

**TOWN OF DUDLEY**  
**MASSACHUSETTS**  
**OFFICE OF THE TOWN CLERK**

71 West Main Street, Suite 207 • Dudley, MA 01571  
(508) 949-8004 Town Clerk's Phone • (508) 949-7115 Fax

Lori A. Smith, CMMC

*Town Clerk*

[townclerk1@dudleyma.gov](mailto:townclerk1@dudleyma.gov)



Jacqueline M. Phelps

*Assistant Town Clerk*

[townclerk2@dudleyma.gov](mailto:townclerk2@dudleyma.gov)

**Annual Town Meeting**  
**May 20, 2024**

**ARTICLE 12: (Planning Board) - Shared Driveway Standards - To Establish Design Standards for Shared Driveways** To see if the Town will vote to amend the Dudley Zoning Bylaw, Section 7.01.00, Driveway / Curb Cut Permit, Subsection IV.F by deleting the strikethrough language and inserting the following underlined language including design standards for construction of shared driveways, and to change the special permit granting authority from the Zoning Board of Appeals to the Planning Board for more than two lots, or take any other action relative thereto.

F. One driveway can be used for two (2) houses. Only by a special permit from the ~~Board of Appeals~~ **Planning Board** can more than two houses use the same driveway. Each shared driveways shall meet the following design standards:

1. The distance of the shared driveway measured from the street line to the point where the shared driveway splits into individual driveways shall not exceed a distance of five hundred (500) feet, unless the Highway Superintendent or Planning Board, as the case may be, after referral to the Fire Department for comment, makes a determination that said driveway will provide safe access for fire, police and emergency vehicles.
2. The shared driveway shall lie entirely within the boundaries of the lots to which it provides access and shall be separated from any other lots to which access is not being provided by an appropriately landscaped buffer area at least twenty (20) feet in width.
3. The shared driveway shall have a minimum cleared width of twenty (20) feet, and a minimum travel way of sixteen (16) feet.
4. The roadway surface shall have a minimum of four (4) inches of graded gravel, placed over a properly prepared base, graded and compacted to drain from the crown. The driveway shall be paved for the first fifty (50) feet in order to prevent erosion onto the street.

5. The grade of each shared driveway where it intersects with the public way shall not exceed six percent (6%) for a distance of fifty (50) feet whether upgradient or downgradient from the street.

6. The shared driveway shall not disrupt existing drainage patterns or cause material to enter the traveled way of a public street. The applicant shall submit a grading plan showing existing and proposed conditions to demonstrate compliance with this requirement.

7. The applicant shall submit proposed documents to the Highway Superintendent or Planning Board as the case may be, demonstrating that, through easements, restrictive covenants, or other appropriate legal devices, the maintenance (including snow removal), repair and liability for the shared driveway and all public utilities shall remain perpetually the responsibility of the private parties and their successors in interest.

8. The shared driveway shall never be used to satisfy frontage requirements.

9. An application for a shared driveway shall include a plan showing the driveway serving the premises, stopping sight distances in each direction with the adjoining roadway, and existing and proposed topography at two-foot contour intervals. This information may be shown on a site plan, an Approval Not Required Plan, or any other plan of the lots to which access is to be provided by the shared driveway.

*FAA deferred to the Planning Board. At its April 24, 2024 Planning Board meeting, the Board continued the required public hearing on the proposed amendment. Upon closing the hearing, the Board voted 5-0 to recommend approval of the amendment to Town Meeting.*

*Richard Clark, Planning Board Member, made a motion to amend Article 12 printed in the warrant and replace it with the Amended Article 12 on the one-page handout which has been made available at the back table. Motion was seconded.*

**ARTICLE 12 (Planning Board) - Shared Driveway Standards - To Establish Design Standards for Shared Driveways Amended Article 12 Approved by a 2/3<sup>rd</sup> Majority as declared by the Moderator - to amend the Dudley Zoning Bylaw, Section 7.01.00, Driveway / Curb Cut Permit, Subsection IV.F by deleting the existing text and inserting the following underlined language as conditions and design standards for construction of shared driveways.**

~~F. One driveway can be used for two (2) houses. Only by a special permit from the Board of Appeals can more than two houses use the same driveway.~~

F. One driveway can be used for two (2) single family houses by right subject to all existing Driveway/Curb Cut requirements specified in the Dudley Zoning Bylaw, Section 7.01.00, Driveway / Curb Cut Permit, AND the additional shared driveway conditions listed below.

1. The Planning Board may issue a Special Permit for shared driveways that exceed two Single Family Houses up to a maximum of three Single Family Houses.
2. In all business, industrial and light industrial zoning districts, all shared driveways, regardless of the number of branches, may appear before the Planning Board for consideration of a Special Permit. Such shared driveways shall meet the minimum specifications of roads as specified in the Town of Dudley Rules & Regulations Governing the Subdivision of Land.
3. The shared driveway shall lie entirely within the boundaries of the lots to which it provides access and shall be separated from any other lots to which access is not being provided by a buffer area of not less than twenty (20) feet in width.
4. The shared driveway shall not disrupt existing drainage patterns or cause materials to enter the traveled way of a public street. The applicant shall submit a water management plan showing existing and proposed conditions to demonstrate compliance with this requirement.
5. No shared driveway shall ever be accepted as a public road, considered a private road and ever be considered as "access" for future development, unless it meets the current requirements for a public way set forth in the Town of Dudley Subdivision Rules and Regulations.
6. In addition, the Town shall never be responsible for construction, reconstruction, maintenance, safety issues, or snow removal on any shared driveway.
7. For shared driveways, a written agreement between the landowners shall be recorded on the deeds of all properties sharing the driveway and filed with the Planning Board, Building Department and Highway Superintendent. Said agreement shall include maintenance and financial responsibilities. The applicant shall demonstrate that, through easements, restrictive covenants, or other appropriate legal devices, the maintenance (including snow removal), repair and liability for the shared driveway and all public utilities shall remain perpetually the responsibility of the private parties and their successors in interest.
8. Private driveways branching off the shared drive shall be reviewed and approved in each case by Highway, Fire and Police Departments to ensure emergency vehicle access.
9. Shared Driveways and the Private Driveways off the shared drive, shall be reviewed and approved in each case by the Water/Sewer Department to ensure adequate access and easements are in place to properly service the properties. If public Water and/or Sewer is not available at the location of the Shared Driveway, this is waived.
10. A shared driveway must allow safe passage of two vehicles. The shared driveway shall have a minimum cleared width of twenty (20) feet, and a minimum travel way of sixteen (16) feet.
11. Permanent signs indicating the street number address assigned to each lot served by the shared driveway shall be installed within ten (10) feet of the intersection of the shared driveway with the street, as well as within 10 feet of the intersection of an individual lot driveway with the shared driveway. Numbered signs shall be placed in a manner so that they will not be blocked during heavy snowpack.
12. Any new or additional shared driveway entering onto a paved road must have a concrete or asphalt apron at least 4 inches thick, not less than 20 feet wide and not less than 20 feet long connecting the driveway and the road. The apron must be clear and provide unobstructed access and egress for two vehicles simultaneously entering and exiting from the shared driveway onto the road.

13. An occupancy permit for any structure requiring a special permit accessed via the shared driveway shall not be granted until the shared driveway is 100% complete. In order to be considered complete, the design engineer must submit a stamped letter certifying the shared driveway site work has been constructed as shown on the approved plans.

Action Taken: May 20, 2024

A True Copy.

Attest: *Lori A. Smith*

Lori A. Smith, Dudley Town Clerk

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