

## Draft Common Driveway Criteria

*Article \_\_\_\_\_. To see if the Town will vote to amend Section VII of the Zoning By-Laws by adopting the following new Section VII.7 with common driveway regulations:*

### 7. Common Driveways

- (A) **Purposes.** The purposes of these common driveway regulations are to protect the safety and welfare with regard to normal driveway use, intersections of driveways with public ways, and adequacy of driveways for emergency vehicle access, and to minimize environmental impacts of driveways especially with regard to stormwater management and water resource protection. The provisions in this Section VII.7 supersede all procedures and standards for common driveways in these Zoning By-Laws and in the Town of Princeton Rules and Regulations Governing Subdivision of Land.
- (B) **Definition.** A common driveway is a private way, extending from a public way, and serving as common access to more than one (1) building lot but not more than five (5) building lots. Any private way that serves more than five (5) building lots requires compliance with the regulations and standards governing streets under the Town's Rules and Regulations Governing the Subdivision of Land.
- (C) **Signs.** To enable emergency vehicles to easily locate the common driveway and the building lots served by the common driveway, every common driveway shall have a sign approved by the Highway Department placed at the intersection of the common driveway and the public way, with the house numbers served by the common driveway, and the words "Private Way." Any fork in a common driveway shall be marked with house numbers. The name (if any) of a common driveway and the house numbers it serves must be filed with the Town Clerk, the Fire Chief, and the Police Chief.
- (D) **Design Standards.** The following standards, regulations, and requirements apply to common driveways:
- (1) While a common driveway may provide actual access to a building lot, every building lot served by the common driveway shall meet the area and yard requirements in Section VI or as approved under Sections XIV or XV of these Zoning By-Laws.

- (2) The common driveway shall be located entirely within the boundaries of the building lots being served by the common driveway or within permanent and recorded easements to the owners of those building lots and their assigns. Except as permitted through a recorded easement, or when the common driveway serves a back-lot development approved under Section XV of these Zoning By-Laws, at no point shall the centerline of a common driveway be closer than twenty-five (25) feet to any lot line not served by the common driveway.
- (3) The angle of the centerline intersection of the common driveway with the centerline of the public way shall not be less than 60 degrees.
- (4) The common driveway centerline intersection on a public way must be at least two hundred (200) feet from the centerline intersection of any other existing or approved public way, private way, or common driveway on the same side of the public way, unless the applicant can demonstrate to the Planning Board's satisfaction that public safety will not be compromised by a lesser separation.
- (5) The sidelines of the intersection of the common driveway and the public way shall have a radius of not less than five (5) feet.
- (6) The intersection of the common driveway and the public way shall be designed so that drainage of water shall not be channeled onto the public way. Any drainage method must be approved by the Planning Board and the Highway Department with an opportunity for review by the Conservation Commission.
- (7) The maximum centerline grade of the common driveway shall be 10%. Within seventy-five (75) feet of the public way, the maximum centerline grade of the common driveway shall be 3%.
- (8) The maximum length of the common driveway shall be seven hundred fifty (750) feet. Where the common driveway exceeds five hundred (500) feet in length, it shall end in a circle with a radius of no less than twenty-five (25) feet.
- (9) Turnouts shall be installed and maintained every three hundred (300) feet on a common driveway to allow vehicles to pass.
- (10) The minimum easement width for a common driveway that serves a residential use shall be twenty-four (24) feet. The minimum easement width for a common driveway that serves a non-residential use shall be forty (40) feet.
- (11) For a common driveway that serves a residential use, the minimum cleared travel lane width shall be twelve (12) feet with shoulders of at least two (2) feet width for a total minimum cleared width of sixteen (16) feet. Except where turnouts are installed, the maximum cleared width of a common driveway serving a residential use, including shoulders, shall not exceed twenty-four (24) feet.

- (12) For a common driveway that serves a non-residential use, the minimum cleared travel lane width shall be twenty-two (22) feet with shoulders of at least two (2) feet width for a total minimum cleared width of twenty-four (26) feet. Except where turnouts are installed, the maximum cleared width of a common driveway serving a commercial use, including shoulders, shall not exceed thirty (30) feet.
  - (13) The common driveway shall be constructed using a minimum twelve (12) inch layer of gravel sub-base, compacted to 95% of maximum dry density. Gravel material shall meet the latest Mass DOT Standard Specifications for gravel borrow (type b) or processed gravel.
    - (a) Paved common driveways shall have a base course with a minimum two (2) inch binder and a top course with a minimum one and one-half (1.5) inch thickness.
    - (b) Common driveways may be surfaced with gravel, crushed stone, or another permeable or semi-permeable surface that the surface allows for all season access by vehicles of up to 40,000 pounds as certified by a professional engineer.
  - (14) No common driveway shall be constructed off of any cul-de-sac or dead end of a public or private way, or be connected or attached to any other common driveway.
- (E) **Procedures.** A common driveway requires a Special Permit and Site Plan Review from the Planning Board and a Driveway Opening Permit from the Highway Superintendent.
- (1) New Common Driveways. A special permit and compliance with the design standards of this Section VII.7 are required for the construction of a new common driveway.
  - (2) Pre-Existing Common Driveways.
    - (a) The design standards of Section VII.7.(D) do not apply to common driveways existing before the adoption of this by-law except as provided in subsection 7(E)(2)(b) below.
    - (b) The design standards of Section VII.7.(D) shall apply to any material relocation, expansion, or extension of a pre-existing common driveway; provided, however, that for good cause shown, the Planning Board may waive specific design standards pursuant to Section VII.7.(F).
  - (3) Plans. An applicant for a Special Permit for a Common Driveway shall submit to the Planning Board a plan that substantially complies with the requirements appended to the application form, prepared and signed by a professional engineer and/or land surveyor registered in Massachusetts.

- (4) Documents. An applicant for a Special Permit for a Common Driveway shall submit to the Planning Board draft documents providing for easements binding present and future owners of all the lots served by the common driveway, together with an opinion from an attorney that the documents provide for:
- (a) The right to use in the common driveway for all purposes for which private driveways are customarily used, including the right to install, maintain and repair drains, culvert and underground utilities in, along, under and across the common driveways.
  - (b) The obligation to repair, maintain, and remove snow so as to insure continuous year-round access to each lot by emergency and other vehicles, including a clear expression of specifications to which the common driveway must be maintained.
  - (c) The right of each owner of a lot served by the common driveway to enforce the obligations to repair and maintain the common driveway.
  - (d) Maintenance of the required signs where the common driveway enters the public way and the required signs at each branch of the common driveway.
- (5) Review Fees and Expenses. When reviewing an application for, or when conducting inspections in relation to, a Common Driveway Special Permit, the Planning Board may determine that the assistance of outside consultants is warranted, including but not limited to professional engineering, surveying or planning review. In such cases the applicant shall pay a “project review fee” consisting of the reasonable costs for such outside consultant(s). An additional project review fee deposit may be required by the Planning Board at the time of submission or at any time during the review or inspection process.
- (F) **Waiver**. Strict compliance with these common driveway Standards and Procedures may be waived by the Planning Board if the Planning Board finds that the required information is irrelevant to a particular project, that granting of the waiver is in the public interest, and that granting the waiver would not be inconsistent with the purposes of these By-Laws and, where applicable, the Town of Princeton Subdivision Rules and Regulations.

*or take any other action relative thereto.*