

SHUTESBURY ZONING BOARD OF APPEALS
VARIANCE APPLICATION

ZBA Contact: zba@shutesbury.org

Mark A. Wightman

Petitioner(s)

7 Oak Knoll Drive

S. Deerfield, MA 01373

Address

413-522-0217 / maw10@comcast.net

Telephone/E-mail

Zoning Board Use Only:

Application #: _____

Filing date: _____

Application complete date: _____

Hearing opened date: _____

Hearing closed date: _____

Written decision date: _____

Property Owner (If other than petitioner)

Attorney/Engineer/Architect (If any)

Address

Address

Telephone/E-mail

Telephone/E-mail

Brief description of variance request (attach plans as necessary): SEE ATTACHED

Amendment to previously granted variance? ____ Yes X No

Property Address Off Leverett Road

Assessor Map/Parcel #(s) Map 16, Lot H-151 aka 18 Leverett Rd

Property Deed Book/Page #(s) Deed Bk.: 3302, Pg.: 127

Zoning District(s) TC - Town Center District / FC - Forest Conservation

Zoning Bylaw Section(s) proposed to be varied: Section 8.6-2(A) Driveway Regulations

Over »

ZBA VARIANCE APPLICATION (cont.)

Circumstances causing hardship relating to soil conditions, shape, or topography of land or structures:

SEE ATTACHED

Justification for Variance (why proposal will not be detrimental to public good and not derogate from intent or purpose of zoning bylaw):

SEE ATTACHED

Signature of Petitioner(s)

Signature of Property Owner(s)

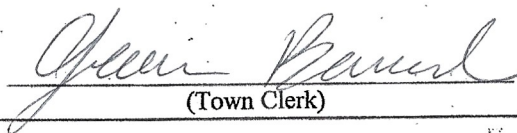
TOWN HALL OFFICE USE ONLY

6 copies filed with Town Clerk on: 4/21/23 Fee paid: \$ _____
(Date) (Amount)

Certified abutters list submitted: N
(Yes/No)

Notice to Zoning Board: 4/21/23
(Date)

Method of notice: EMAIL


(Town Clerk)

Zoning Variance Request

18 Acres: Leverett Road, Shutesbury Project

Project Background

The Zoning Variance request is a part of the proposed 18 Acres: Leverett Road, Shutesbury Open Space Design Project. This Open Space Design Project consist of the construction of a single-family residence and an 800+ foot driveway. The locus property is off Leverett Road and is Lot H-151 on Assessor's Map 16. The property contains +/-18.25 acres of land and is currently owned by Mark A. Wightman (deed reference is Bk.: 3302, Pg.: 127). The locus property sits on the northern side of Leverett Road with approximately 48ft of frontage. The property sits within two land use zones; the first 500ft off the centerline of Leverett Road is in the Town Center District (TC), the remainder of the property resides within the Forest Conservation District (FC). The property has approximately +/-5.9 acres of wetlands which run through the property. These wetlands were delineated by Dan Nitzsche of GZA Geoenvironmental Engineering and located by Dan Warner in 2008. Dan Nitzsche re-delineated the wetland boundaries in September 2020 and the re-delineation was located by SVE Associates in September 2020. The wetland delineation was recognized by the Shutesbury Conservation Commission by an Order of Resource Area Delineation issued on April 23rd, 2021, to Mark Wightman.

The property is forested and slopes from Leverett Road northwesterly to Roaring Brook. The property is currently accessible by a varying width wood access/logging road off Leverett Road. This woods access road runs within the western half of the approximately 48-49ft wide strip of land that provides frontage for the property. The woods road currently has a stone wall which parallels on the western side acting as the property bound, and for a length of approximately 200ft another stone wall along the eastern side of the access.

Variance Request

Mr. Wightman is requesting zoning variance from Section 8.6-2(A) Driveway Regulations to utilize the clearing and layout provided by the exiting woods access road to construct the single-family residential driveway for the proposed Open Space Design. The use of the existing woods access road would bring the travel portion of the driveway within 2-3' of the western property line. This is well within the minimum setback set in Section 8.6-2(A)(2) which is 15'. Mr. Wightman would also like to reduce the minimum width of the driveway from 12ft wide to 9ft for a length of approximately 200ft to reduce disturbances to the existing stonewalls and vegetation.

Variance Request Reason

To meet Section 8.6-2(A)(2) Driveway Setback from the property line, the proposed residential driveway would have to be centered within the 48-49ft access off of Leverett Road which would require the clearing and grading of an approximate 40ft wide swath into the property.

To meet Section 8.6-2(A)(4) minimum of 12ft wide drive, the existing woods road would have to be widened for the entire length to a minimum of 12ft. In doing so, the existing stone walls that are on the property would likely need to be removed and additional tree clearing would be necessary as well as additional grading. The existing woods access road varies from 8-12'. A 200ft section of the proposed driveway is proposed to reduce the minimum width to 9ft. This allows the existing stone wall, found on the property, to remain in place as well as reduce the amount of vegetation removal and grading required within that 200ft section. The 200ft section of the driveway is approximately $\frac{1}{4}$ the entire length of the proposed residential driveway. The remaining 600ft of the driveway will have a minimum width of 12ft to allow emergency vehicle access. There will also be an emergency vehicle turnaround at the end of the proposed driveway.

Variance Justification

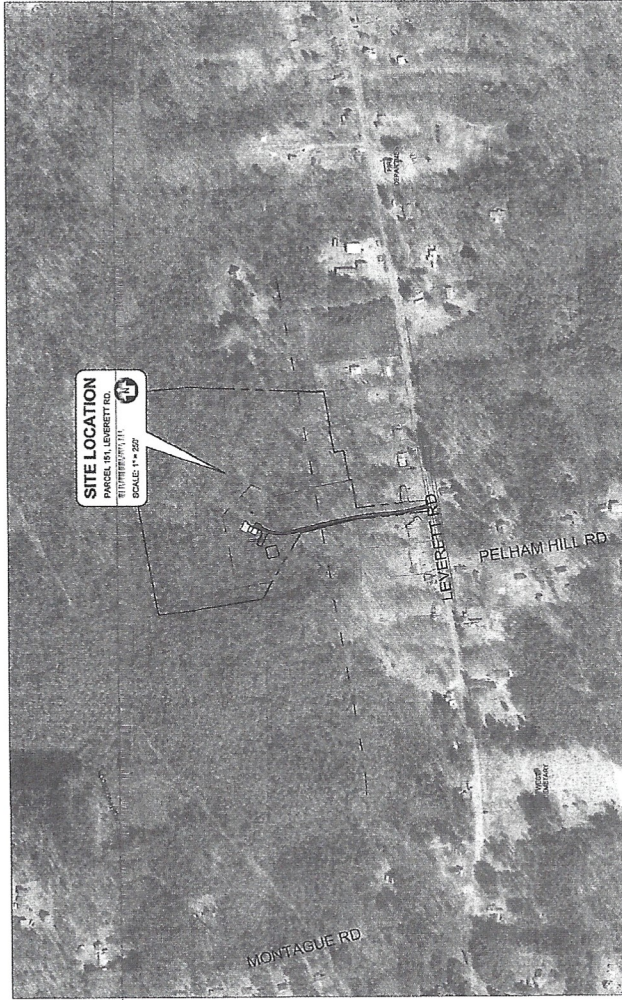
This variance request is justified by Section 8.3 Rural Siting Principles of the Zoning Bylaw. The requested variance/s from Section 8-6.2(A) let the petitioner reutilize an existing woods road rather than cut down a large swath of trees and disrupt the landscape to create a driveway that meets the Bylaw. The use of the existing woods road will allow the petitioner to minimize tree clearing, grading and will preserve existing stonewalls that are on the property. This will allow the driveway to preserve the old lane look that Section 8.3 desires.

The reduction in the minimum width (from 12ft to 9ft) for the 200ft section of the proposed residential driveway allows access back into with the greatest reduction in disturbances to the property within the 48-49ft wide access. The 200ft section is where there are existing stone walls on both sides of the existing woods road. In reducing the width of the proposed drive, the existing stone wall on the eastern side will be able to be saved. The 200ft section only accounts for $\frac{1}{4}$ th the total length of the proposed residential driveway. The remaining ± 600 ft will have a minimum width of 12ft for the access of emergency vehicles to the proposed residence. There will also be an emergency vehicle turnaround at the end of the driveway to provide easier access for emergency vehicles.

PERMIT SET
OPEN SPACE DEVELOPMENT
H-151 LEVERETT RD,
SHUTESBURY, MA

PREPARED FOR:
MARK WIGHTMAN
7 OAK KNOLL DRIVE
SOUTH DEERFIELD, MA 01373
413.868.3089

PREPARED BY:
SVE
Engineering
Planning
Landscape Architecture
Surveying
SVE Associates
P.O. Box 1818
439 West River Road
Brattleboro, VT 05302
T 802.257.0551
F 802.257.0721
www.sveassoc.com



NO.	REVISION	DATE	DRAWN	CHECK
1	REVISED PER DRIVEWAY RELOCATION	18-JAN-23	MSE	MSE



M. Wightman
DATE
PAGE NUMBER 50/52

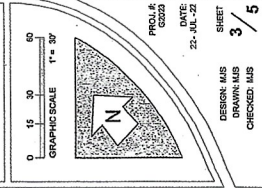
G2023
22-AUG-22
18 LEVERETT RD,
SHUTESBURY, MA
PERMIT SET

Open Space Design Worksheet

[illegible]

Paisley Park Ltd	3.99
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[illegible][illegible]



150

LEVERETT ROAD

1923 COUNTY LAYOUT (60' WIDE)

(A PUBLIC WAY) *See above*

CAUTION
 CONTRACTOR SHALL BE RESPONSIBLE FOR
 OBTAINING ALL NECESSARY PERMITS
 AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL
 APPLICABLE REGULATIONS.



MARK STADNICK
R.C.E. NUMBER 65402

[illegible]

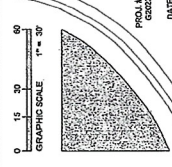
SVE

Engineering
Planning
Landscape Architecture
Surveying

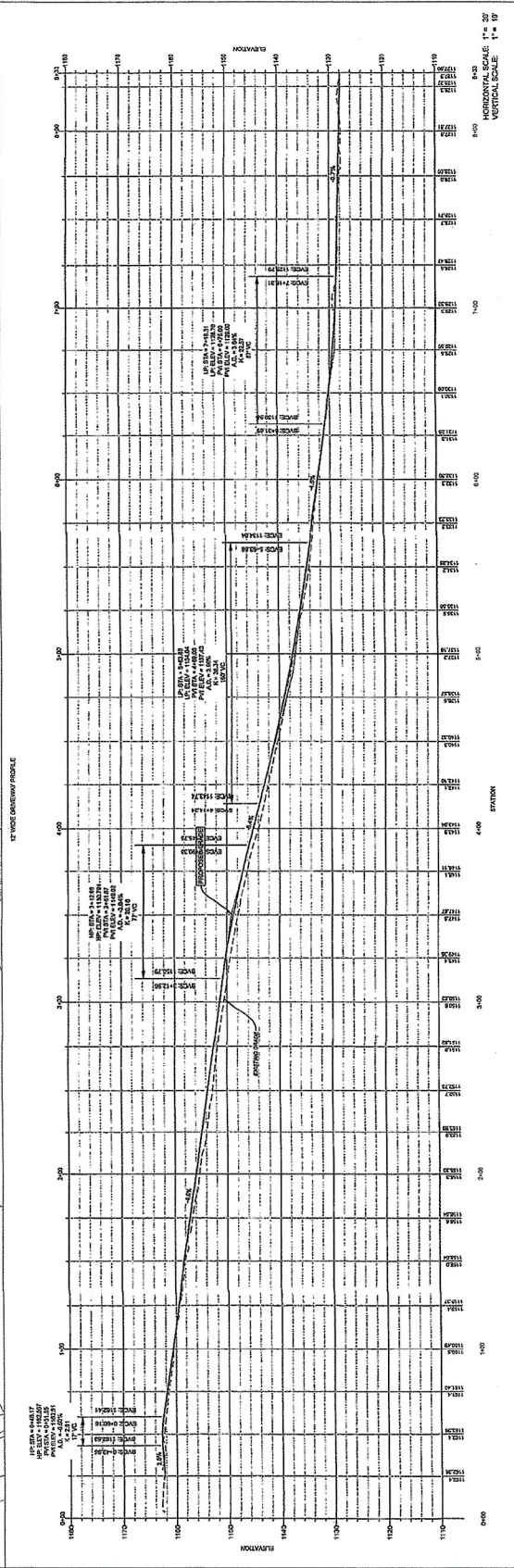
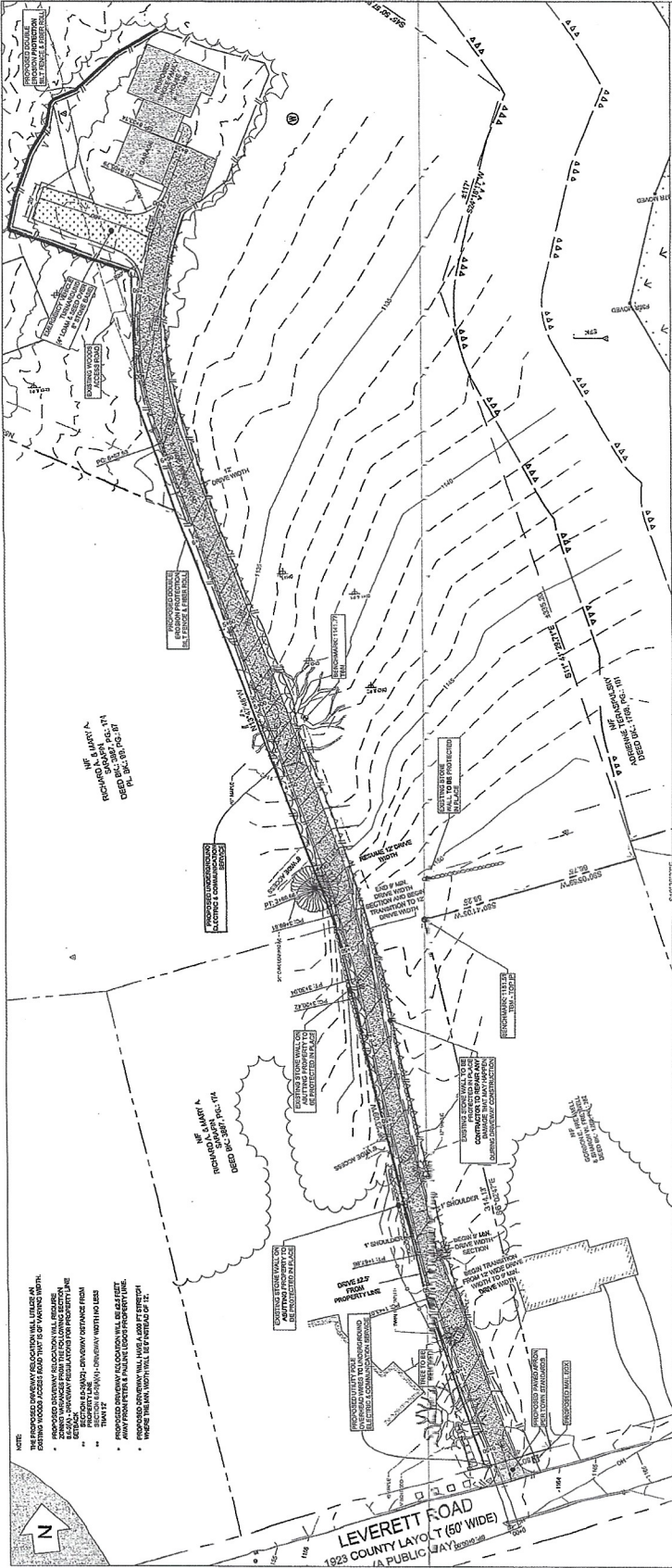
SVE Associates
P.O. Box 1818
439 West River F
Brattleboro, VT 0
T 802.257.0561
F 802.257.0721
www.sveassoc.com

DRIVEWAY
RELOCATION
PLAN

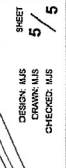
**RELOCATION
PLAN**
MAP 16, LOT H-151
LEVERETT RD,
SHUTESBURY, MA
MARK WIGHTMAN
7 OAK KNOLL DRIVE
SOUTH OXFORD, MA 01373



DESIGN: MJS
DRAWN: MJS
CHECKED: MJS



Drawing name: P:\Project\VA PROJECTS\2023 WYTHMAN, Haskin\Concepts\2023_DRAINWAY RELOCATION PLAN-1-10-23.dwg Jan 20, 2023 - 9:46am



FIBER ROLL

10 FT

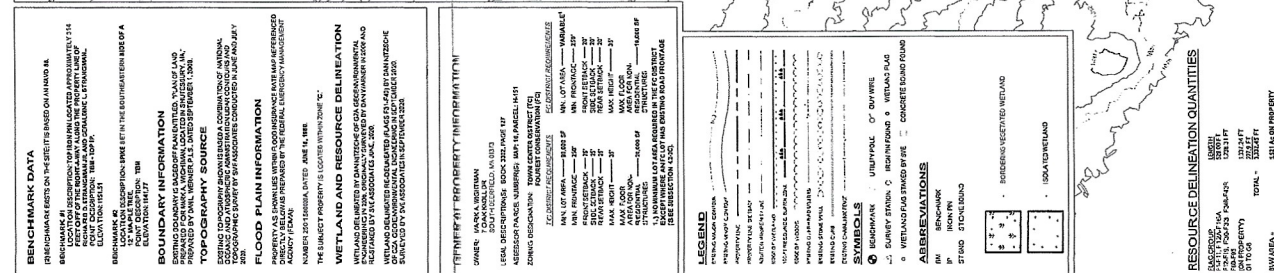
20 FT DIA

EXISTING PAVED ROADWAY

SWITCH

ON FOUR TIMES THE EXISTING LARGEST CONSTRUCTION MATERIAL TO 5'

PLAN



SVE Engineering Planning Landscape Architecture Surveying SVE Associates P.O. Box 1818 439 West River Road Bridleboro, VT 05202 T 802.257.0551 F 802.257.0721 www.sveassoc.com	ANRAD PLAN MAP 16, LOT P-51 SHUTESBURY, MA MARK WIGHTMAN SOUTH DEDFIELD, MA 01320  GRAPHIC SCALE 1" = 50' 0 30 60 90 120
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