

TOWN OF SCITUATE



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Planning Board

August 26, 2016

Ms. Kathleen Curran
Town Clerk
Town of Scituate

**Re: Site Plan Administrative Review – Common Driveway
182 – 186 First Parish Road - Lots 3 and 4
Applicant: Peter Zaccardi
Owner: Tar Pouch Realty Trust**

2016 AUG 26 AM 11:33
RECEIVED

Dear Ms. Curran:

At their regularly scheduled meeting of August 25, 2016, the Planning Board continued discussion of the Site Plan Administrative Review under Scituate Zoning Bylaw Section 720 for a Common Driveway of less than 500' in length serving two lots with adjoining legal frontage for a driveway of approximately 88' proposed to serve two homes at 182 – 186 First Parish Road for applicant Peter Zaccardi and owner Tar Pouch Realty Trust. The members present and voting were Stephen Pritchard, William Limbacher, Ann Burbine, Richard Taylor and Gerard Wynne. The following motion was voted favorably with a unanimous vote of the members present:

MOTION: To approve the Site Plan Administrative Review for a Common Driveway for 182 – 186 First Parish Road Lots 3 and 4 for Peter Zaccardi/Tar Pouch Realty Trust with the following conditions:

1. Construction shall comply with a plan entitled Common Driveway Plan Lots 3 & 4 First Parish Road in Scituate, Massachusetts prepared by Morse Engineering Co., Inc. dated June 20, 2016 with revisions through August 25, 2016, except as they may be modified to meet the conditions below.
2. Conditions of the Stormwater Permit are hereby incorporated for the common driveway.
3. The applicant will provide a deposit of \$5,000 prior to the pre-construction conference to guarantee initial maintenance of the crushed stone trench basin, cleanup of the site and providing an as-built.
4. A copy of the Operation & Maintenance Plan for the stormwater management system will be provided to realtors marketing the lots shown on the plan with the intent to insure prospective purchasers of homes receive information on maintenance responsibilities prior to purchase. The Stormwater system shall be maintained in good condition in accordance with the approved Stormwater Permit plans and calculations.

5. If the plan must be modified, it shall be submitted to the Planning Board for a determination of a need for permit modification.
6. The Board is to be notified upon completion of construction. As built plans depicting the construction conditions of the common driveway, its utilities and stormwater facilities are required to ensure construction conforms to the approved plans.
7. The standard conditions for common driveways approved by the Planning Board after a public hearing on December 17, 2015 shall be included as conditions of this decision.
8. The existing erosion control barrier of silt sock that is already there will be maintained until construction of the common driveway commences.

Very truly yours,



Stephen R. Pritchard, Chairman

Cc: Planning Board
DPW Director
Building Commissioner
Conservation Agent

Peter Zaccardi
Tar Pouch Realty Trust, Bethany Versoy, Trustee

Common Driveway Standard Conditions **12/17/15**

1. The lots shown on the plan shall be accessed over a single Common Driveway. No further extensions or attachments of any other roadways or Common Driveways, or other access to any other lots besides those created by the plan shall be permitted.
2. Prior to obtaining building permits, the applicant must obtain all necessary approvals from the Board of Health, Conservation Commission, Fire Department, Building Department and Department of Public Works, and these shall be deemed conditions of the Planning Board's approval.
3. All utilities shall be placed underground.
4. No new underground irrigation systems shall be allowed to connect to the Town's water distribution system or in any manner use municipal water. In accordance with this policy, all irrigation systems installed in Scituate must be supplied by on-site sources at the expense of the property owner.
5. The Common Driveway and drainage system shall be owned by the homeowners, and always shall remain private and shall not be maintained by the Town. This condition shall be stated in a note on the plan.
6. The plans for the Common Driveway shall be submitted to the Planning Board for their signature after the expiration of the twenty day appeal period of this special permit. The plans and special permit shall be recorded together at the Plymouth County Registry of Deeds.

Common Driveway Agreement

7. A Common Driveway Agreement shall assign the responsibilities and costs of maintenance and repair of the Common Driveway and emergency turnaround, as well as the stormwater management system serving the common driveway, to the owners of the lots shown on the plan.

A description of other typical maintenance such as snow-plowing, pavement repair or repair, landscaping and protection from erosion shall be included in the Common Driveway Agreement. The homeowners' responsibilities shall include all requirements of the approved Operation & Maintenance Plan for the stormwater management system, which shall be attached to the Agreement.

The Agreement shall require annual certification by an engineer that the stormwater system is being properly inspected and maintained per the Operation & Maintenance Plan.

8. A standard format for the Common Driveway Agreement is available from the Planning office and shall be used. A final draft of the Agreement shall be provided to the Planning Board within two weeks of the approval of this special permit. The Agreement shall be recorded at the Registry of Deeds.
9. The Operation & Maintenance Plan shall also be provided to the Planning Board as a stand alone document.

Construction

10. Prior to scheduling the pre-construction conference, a schedule of construction activities shall be given to the Town Planner and the applicant shall provide funds to cover the cost of inspections and attendance at the pre-construction conference by the Town's consulting engineer.
11. A pre-construction conference will be required prior to the start of construction including the Planning Board's consulting engineer, the site contractor and the Town Planner.
12. The hours of construction shall be limited to 7 AM to 7 PM weekdays and 8AM to 7PM or sunset, whichever is earlier on Saturdays. No construction is permitted on Sundays or legal federal or state holidays.
13. There shall be no parking or idling of vehicles on the road providing access to the common driveway during construction.
14. Noise mitigation and proper dust controls shall be used, with clean-up of all areas of the site as needed, and there shall be no truck idling on the site or adjacent street.
15. No Certificate of Occupancy shall be issued until the Planning Board and Building Commissioner are satisfied that access, construction of the Common Driveway and installation of necessary utilities are in full compliance with the approved plans and the special permit.

Inspections

16. The Town Planner is to be notified when construction begins and when construction is completed. All clearing and earth moving operations shall only occur while erosion and sedimentation control measures, approved by the Town Planner and shown on the plan are in place. Such control measures shall remain in place until the Town Planner determines that the danger of erosion or sedimentation no longer exists.
17. Construction of the Common Driveway shall be supervised by a registered professional engineer who shall certify in writing to the Planning Board at completion that the driveway, grading and drainage structures were constructed in accordance with the approved plans. This certification shall be accompanied by as-built plans, signed and stamped by a registered professional land surveyor and the supervising engineer. The costs of this supervision and certification shall be born by the applicant.
18. Inspections will be required for staking of limits of drainage basins and roadway limits prior to clearing and grubbing; grading of drainage basins; placement and compaction of gravel subbase; placement of base/binder; and placement of the top course of the common driveway.

Administration

19. This special permit shall be void if it is not recorded at the Registry of Deeds within 90 days of the date of filing with the Town Clerk or following the resolution of any appeals. The owner shall provide proof of this recording to the Planning Board.
20. This special permit shall lapse within two years from the date of its issuance unless substantial use or construction has commenced prior to that time in accordance with MGL Chapter 40A, Section 9.
21. Failure to comply with any condition of this special permit shall cause it to be deemed invalid.