

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 project according to the plans presented to the approved by the Rockland Zoning Board of Appeals (“Board”). Final plans to be submitted by the Applicant shall conform to the Board’s decision and these specific waivers

SHINGLEMILL
LIST OF REQUESTED EXCEPTIONS, WAIVERS, AND PERMITS

<u>Local Regulation</u>	<u>Waiver Requested</u>
<p>1. Chapter 407 Wetlands Protection By-Law, § 407-5 Permit and Conditions C.</p>	<p>The Bylaw requires a 25-foot vegetated no disturbance zone from the upland limits of wetland resource areas. The proposed project involves work within the 25-foot zone no disturbance zone associated Vernal Pool, Vegetated Wetland, Land Under Water and Inland Bank. Work within the 25-foot no disturbance zone includes constructing the site access drive, part of the buildings, retaining walls, stone emergency access drives, the installation of loam and seeding, landscaping, the installation of a potential section of sewer line, the installation of temporary sedimentation controls, trimming vegetation, and equipment access to complete construction.</p> <p>The existing 25-foot no disturbance zone on site is significantly disturbed. In the past, vegetation was cleared from the majority of the site’s existing upland and the site remains partly cleared with some regrowth of vegetation.</p> <p>Access to the site from South Street must pass through the 25-foot no disturbance zone. Access will be along an existing unvegetated, dirt path that already passes through the 25-foot no disturbance zone. No other access alternatives from South Street directly to the site are available.</p> <p>The sewer extension also passes within 25-feet of the wetland. The sewer extension will be constructed within a concrete encasement in this area.</p> <p>Other impacts to the 25-foot no disturbance zone have been avoided and minimized by using walls rather than 2:1 slopes and designing the site to avoid and minimize impacts as much as possible.</p> <p>Temporary impacts to the 25-foot buffer during construction will be revegetated after construction is complete.</p>

<u>Local Regulation</u>	<u>Waiver Requested</u>
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, § 415-19 H-1 Industrial Park-Hotel District C. Uses requiring special permit	The proposed project use is residential apartment buildings which is not included in uses requiring special permits for the Industrial Park-Hotel District.
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')
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 15.4 feet from Wilson Street. This is 14.6 feet less than the minimum set back of 30 feet from any property line. (30.0' to 15.4' = 14.6' reduction)
7. 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)
8. 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.
9. Chapter 415 Zoning By-law, § 415-29 Number of buildings on single lot.	The project site design includes two principal uses of apartment buildings. Only one principal residential building is allowed by this bylaw.
10. Chapter 415 Zoning By-law, § 415-35 Off street parking requirements A. Residential Uses (1)	The project site is designed with a 1.50 parking ratio. This is 1.50 spaces less than the required 3 spaces for multi-family residence. (3 spaces/unit to 1.50 spaces/unit = 1.50 space/unit reduction)

<u>Local Regulation</u>	<u>Waiver Requested</u>
11. 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, but will allow review from the Design review Board, given that it will not hold up the approval process.
12. 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.
13. Rules & Regulations of the Planning Board, § III.B.1.f Location and Alignment.	The access roadway begins to curve off a right angle at station 48.85 feet from the centerline of Pond Street which is 51.15 feet less than the required distance of 100 feet from the intersecting street lines of Pond Street. (100.0' to 48.85 = 51.15' reduction)
14. Rules & Regulations of the Planning Board, § III.B.1.i Location and Alignment.	The roadway entrance has a slope of 3%. This is greater than the maximum slope of 1% required for the first 100 feet of roadway. (1% to 3% = 2% greater)
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. The minimum cover is approximately 2 feet, 0.5 feet less than the required 2.5 of cover. (Class III RCP to HDPE) (2.5' to 2.0' = 0.5' reduction)
16. Rules & Regulations of the Planning Board, § III.C.2.e. Drainage Structures. 7)	The proposed design has catch basins that collect water from a stretch of 742 feet of continuous grade. This is 442 feet greater than the maximum 300 feet. (300.0'-742' = 442' greater)
17. Rules & Regulations of the Planning Board, § III.C.2.f. Drainage Basins 1)	Subsurface infiltration chambers are proposed but are not permitted unless approved by the board.
18. Rules & Regulations of the Planning Board, § III.C.2.f. Drainage Basins 6)	Test Pits were performed throughout different locations in the site and infiltration rates were taken based on texture and Rawls Rates per the MassDEP Stormwater Standards.
19. Rules & Regulations of the Planning Board, Section IV.H. Shade Trees	The proposed site trees will be placed per the landscaping plans. This varies from the requirements stated within this section of the Rules & Regulations.
20. Rules & Regulations of the Planning Board, Section IV.I. Side Slopes	In fill sections, the side slope shall not exceed four (4) horizontal to one (1) vertical. There are proposed fill side slopes graded at a 2:1 horizontal to vertical grades. This is steeper than the requirement.
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.	