8.3  
    Renumber 6.2.8 to 8.4  
    Renumber 6.3 to 8.5  
Create new Section 9: Special Residential Regulations  
    Renumber 4.6.2 to 9.1  
    Renumber 6.13 to 9.2  
    Renumber 6.8 to 9.3  
    Renumber 6.14 to 9.4  
Create a new Section 10: Special Districts  
    Renumber 4.7 to 10.1  
    Renumber 4.8 to 10.2  
    Renumber 4.9 to 10.3  
    Renumber 4.9 Exhibits A and B to 10.3.9 and 10.3.10  
Create a new Section 11: Energy Regulations  
    Renumber 6.18 to 11.1  
    Renumber 6.17 to 11.2  
Create an associated Table of Contents,  
  
or take any other action relative thereto.

Per petition of the Planning Board and Board of Selectmen

**ARTICLE 5.** To see if the Town will Amend the Zoning Bylaw by DELETING the following sections:  
Section 6.6: Reflecting Antennas  
Section 6.8: Planned Residential Development  
Section 6.10 Water Resources Protection District (replaced by Section 4.9 in 2002)  
Section 6.11 Development Scheduling – Sewer Connection Limitations  
Section 6.12 Division of Land and Development of Multiple Dwellings  
Section 6.14.3 Applicability (of Inclusionary Housing)  
Section 6.20.1 Temporary Moratorium on Recreational Marijuana,  
  
or take any other action relative thereto.

Per petition of the Planning Board and Board of Selectmen

**ARTICLE 6:** To see if the Town will vote:

- a) To approve a non-binding endorsement of the development concept advanced by the Manchester Housing Authority and Manchester Affordable Housing Trust that includes the town owned site on Pleasant Street with sites owned by the Housing Authority on Loading Place Road, The Plains and Newport Park, and

- b) To further approve a non-binding endorsement of forgoing some or all revenue from the possible sale or lease of the Pleasant Street site to a future developer so that acquisition costs, and thus development costs, could be limited or reduced in the development plan to assist in the provision of community affordable housing units.

Per petition of the Board of Selectmen

**ARTICLE 7:** To see if the Town will vote to amend Section 6.13.5 (Residential Conservation Cluster – Standards and Dimensional Requirements) of the Zoning By-Laws by adding a new subsection 6.13.5 (subsection 5), as follows:

Safe Access: Notwithstanding any other provision, any housing development with an access road greater than 500 feet in length and which is greater than fifty (50) dwelling units:

- a) Must pave such access road, and
- b) Must provide a paved secondary access road.

Each of these access roads shall be of adequate width, grade, and construction for vehicular traffic and shall be open and properly maintained at all times for ingress and egress.

Per Citizen petition

**ARTICLE 8.** To see if the Town will vote to amend Section 6.11.4 (Development Scheduling – Rate of Development) of the Zoning By-Laws by rewording as follows:

The Building Inspector shall issue permits for construction of new residential structures only if in any consecutive twelve (12) month period such permit issuance will not result in either:

- a) A total of more than 50 new dwelling units, or
- b) Authorizing connection to the municipal sewage treatment facility for total of more than 50 dwelling units.

This By-law shall become effective as of the date of its enactment and remain in effect until repealed by a future Town Meeting.


Per Citizen petition

And you are directed to serve this warrant by posting attested copies thereof, one at the Town Hall Building, one at the Police Station, one at the Fire House, one at the Memorial School, and one at the Post Office, fourteen (14) days, at least, before the time of holding said meeting.

Hereof fail not to make due return of this warrant, with your doings thereon, to the Town Clerk three (3) days before the day of this meeting.

Given under our hands at Manchester-by-the-Sea, aforesaid, this 18th day of October, 2021.

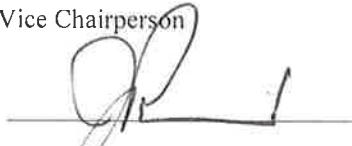
BOARD OF SELECTMEN

  
Jeffrey Bodmer-Turner, Chairman

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Rebecca Jaques, Vice Chairperson

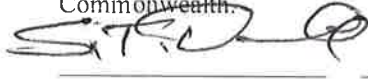
  
\_\_\_\_\_  
Ann Harrison

\_\_\_\_\_  
Eli G. Boling


  
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John Round

To the Town Clerk:

I have served the foregoing Warrant by posting attested copies thereof as directed by the By-Law of the Town and the Commonwealth.

  
\_\_\_\_\_  
Constable

10/21/21  
Date of Posting

  
\_\_\_\_\_  
Received by Town Clerk

