

<p>EXHIBIT "A" Shinglemill LLC ("Applicant") hereby requests the following waivers and, as specified below, will be subject to the specific condition that any and all waivers are being granted only to the extent necessary to allow for the construction of the</p>		
Column1	Column2	
Local Regulation	Waiver Requested	Comments
1. Chapter 407 Wetlands Protection By-Law, § 407- 5 Permit and Conditions C.	A 25 foot vegetated no disturbance area is not included in the project design (See attached letter to the Conservation Commission).	
2. Chapter 415 Zoning By- law, § 415-19 H-1 Industrial Park-Hotel District A. Permitted principal uses	The proposed project use is residential apartment buildings which is not included in permitted principal uses for the Industrial Park- Hotel District.	
3. Chapter 415 Zoning By-law, § 415-22 Table: Minimum Yard Dimensions (Feet): Side	The proposed community building is within 1.5 feet of the Wilson Street Right-of-Way. This is 45 foot reduction from the 50 foot setback to an abutting land that is within a residential district. (50.0' to 1.2' = 48.8' reduction)	This should not even be considered. There is a reason for the 50 foot setback. This building would be looking directly over the neighbor and way too close.
4. Chapter 415 Zoning By-law, § 415-22 Table: Maximum Height (Stories/Feet)	The proposed apartment buildings will be 5 stories tall and approximately 69 feet about finished grade. This is 2 stories and 33 feet taller than the maximum building height for this district. (3 stories to 5 stories = 2 stories greater) (36.0' to 69.0' = 33.0' greater)	
5. Chapter 415 Zoning By- law, § 415-22 Building and lot Regulations A. Parking/access and egress requirements (1)	All proposed non-accessible designated parking spaces are 9'x18' spaces. Parking spaces as required by this bylaw shall be a minimum of 10 feet in width by 20 feet in length for full size vehicles; and nine feet in width by 18 feet in length for compact vehicles. (10.0'x 20.0' to 9.0'x 18.0')	This is another one that should not be considered. There is a reason for full size parking spaces, pickup trucks and other large SUV's would stick out and cause safety issues. They are trying to squeeze parking that cannot fit in the Zone A areas.
6. Chapter 415 Zoning By- law, § 415-22 Building and lot Regulations A. Parking/access and egress requirements (2)(e)	The emergency access/parking lot is 3.1 feet from the cedar street ROW. This is 26.9 feet less than the minimum set back of 30 feet from any property line. (30.0' to 3.1' = 26.9' reduction)	this is another one that should not be considered. 3.1 feet is not enough from a property line.
7. Chapter 415 Zoning By- law, § 415-22 Building and lot Regulations B. Yard regulations (4)	The proposed community building is within 1.2 feet of the Wilson Street Right-of-Way. This is 10 feet less than the 15 foot minimum side yard setback for an accessory structure greater than 400 square feet. (15.0' to 1.2' = 13.2' reduction)	There is a reason for 15 foot minimum, ZBA needs to look at the neighbors pictures. 1.5 foot setback might as well be in the side yard.
Local Regulation	Waiver Requested	
8. Chapter 415 Zoning By-law, § 415-22 C. Height regulations	The proposed apartment buildings will be 5 stories tall and approximately 69 feet about finished grade. This is 2 stories and 33 feet taller than the maximum building height for this district. (3 stories to 5 stories = 2 stories greater) (36.0' to 69.0' = 33.0' greater)	
9. Chapter 415 Zoning By- law, § 415-22 Building and lot Regulations F. Multi- family developments. (4)	The proposed project does not conform to the Off-street parking requirements in § 415-35 of this bylaw as stated above.	This one needs highway department expansion. What are the off street requirements and why don't they meet them
10. Chapter 415 Zoning By- law, § 415-29 Number of buildings on single lot.	The project site design includes two principal use apartment buildings and 1 commons building. Only one principal residential building is allowed by this bylaw.	Why would ZBA even allow this one. That is 2 building increase.
11. Chapter 415 Zoning By- law, § 415-35 Off street parking requirements A. Residential Uses (1)	The projects site is design with a 1.25 parking ratio. This is 1.75 spaces less than the required 3 spaces for multi-family residence. (3 spaces/unit to 1.25 spaces/unit = 1.75 space/unit reduction)	ZBA needs to total number of bedrooms. Note households do not have just one car, and some have more than the bedrooms. For example my home is 3 bedrooms with 4 vehicles. As noted last meeting they are conveniently fitting under 300
12. Chapter 415 Zoning By- law, Article XIII Design Review board § 415-94 Types of sites and properties	This project is being submitted for approval from the ZBA, however, we welcome input from the Design Review Board during the ZBA review process	
13. Rules & Regulation of the Planning Board, § I.I.2. Location Map	All buildings and zoning district boundaries within 200 feet of the site are not shown on the site plans per this regulation.	This in no way should be waived. And ZBA needs to show this clearly . There are way too many areas of this project inside of the Zone A . Especially the tributaries around the entrance.

14. Rules & Regulations of the Planning Board, § III.B.1. Location and Alignment.	Although we do not believe that the Pond St. Access Driveway is not a Roadway. The access driveway begins to curve off a right angle at station 0+50.36 which is 49.64 feet less than the required distance of 100 feet from the intersecting street lines of Pond Street. (100.0' to 27.13' = 72.87' reduction)	Are you kidding with this one. Highway department needs to show the illustration of this. Extremely dangerous corner and reducing to 27.13' is not a good idea.
15. Rules & Regulations of the Planning Board, § III.C.2.e. Drainage Structures. 1)	All drain pipes are HDPE rather than Class III reinforced concrete pipe. (Class III RCP to HDPE)	
16. Rules & Regulations of the Planning Board, § III.C.2.f. Drainage Basins 1)	Subsurface infiltration chambers are proposed but are not permitted not be permitted unless approved by the board.	why would the board even consider this one. Again these chambers near our reservoir.
17. Rules & Regulations of the Planning Board, § III.C.2.f. Drainage Basins 6)	Test Pits were performed throughout the site and infiltration rates were based on NRCS Web Soil Survey Values. Test pits and Percolation tests were not performed within the footprint of the subsurface structures.	Please explain this. How does this effect our water supply
<u>Local Regulation</u>	<u>Waiver Requested</u>	
18. Rules & Regulations of the Planning Board, Section IV.H. Shade Trees	Shade trees, of species and size as directed by the Board, shall be retained or planted. There shall be at least three (3) trees for every one hundred (100) feet, spaced evenly, on each side of the street. They shall be located as directed by the Board or the Tree Warden. The usual location will be five (5) to six (6) feet behind the sidewalk. Trees to be planted shall have a minimum height of twelve (12) feet with eight (8) foot head clearance and shall be at least three (3) inch caliper at forty-two (42) inches from ground level.	
19. Rules & Regulations of the Planning Board, Section IV.I. Side Slopes	All side slopes are graded at a 3:1 horizontal to vertical section. This regulation requires fill slopes are graded no greater the 4:1.	ZBA needs to review this and show the difference requested.
To the extent that the Project requires additional exemptions and waivers not expressly set forth above, the Applicant requests that such exemptions and waivers be granted to the extent necessary to complete the Project as shown on the Project Plans, as they may be amended throughout the hearing process.		