



**Manchester-By-The-Sea
Office of the Town Clerk**

PUBLIC NOTICE

Please be advised that the amendments to the Zoning Bylaws of the Town of Manchester-by-the-Sea adopted under Articles 4 and 5 of the Warrant for the Special Town Meeting that convened on November 13, 2021, and adjourned on the same day have been approved by the Attorney General on April 26, 2022 and are hereby posted pursuant to Massachusetts General Law c.40, §32

Copies of the amendments as well as the Attorney General's approval thereof, can be examined at the Office of the Town Clerk (10 Central Street, Manchester-by-the-Sea MA) or on the Town's website, [Bylaws and Regulations | Manchester-by-the-Sea, MA](#).

Pursuant to MGL c. 40, § 32, zoning by-laws and amendments are deemed to have taken effect from the date they were approved by the Town Meeting. With the posting of this notice, these amendments are in effect as of November 13, 2021.

Claims of invalidity of these zoning bylaw amendments, by reason of any defect in the procedure of adoption or amendment, may only be made within ninety (90) days of the date of this posting.

ATTEST:

Dianne K. Bucco, MMC/CMMC
Town Clerk

I have served the foregoing document by posting attested copies in 5 public locations as directed by MGL c40, §32, Town Hall, Library, Post Office, Fire Department and Police Department.

Constable

4/28/22
Date



Manchester-By-The-Sea Office of the Town Clerk

At the Special Town Meeting of the registered voters of the Town of Manchester-by-the-Sea, held November 13, 2021 and dissolved the same night, the following action was taken under this article:

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

The Board of Selectmen and Planning Board who held a public hearing on October 12, 2021 and recommended approval.

MOTION: Sarah Creighton moved, and Becky Jaques seconded to Amend the Zoning Bylaw as stated in the Article text above.

VOTE: Article 4 passed by well more than the required 2/3rd vote, 141 Yes, 1 No.
A True Copy Attest


Town Clerk



Manchester-By-The-Sea Office of the Town Clerk

At the Special Town Meeting of the registered voters of the Town of Manchester-by-the-Sea, held November 13, 2021 and dissolved the same night, the following action was taken under this article:

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

The Planning Board recommended approval as did the Board of Selectmen.

MOTION: Chris Olney moved, and Becky Jaques seconded to amend the Zoning Bylaw as stated in the Article text above.

VOTE: Article 5 passed with well over the required 2/3rds vote, 126 Yes, 14 No.

A True Copy Attest

Town Clerk



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION
10 MECHANIC STREET, SUITE 301
WORCESTER, MA 01608

MAURA HEALEY
ATTORNEY GENERAL

(508) 792-7600
(508) 795-1991 fax
www.mass.gov/ago

April 26, 2022

Dianne K. Bucco, Town Clerk
Town of Manchester-by-the-Sea
10 Central Street
Manchester-by-the-Sea, MA 01944

**Re: Manchester-by-the-Sea Special Town Meeting of November 13, 2021-- Case # 10451
Warrant Articles # 4 and 5 (Zoning)**

Dear Ms. Bucco:

Articles 4 and 5 - We approve Articles 4 and 5 from the November 13, 2021 Manchester-by-the-Sea Special Town Meeting.¹

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were approved by the Town Meeting, unless a later effective date is prescribed in the by-law.

Very truly yours,

MAURA HEALEY
ATTORNEY GENERAL

Nicole B. Caprioli

By: Nicole B. Caprioli
Assistant Attorney General
Municipal Law Unit
10 Mechanic Street, Suite 301
Worcester, MA 01608
(508) 792-7600 ext. 4418

cc: Town Counsel Michele E. Randazzo

¹ On March 17, 2022, we elected to proceed under the defect waiver provisions of Chapter 299 of the Acts of 2000 for Articles 4 and 5. In a certification received April 25, 2022, the Town Clerk affirmed that the notice was posted and published in accordance with the provisions of Chapter 299, and that no claims were filed with the Office of the Town Clerk within 21 days of publication. For this reason, the Attorney General is authorized by Chapter 299 to waive (and does so waive) the defects.