

**ADD DEFINITION TO SECTION 1.02:**

Common Driveway – A shared access for two or more lots or properties, privately owned and maintained by the lots or properties accessed.

**Section 6.04 Common Driveways**

(a) Purpose

The purpose of this section is to provide guidelines for the Planning Board to permit Common Driveways in order to reduce the number of access points on public or private streets; to protect wetlands and sensitive natural areas from disturbance; and to preserve historic streetscapes in the Town of Mendon, when these driveways meet reasonable construction and design standards.

(b) Procedural and Dimensional Requirements

Common driveways may be allowed by Special Permit from the Planning Board in all zoning districts but only to deal with topographic and/or safety issues as determined by the Planning Board and in accordance with the following provisions:

- (i) In the case of Common Driveways that serve Open Space Communities in accordance with Section 3.04 of these Zoning By-Laws, the Planning Board may waive the below requirements after review and approval by the Highway Department, the Fire Department, and the Police Department to ensure emergency vehicle access.
- (ii) Lots to be served by a common driveway must meet the minimum dimensional standards of the Zoning By-Law in effect at the time they are created.
- (iii) Common driveways may only access the street where the lots served have legal frontage. Common drives shall not be permitted at the end of a cul-de-sac.
- (iv) Common driveways must have a minimum width of eighteen feet (18') for residential driveways and twenty-five feet (25') for industrial or commercial driveways.
- (v) The grade for common driveways shall be a maximum of ten percent (10%), three percent (3%) within fifty (50) feet of the street line.
- (vi) Common driveways shall have a maximum length of five hundred feet (500'). The Planning Board may grant a waiver, owing to circumstances relating to unique soil conditions, shape, or topography of the land that cause substantial hardship to the applicant an extension of up to three hundred feet (300'), with review and approval by the Highway Department, the Fire Department, and the Police Department to ensure emergency vehicle access. Said waiver shall not be allowed solely for the convenience and/or preference of the applicant.
- (vii) Common driveways must be no closer than one hundred feet (100') to any intersecting way.
- (viii) For residential driveways, construction must consist of a six-inch (6") gravel road base, one and a half inch (1.5") binder course, and a one inch (1") top course. For commercial or industrial driveways, construction must consist of a twelve-inch (12") gravel road base, one and a half inch (1.5") binder course, and a one and a half inch (1.5") top course. The Planning Board may impose additional conditions based on review and approval by the Highway Department, the Fire Department, and the Police Department to ensure emergency vehicle access.

- (ix) The maximum number of lots that may be served by a common driveway is two (2). The Planning Board may grant a waiver, owing to circumstances relating to unique soil conditions, shape, or topography of the land that cause substantial hardship to the applicant, an additional two (2) lots served by a common driveway, for a total of four (4) lots, with review and approval by the Highway Department, the Fire Department, and the Police Department to ensure emergency vehicle access. Said waiver shall not be allowed solely for the convenience and/or preference of the applicant.
- (x) The center line radius of turnaround areas shall be a minimum of sixty (60) feet.
- (xi) Said driveway shall be located entirely within the lots served.
- (xii) Sight distance at the street line shall be in accordance with Massachusetts Highway Design (MHD) standards, and in no case shall be less than two hundred feet (200').
- (xiii) The permit holder shall record a plan for the common driveway and such instruments as are necessary to establish easements providing for use of the common driveway to serve more than one lot and a restriction burdening all lots served by the common driveway that said common driveway shall remain private in perpetuity, that no parking will be allowed on the common drive, and that all roadway maintenance, snowplowing, and rubbish collection shall be the landowners' responsibility. The plan and instruments shall be in a form approved by the Planning Board, and shall be recorded, with proof of such recording provided to the Planning Board, prior to use of the common driveway to serve more than one lot.
- (xiv) Underground utilities shall be provided on common driveways, unless the Planning Board makes findings in open meeting that underground utilities are not practical due to extreme topographical or environmental constraints and/or safety issues. Above-ground utilities shall not be allowed solely for the convenience and/or preference of an applicant.
- (xv) An occupancy permit for any structure accessed via the common driveway shall not be granted until the street numbers of the lots serviced by the common driveway are clearly posted on a single permanent post at the street, in a form approved by the Planning Board, so as to be visible from both directions of travel, and are also posted on a permanent post at the point at which each private driveway splits from the common driveway.
- (xvi) Applicants must provide drainage calculations relative to the design of the common driveway in accordance with the standards of Section 4.B of the Subdivision Rules and Regulations and propose appropriate mitigation for impacts to stormwater quantity and quality.
- (xvii) An occupancy permit for any structure accessed via the common driveway shall not be granted until the portion of the driveway to access said structure is accessible by emergency vehicles. Prior to the issuance of the final occupancy permit, the design engineer must submit a stamped letter certifying that the common driveway sitework has been constructed as shown on the approved plans.