

Residential Common Driveways

2-18-21

Article ____ Residential Common driveways: To see if the Town will vote to amend the Zoning Bylaws by adding a new Section 5.4.1, Residential Common Driveways, as follows:

5.4.1 Residential Common Driveways

A. Purpose

The purpose of this Section is to promote public safety, provide for adequate sight distance, avoid site disturbance, minimize the alteration of topographical characteristics and natural resource areas, which include wetlands and historic resources, minimize stormwater runoff and retain a rural residential character. It is not the intent to make undevelopable land developable.

B. Applicability

This Section applies only to residential common driveways, which are limited to single driveways providing vehicular access to two lots for single or two-family dwellings (the “benefitted parcels”). Residential common driveways shall require a special permit from the Planning and Economic Development Board.

Residential common driveways must be privately owned and maintained, shall not be considered streets or public ways, and shall not constitute a part of the designated or legal frontage for any lot. Each lot served by a common driveway must meet the frontage requirements of the applicable zoning district.

C. Design Requirements

All residential common driveways must comply with the following design requirements:

1. The common driveway must extend from the benefitted parcels to a public street right of way. A common driveway, as well as the individual driveways beyond the common portion of the driveway, must be located entirely within the benefitted parcels. A common driveway must intersect the street right of way within the legal frontage of one of the benefitted parcels.
2. The benefitted parcels must have permanent access to the common driveway by easements recorded in the Norfolk County Registry of Deeds.
3. The deeds to the benefitted parcels shall require that the owners thereof must establish a maintenance association, the purpose of which is to provide for the maintenance and repair of the common driveway, or otherwise adequately provide for the maintenance and repair of the common driveway. The term “maintenance” shall include, but not be limited to, snow plowing, maintaining design specifications, and repair and maintenance of surfaces and stormwater management facilities. All property contiguous to the common driveway must be a part of the benefitted parcels which must be included within the maintenance association. The easement containing the common driveway shall be a minimum of 20 feet in width.
4. Minimum Construction Standards.

- a. The radius of the common driveway intersection with the street right of way must be sufficient to enable emergency vehicles to exit and enter the common driveway without leaving the surface of the common driveway. Common driveways shall accommodate the Single-Unit Truck (SU-30) vehicle turning radius at all curve radii, in accordance with the January, 2006 MassHighway Project Development and Design Guide or its latest amended version.
 - b. The surface of the common driveway shall be a material that will allow all season access. Asphalt is not required, and in some circumstances, may be discouraged because of drainage conditions. Granite roundings are required at the street intersection and a paved apron for the first 25 feet.
 - c. A minimum depth of 8 inches of gravel must be installed the full width of the entire common driveway traveled way.
 - d. The maximum grade of the common driveway shall be no greater than 5% within 40 feet of the street right of way. The maximum grade of a common driveway for its full length beyond the initial 40 feet shall be no greater than 15%.
 - e. All stormwater runoff from the common driveway shall be infiltrated on the benefitted parcels; no run-off to the street or other properties is allowed.
5. House numbers of sufficient visibility shall be provided at the entry point onto the street right of way and at each individual driveway along the common driveway, so that emergency vehicles can locate each dwelling.
 6. Adequate sight line distance must be provided for vehicles exiting the common driveway at the intersection with the public street right of way.
 7. The minimum width of the traveled way of a common driveway must be no less than 120 feet. In addition, there shall be two shoulders, at least two feet wide, for a total driveway width of at least 24 feet. Adequate areas for snow storage shall be provided.
 8. Passing turnouts shall be provided which provide a total width of at least 18 feet for a distance of 25 feet, where needed for safe sight lines of passage.
 9. Provisions to permit the turn around of a SU-30 vehicle shall be provided at the terminus of all common driveways longer than 500 feet.
 10. A common driveway, from its intersection with the adjacent public street right of way to the location where the common driveway splits into individual driveways, shall not extend longer than 400 feet.
 11. All stormwater runoff from the common driveway shall be infiltrated on the benefitted parcels. Stormwater shall not be allowed to run off to abutting properties or any public way. Driveways shall be pitched so as not to allow stormwater to run off into any public way; an exception may be made for the first five feet of the driveway abutting a public way, if necessary for safety reasons.

D. Administration

1. A special permit is required from the Planning and Economic Development Board (the Board) to construct a common driveway. A record owner desiring to construct a common driveway shall file with the Board an application, together with such plans, drawings, specifications, fees and additional information as required by the Board.

2. An Applicant must provide documentation and plans which are sufficient, in the opinion of the Board, for it to determine that the requirements, provisions and Approval Criteria of this Section are met. Such documentation shall include, but shall not be limited to, information on impacts to the environment, public safety, scenic roads and scenic views, and lot development.

3. Approval Criteria. Before the Board may issue the special permit, it shall determine each of the following:

- a. The common driveway will provide safe and reasonable access for fire, police and emergency vehicles.
- b. The common driveway meets the purpose and requirements of this Section.
- c. The common driveway will minimize the environmental impacts.
- d. The common driveway will not serve more than two lots for single or two-family dwellings.

E. Conditions. The Board may approve the special permit with conditions, which may include, but shall not be limited to: a) a performance bond, deposit of money or tri-party agreement, is posted with the Town to guarantee proper construction; and b) construction standards for the common driveway. and c) requirements for stormwater drainage facilities including low-impact development measures.