

Town of Leyden, MA

Planning Board

Minutes of Meeting 6/14/2023.

Attendees: Members Jim Brodeur, David Curtis, Emily Yazwinski, Warren Facey, Associate Member Sarah Bartholomew

Others: Craig and Kaitlynn Ryan, Liz Kidder, Jan & Jane Kuznik, John & Michelle Rodgers, Glenn Caffery

Call to Order: The meeting was called to order at 6:30 PM by Chairman Brodeur. Chairman Brodeur announced that Associate Member Sarah Bartholomew was going to be included in all discussions/votes due to the meeting which will include a special permit public hearing for a common driveway for #248 Greenfield Road.

Correspondence: Glenn Caffery was present to explain the email correspondence he sent to the Chair requesting a revised agenda to address the requirement for the Planning Board to review and report on 2 articles scheduled to be voted on at the Annual Town Meeting on June 20. Article 18, looking for the abandonment and discontinuance of a 3,582' portion of Hunt Hill Road was discussed by the Board, and Emily moved to recommend to Town Meeting the approval of Article 18. David seconded, all members present voted in favor. Article 19, looking for the approval by Town Meeting to accept the 2-rod layout of the same 3,582' portion of Hunt Hill Road as a statutory public way was discussed by the Board, and Emily moved to recommend to Town Meeting the approval of Article 19. David seconded, and all members present voted in favor.

Correspondence: Chairman Brodeur indicated that all notices of abutting town's hearings had been communicated during the previous month, so as to inform the Members before those hearings actually took place. Several "granted" special permits and variances from Greenfield were read for informational purposes and/or appeals.

Also under Correspondence, Chairman Brodeur read a letter to the Board from John & Michelle expressing their concerns about the upcoming hearing on the common driveway special permit application for #248 Greenfield Road. While not necessarily opposing the special permit, their concerns were about heavy construction equipment using an assumed easement access to the house construction site via adjacent private road Lois Lane, which contained the Rodgers' piped underground leaching trench beneath that lane. The Ryans stated that they had started to utilize that lane for recycled asphalt product, but were blocked out, and had by now decided not to pursue utilizing it for similar heavy deliveries in the future, as their replacement driveway off Greenfield Road has been roughed in and has been started now to be used for equipment access. Chairman Brodeur offered that a request in the letter of a condition by the Board, to prevent access from Lois Lane to #248 be included should the Board approve the special permit, would probably not be within the authorization of the Planning Board, as the special permit request was for access only via Greenfield Road.

#248 Greenfield Road Common Driveway Special Permit Public Hearing: (see separate hearing minutes, attached hereto as page 2 of 2.)

Public Hearing/Common Driveway Special Permit follow-up: After further discussion about the need for an adequate turnaround at the house end of the common driveway being requested, Emily made a motion to approve the Application for the Common Driveway Special Permit for #248 Greenfield Road, with the condition that construction of the driveway to #248 Greenfield Road include a turnaround loop near the house end of the common driveway of a minimum 14' wide travel lane of at least 84' outside diameter, with the finished product being approved by the Leyden Fire Chief. Sarah Bartholomew seconded the motion. Vote tally was: Warren Facey-aye, Emily Yazwinski-aye, David Curtis-aye, Sarah Bartholomew-aye, James Brodeur-aye. Special Permit is approved unanimously.

Minutes approvals: The minutes of the May 10, 2023 regular meeting were reviewed, with Emily offering a motion to approve the minutes as presented. Sarah seconded the motion, all voted in favor.

A motion by Emily Yazwinski, with a second by David Curtis, to close the Planning Board meeting, was voted unanimously in favor by all members present, at 7:52 PM.

Respectfully Submitted,

James Brodeur, Chair

Town of Leyden, MA

Planning Board

Minutes of Public Hearing, 6/14/2023, on the 4/24/2023 Application of Craig and Kaitlyn Ryan for a Common driveway for #248 Greenfield Road.

Attendees: Chairman James Brodeur, Members David Curtis, Emily Yazwinski, Warren Facey

Associate Member, Sarah Bartholomew

Others in attendance: Craig and Kaitlynn Ryan, Liz Kidder, Jan & Jane Kuznik, John & Michelle Rodgers, Selectboard member Glenn Caffery.

Chairman Brodeur opened the hearing with the reading of the hearing posting which appeared in the Recorder as well as posted on the Municipal Offices bulletin board. The application for a Special Permit is to allow a common driveway in accordance with Section 5.7B of the Leyden Zoning Bylaws.

The Applicant distributed copies of an executed and recorded (Book 8177 Page 244) easement/maintenance agreement between the owners of #256 and the applicants at #248 Greenfield Road, which Chairman Brodeur read into the hearing. Also distributed were copies of the new driveway construction plan by S.K.Kimberley Engineering, dated 4/21/23 which showed that the new access to #248 Greenfield Road will utilize the bottom 120' portion of the paved driveway of #256 Greenfield Road, thence turn to the south within the property of #256 for another distance of 605', thence continuing south another 146' on the property of #248, to the house garage. The driveway end features a 38'x 28' parking area at the garage door.

When asked if there was anyone present in favor of the special permit, Jan Kuznik, of #256 Greenfield Road expressed the desire for it to pass, as the house lot was a wedding gift to the applicants for them to build next door. When asked if there was anyone in objection to the special permit, John Rodgers expressed that they were not against the common driveway, but were instead in objection to the applicants using Lois Lane for construction access. When Chairman Brodeur opined that conditioning the use of Lois Lane for any purpose by the applicants was a civil matter addressed prior, in 1994 and again 2005, and was outside the jurisdiction of the Planning Board and this special permit process.

Liz Kidder stated that she was neither for or against the special permit, but as a member of the Leyden Public Safety Advisory Committee was concerned about emergency vehicle access and egress from such a long driveway in case of emergency response. Chairman Brodeur, as a retired firefighter also expressed the same concern, as the driveway end features only a 38'x 28' parking area at the garage door. The Zoning Bylaw Section 5.7 refers to the Planning Board Subdivision Rules and Regulations in that a common driveway should have a turnout of at least that for a 30' fire truck to be able to turn around, with a 42' radius with a 14' lane width. This was discussed at length and will be addressed with conditions if appropriate.

With no further questions or comments, Emily moved to close the public hearing at 7:35 PM. David seconded the motion, and all members and the associate member voted in favor.