Through the Comprehensive Permit, the Pembroke Board of Zoning and Building Appeals (the "Board") has the authority under M.G.L. chapter 40B and its implementing regulations to waive requirements of local bylaws as necessary to construct the project as permitted; further, the Board 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 reflects a plan that is contextually appropriate on several different levels. Following please find a table/list of the waivers necessary to permit the proposed project; this list will be updated as necessary as permitting of the project commences and proceeds.

TABULAR ZONING ANALYSIS				
Zoning Requirements – Center Protection District (CP) and Residential A District (RA)				
Local Regulation	**Requirement – CP**	**Requirement – RA**	**Proposed**	**Waiver**
Min. Lot Area	40,000 s.f.	40,000 s.f.	145,158± s.f.	No
Min. Lot Frontage	150 feet	150 feet	317± feet	No
Min. Front Setback	40 feet	40 feet	82± feet	No
Min. Side Yards	20 feet	20 feet	13± feet (east) 58± feet (west)	Yes
Min. Rear Yards	25 feet	25 feet	45± feet	No
Max. Building Coverage	N/A	N/A	N/A	N/A
Min. Open Space	§IV.7.D.10: The sum of the ground area of the lot covered, or to be covered by all buildings or structures and all paved areas, to include patios, roadways, accessways, turnarounds, loading areas and parking areas not exceed sixty-five percent (65%) of the total site area, except by special permit.	N/A	Impervious: 53.5% Landscaped: 46.5%	No

	§IV.7.D.11: At least thirty-five percent (35%) of the total site area shall be landscaped. Along any rear or side lot line that abuts a residential or municipal use there shall be planted a natural hedge greater than six (6) feet in height and located within ten (10) feet of said lot line, except by special permit.			
Max. Height	36 feet	N/A	63 feet	Yes
Max. Stories	2.5 stories	2.5 stories	4 stories	Yes
Max. Gross Floor Area (§IV.7.D.9)	The building floor area shall not exceed fifteen percent (15%) or nine thousand (9,000) square feet whichever is lesser of the total site area, except by special permit.	N/A	67% or 97,406 s.f.	Yes
Max. Dwellings	N/A	1	66 units	Yes
Proposed Units/Acre	N/A	N/A	20 units	N/A
Parking Spaces	Two (2) parking spaces per dwelling unit for multiunit dwellings	N/A	110 spaces / 1.66 spaces per unit	Yes

Additional Waivers for Local Regulations:

The Applicant anticipates requesting the Pembroke Board of Zoning and Building Appeals to approve the following additional waivers, not identified above, from the local regulations:

Pembroke Zoning Bylaws:

- Section IV.1.A&B – No multiunit dwellings allowed in RA
- Section IV.7.A&B – No multiunit dwellings allowed in CP
- Section IV.7.C.1 – All buildings and structures within public view within CP district to be of American Colonial, Greek Revival, Federalist and or traditional New England architectural design, or similar style, approved by the Planning Board.
- Section IV.7.C.2 – Planning Board approval required for all signs constructed, erected or altered and signs to conform to the provisions of Section V.I. of the bylaws with additional enumerated restrictions.
- Section IV.7.C.3 – The exterior finish of all buildings within the CP district shall be made of brick, glass and or wood, wood simulated, or a suitable substitute material approved by the Planning Board; and the Planning Board must approve of the exterior finish color of the brick, glass and wood or suitable substitute to be applied.
- Section IV.7.D.4 – No paved area, other than accessways and sidewalks, shall be built within fifteen (15) feet of the front lot line.
- Section IV.7.D.5 – No paved area, other than accessways and sidewalks, shall be built within 10 feet of the side lot line.
- Section IV.7.D.6 – No paved area, other than accessways and sidewalks, shall be built within 10 feet of the rear lot line.
- Section V.1.C.1 – Signs
- Section V.1.C.3 – Sign setback
- Section V.1.E.1 – No sign shall be located within twenty-five feet of any public or private way or within a radius of one hundred and fifty feet from the point where the centerlines of two or more such ways intersect except that a sign may be located on or be attached to a building if the building is located within such distances.
- SectionV.1.E.2 – No sign shall be located within fifty feet of any other sign unless such signs are placed back-to-back.
- SectionV.1.E.3 – The Inspector of Buildings/Zoning Enforcement Officer may issue a permit for a sign to be located closer than the above distance if the board determines that such sign will not be inconsistent with the purposes of this bylaw and that such sign will not be injurious or offensive to the neighborhood.
- Section V.1.F.2&3 – Size of Signs
- Section V.4.B – Access; there shall be a maximum of two points of ingress-egress for each parcel of land, and they may not be more than forty feet wide at the curb line.
- Section V.7 – Site Plan Approval by the Planning Board
- Section V.9 – Determination of Adequacy of Way by the Planning Board
- Section V.10 – Lot Characterization Number regulation.

Pembroke General By-Laws, Article XXI – Earth Removal

- Waiver of application of the by-law for of earth materials in connection with the construction of the proposed project.

Pembroke General By-Laws – Article XXXI-A – Demolition Delay Bylaw

- Waiver of application of the by-law for building at 7 Mattakeesett.

Pembroke General By-Laws – Article XXXV – Stormwater Management By-Law

- Waiver of application of the by-law for the redevelopment of the property for the construction of the affordable housing project.

Title V Rules and Regulations Exclusive to Pembroke, MA

- Waiver of application of local rules and regulations, as the affordable housing project will be reviewed and approved by the Board of Health in accordance with the MassDEP Environmental Code Title V (310 CMR 15.00).

Planning Board Rules and Regulations Governing the Issuance of Site Plan Approval

- Waiver of application of the Planning Board rules and regulations, as the affordable housing project will be reviewed by the Board of Zoning and Building Appeals consistent with M.G.L. c. 40B and the regulations promulgated thereunder.

The project shall be exempt from the filing fee requirements established by the Board of Zoning and Building Appeals, Planning Board, Conservation Commission, or other Town entities, except for fees specifically relating to Comprehensive Permit Applications.