



**Town of Scituate  
Planning Board**

**Special Permits – Common Driveways  
Lots 1 through 8 Off Route 3A  
Seven H. Trust**

**Decision:** **APPROVED with Conditions**  
**Date:** May 24, 2007  
**Location:** Lots 1 through 8, Chief Justice Cushing Highway on a parcel shown as Assessor's Map-Block-Lot 47-2-26A to 26H  
**Plan:** Plans entitled "Proposed Common Driveway Lots 1-8 Chief Justice Cushing Highway in Scituate, Massachusetts" dated August 25, 2005, revised January 5 and January 27, 2006, by Ross Engineering Co., Inc. and consisting of twelve sheets as follows: (1) Cover Sheet; (2) Existing Conditions Plan; (3) Proposed Easements Plan; (4) Layout Plan; (5) – (7) Grading and Utility Plans, Lots 1-8; (9) – (12) Construction Details, all with the exception of any modifications needed to conform to these conditions (hereinafter, collectively, the "Plan").  
**Owner/applicant:** Seven H. Trust, William Harrington, Trustee

**Voting Planning Board Members:** Donald Walter, Chairman; William Limbacher; Mark Fenton, and Donna Chisholm

**Background:**

The property is located on the west side of Chief Justice Cushing Highway, described in a deed of the Federal Deposit Insurance Corporation dated June 16, 1998, recorded with the Plymouth County Registry of Deeds at Book 16303, Page 11. This property is within the Residential A-1 Zoning District and the Water Resource Protection District. A portion of the land lies in the Flood Plain and Watershed Protection District, and a portion is in Zone AE as shown on the FEMA FIRM maps. The land is wooded and fronts on Chief Justice Cushing Highway (Route 3A.)

The applicant submitted three applications for special permits, to allow three Common Driveways to serve eight separate lots, with a total of fifteen dwelling units, under Section 780 of the Zoning Bylaw for the property described above. The three Common Driveways were shown on a single plan. Two of the Common Driveways would serve three lots and the third would serve two lots, for a total of eight lots in the development. Seven of these lots had an area greater than twice the minimum lot size, and were intended to be occupied by duplexes. One lot was slightly larger than the minimum lot size, and was intended to be occupied by a single family home. The entire three-driveway development would thus contain a total of fifteen homes.

An application for a Flexible Open Space Development special permit for fifteen dwellings on this property was filed on July 13, 2006. The Public Hearing on the Flexible Open Space Development Special Permit was conducted simultaneously with the Common Driveway Special Permit Public Hearings. On December 14, 2006 the Public Hearing on the Flexible Open Space Development special permit was closed and the special permit thereafter was approved by the Planning Board

with conditions; however, it was appealed and the applicant elected to continue to pursue the Common Driveway special permits.

### **Procedural Summary:**

The applications for Common Driveway special permits were filed with the Town Clerk on September 16, 2005. The Public Hearing on the Common Driveway special permits was duly advertised and notices sent to all abutters in accordance with MGL Chapter 40A. The Public Hearing was opened on October 27, 2005, and continued to December 8, 2005; January 26, 2006; February 9, 2006; March 9, 2006; April 27, 2006; May 25, 2006; June 22, 2006; September 14, 2006; September 28, 2006; November 30, 2006; January 11, 2007; January 25, 2007; February 8, 2007; March 22, 2007; April 26, 2007; and May 24, 2007.

On May 24, 2007, the Public Hearing was closed and the special permits were approved with conditions.

The first three Public Hearings were immediately continued, and the first presentation of the plan was made on February 9, 2006. All of the Public Hearings after this presentation were immediately continued, with no substantive discussion on the plan taking place, with the exception of the following Hearing dates when the plan was substantively discussed: March 9, September 14, September 28 and November 30, 2006; February 8, April 26 and May 24, 2007. Mrs. Brennan was not able to attend the November 30 Public Hearing and did not vote on the decision.

### **Hearing Summary:**

Paul Mirabito, PLS and Atty. William Ohrenberger represented Seven H. Trust before the Planning Board. Atty. Ohrenberger presented the plan to the Planning Board. Several times during the hearing process, Mr. Mirabito gave detailed explanations of the stormwater management system for the proposed development. He said the bottom of the detention basin was required to be, and would be, 3' above the ground water elevation. The water, before it even gets to the basin, would be treated in various ways e.g. grass swales, catch basins, stormceptor units, forebays. Many drainage issues were discussed through the course of the Public Hearings.

Mr. David Nyman of ENSR, the Planning Board's consulting engineer, presented his technical peer review of the applicant's plans. On September 28 and November 30, 2006, Mr. Nyman answered questions about the direction of flow of water from abutting lots, and explained that he had reviewed the drainage calculations on each plan submission. He said he was not a hydrogeologist and could not be responsible for knowing the soil conditions at the detention basin. Mr. Nyman indicated that he did concur with the drainage design and calculations.

The Planning Board discussed traffic and pedestrian safety at some length because there was a pedestrian fatality in this area of Route 3A some years ago. There was also discussion of the length of the Common Driveways and the sight distance on Route 3A. The applicant agreed to put wood chips in the utility easements so they could be used as informal paths through the development.

The Planning Board was concerned with the appearance of the detention basin from the adjacent downgradient lot and from Route 3A. There was discussion of landscaping and screening to soften its appearance. The applicant agreed to provide landscaping in these areas. He also agreed to move a transformer for a better appearance. The applicant also revised the plan to show the detention basin on a separate lot in response to a request from the Planning Board. The applicant also provided a Common Driveway Maintenance Agreement to the Planning Board.

At the Public Hearing on April 26, 2007, Jeffrey Rosen, the Chairman of the Water Resources Committee, presented that group's concerns regarding the development, which is located in the Water Resource Protection District and adjacent to Tack Factory Pond, which is hydrologically connected with the town's Reservoir. In response to these concerns, the Planning Board agreed to seek information from a hydrogeologist concerning the possible location of a tributary to Tack Factory Pond on the site and the depth to groundwater in the location of the detention basin. The Water Resources Committee considered both of these issues important in terms of potential effects on the town's water supply. Since funds were not received from the applicant, the information was not obtained.

### **Public Input:**

The following comments were made at different points through the Public Hearing process.

Ms. Judy Aronson, Cudworth Road, said she grew up in the home at the bottom of the hill. The pond always over flowed. From where the pond is shown the water can come up 25'. She wondered if after construction the water will come up 50 or 75 feet closer to the house. She said that the water that impacts that pond also impacts the Reservoir and goes up over the street by the time it reaches Greenbush. Mr. Mirabito said some of the water was coming from the hill where the development will be located. By the introduction of the detention basin, water from the roofs and pavement will be held back or detained in the detention basin. Ms. Aronson said the water is coming up from the pond itself. At a later Public Hearing she asked about the delineation of the wetlands in the area of Tack Factory Pond. Mr. Mirabito said the wetland lines follow and are almost parallel with the water's edge in that area.

Mrs. Patricia Butler also commented on the water in her yard after storms. She questioned whether the detention basin would affect her ability to replace or relocate her septic system. Mr. Mirabito said the problem was the level of water in Tack Factory Pond. The problem was not caused by groundwater, which was there all the time. He gave an in-depth explanation of the proposed stormwater system. He agreed there may have been a small brook on the property which disappeared when the Reservoir was built. He said information from a hydrogeologist was not required for designing storm drainage. Her concern was that she would have more water 25' from her house. The Planning Board told her that the detention basin would provide more control over the flow of stormwater than there had been previously.

Mr. Bob Ryan, 142 Old Forge Road, asked whether the detention basin was located properly with respect to a 200' buffer zone from the First Herring Brook. Mr. Mirabito responded that land within 150' of a tributary to Tack Factory Pond Reservoir cannot be altered under the Scituate Zoning Bylaw. The edge of wetlands was determined with the Conservation Commission. Mr. Ryan said during heavy rains in April and May, Tack Factory Pond backed up into his back yard with about a foot and a half of water. During those rains there were significant water flows coming from the Seven H Trust property onto his property, including a stream running through his yard. Mr. Nyman responded that the amount of rainfall during April and May was extremely high.

Mr. Dan Hoffman, 34 Stearns Road, asked if the applicant's drainage calculations took into account water coming off abutter's properties. Mr. J. Donovan responded for the applicant that these were considered. Mr. Hoffman agreed with the need for a hydrogeologist expressed by other abutters.

Mr. Robert Chessia, 9 Stearns Road, said he didn't think the plan was the best that could be developed. He felt the water would affect Pat Butler's house and the Planning Board should look into it further.

Mr. Howard Szklut, 15 Stearns Road, said neighbors did not want the retaining wall for the septic system, and were concerned about the preservation of natural trees that were there. He thought the

Planning Board should take a closer look at the vegetation along the retaining wall behind the septic system. He thought the retaining wall was only 27' from the property line. Mr. Mirabito said it was only required to be 15' from the property line. Mr. Szklut was also concerned about the water affecting the Butler home. He felt the development will eventually have an impact on Tack Factory Pond, the water supply for the Town.

Mr. Steve Young, 5 Old Forge Road, asked about the credentials of the Planning Board's consulting engineer and whether he was a certified hydrologist. He emphasized the need for a professional to review the affect of the detention basin on groundwater.

Atty. Adam Brodsky, representing several abutters, said the applicant was required to provide an agreement for maintenance of the Common Driveways under Section 780.5 of the Zoning Bylaw. An agreement for maintenance was provided on March 16, 2007. He also noted the Planning Board must obtain an agreement regarding surety. Atty. Brodsky thought a hydrogeologist on ENSR's staff could provide useful information about localized mounding of groundwater.

Mr. Frank Sheehan of 20 Doctors Hill Drive asked if the infrastructure would be completed before the first building was started. He noted that with more buildings and streets, there would be a higher volume of runoff produced from the site. The Planning Board responded that the detention basin must be sized appropriately to accommodate the runoff volume produced.

#### **Findings of Fact:**

Based on the testimony given during the Public Hearings on these special permits, the Planning Board made the following Findings of Fact:

1. William H. Harrington as Trustee of Seven H. Trust, u/d/t dated April 25, 1988 (the "applicant"), owns approximately 662,990 square feet of land located off of Chief Justice Cushing Highway identified by the Scituate Assessor at Map 47, Block 2, Parcels 26A though 26H (the "Property"). The applicant's deed is recorded with the Plymouth County Registry of Deeds at Book 16306, Page 11.
2. On July 8, 2005, the Planning Board endorsed a Form A plan for this property entitled "Plan of Land for Chief Justice Cushing Highway in Scituate, Mass." by Ross Engineering Co., Inc., dated May 8, 2005 showing eight lots. On December 22, 2005, the Planning Board endorsed a Form A plan similarly titled dated December 7, 2005 showing nine lots, including one lot for a soil absorption system labeled unbuildable. On March 23, 2006, the Planning Board endorsed a second Form A plan similarly titled dated February 9, 2006 showing nine lots, with the lot width dimension added to the eight buildable lots.
3. The Common Driveway special permits were discussed at numerous Public Hearings. There was extensive discussion of the possibilities for flooding from stormwater or groundwater. The Planning Board's consulting engineer agreed that the stormwater management system was adequate for the proposed development, but indicated that he did not have expertise in hydrogeology and could not advise the Board regarding depth to groundwater.
4. These applications meet the requirements for a Common Driveway under Section 780 of the Scituate Zoning Bylaw.

**Decision:**

Based upon the findings voted above, the Planning Board approved the special permits with the following conditions:

1. All construction shall be completed in accordance with the requirements of Zoning By-law §780.8 and according to plans entitled "Proposed Common Driveway Lots 1-8 Chief Justice Cushing Highway in Scituate, Massachusetts" dated August 25, 2005, revised January 5 and January 27, 2006, by Ross Engineering Co., Inc. and consisting of twelve sheets as follows: (1) Cover Sheet; (2) Existing Conditions Plan; (3) Proposed Easements Plan; (4) Layout Plan; (5) – (7) Grading and Utility Plans, Lots 1-8; (9) – (12) Construction Details, all with the exception of any modifications needed to conform to these conditions (hereinafter, collectively, the "Plan"). In the event of any conflict, the Zoning By-law shall control.
2. The roadways shown on the plan shall remain private in perpetuity, and shall not be accepted by the town. No lot shown on the plan shall be further divided in order to create an additional buildable lot. No additional dwelling units in excess of a maximum of fifteen served by the three Common Driveways shall be added without a modification to these special permits.
3. The areas of open space shown on Sheet 6 of the Flexible Open Space Development Plan approved January 2, 2007 (hereinafter, the "Open Space") shall remain in its natural state except for pruning for maintenance or removal of dead trees. This condition shall not apply to such open space areas identified on the Plan the disturbance of which will be necessary to install, maintain, or repair utilities, easement areas, or other common facilities. The areas of disturbance shall be kept to a minimum. The Open Space shall be delineated on the ground by bounds placed at changes in direction of the boundary line and along other property lines a maximum of 50' apart. These bounds shall be inspected by either the town's inspecting engineer or the Department of Public Works prior to the start of construction, which shall include grubbing and clearing. William H. Harrington as Trustee of Seven H. Trust, u/d/t dated April 25, 1988, or his successor, assign, or designee (hereinafter, collectively, the "applicant") shall provide the Planning Board with a copy of Sheet 6 of the Flexible Open Space Development Plan with an outline of the Open Space in a clear, dark solid line, which Open Space shall include the northern section of Lot 2.
4. Prior to the pre-construction conference, the Plan shall be modified as follows:
  - a. The transformer pad will be moved to the west side of the way entering from Chief Justice Cushing Highway.
5. Prior to the pre-construction conference, and within ninety days of the approval of this decision exclusive of the time necessary to resolve any appeals, the applicant shall provide \$5,300 to the Planning Board or a lesser amount as required to engage a hydrogeologist to evaluate whether water passing through the site from lots on Stearns Rd. or flowing from the detention basin constitute a tributary to Tack Factory Pond and, if so, the plan shall be amended to show the tributary and to note the 150-foot buffer requirements set forth in the Water Resource Protection Zoning By-law and the Planning Board shall reendorse the amended plan without a further public hearing and the amended plan shall be recorded before any construction occurs, including grubbing and clearing.
6. Prior to the pre-construction conference, the applicant shall obtain the approval of the Fire Department for the above-referenced plan. Also prior to the pre-construction conference, the applicant shall add the sight triangles and any areas of clearing and grading needed to maintain sight distance to the plan.
7. Prior to the pre-construction conference, the applicant shall obtain all required federal, state and local permits.

8. Prior to the pre-construction conference, a Landscaping Plan prepared by a Registered Landscape Architect shall be provided to the Planning Board for approval. All plantings shown on the approved Flexible Open Space Development Plan shall be included on the Landscaping Plan. The Landscaping Plan shall include:
  - a. The vegetation between the swale to the rear of the septic system and the lot lines for #9, #15 and #21 Stearns Rd. shall remain and a permanent year-round vegetative visual buffer shall be created between the septic system retaining wall and the rear property lines of these lots.
  - b. Perennials and groundcover sufficient to lessen the visual impact to be planted on the slope and in the proximate location south of the slope of the detention basin adjacent to the house at 439 Chief Justice Cushing Highway.
  - c. Leyland cypress, rhododendron and/or similar vegetation to be planted around the curve at the toe of the detention basin, in an effort to screen the detention basin from view from Route 3A.
  - d. Screening for the transformer pad by the use of trees and/or shrubs.
  - e. The portion of the easement areas which are disturbed during installation and/or looping of the utilities to be covered by wood chips.
  - f. An additional permanent year-round vegetative visual buffer shall be provided to obscure the view of Lot 2 from property at #21 and #29 Stearns Rd.
9. If it is determined at the pre-construction conference that an Erosion and Sedimentation Plan and/or an Easement Plan have not been submitted to the Planning Board, the applicant shall provide such plan(s) to the Planning Board prior to the start of construction, which shall include grubbing and clearing.
10. Prior to the start of construction, the limits of work including sidelines of roads, easements for underground utilities, the boundary of grading to the rear of the septic system and the boundaries of any open space proposed to be permanently protected, shall be staked. The staked area shall include a buffer around any mature trees that are intended to be saved, to prevent damage from storing equipment or stockpiling loam. The location of the stakes shall be reviewed by either the town's inspecting engineer, the Department of Public Works or the Planning Board's designee prior to the start of construction.
11. Before any grubbing or clearing occurs, a minimum of three test pits witnessed by the town's designee shall be conducted to confirm the required separation between the bottom of the detention basin and the maximum groundwater elevation as required by Scituate Zoning Bylaw Section 510.6 D 3.

The applicant shall provide Interim As-Built Plans, prepared and stamped by a Professional Engineer, to the Planning Board as soon as the detention basin is roughed-in to further confirm the required 3' separation between the bottom of the basin and the maximum groundwater elevation, as required for a drainage basin in the Water Resource Protection District under Zoning By-law §510.6.D.3. The Interim As-Built Plans shall be reviewed and approved by the Planning Board or its agent. No further site work or construction shall take place until the required 3' separation has been confirmed.
12. The inspections for this development will be done in accordance with Section 9.2 of the Town of Scituate Subdivision Rules and Regulations. The town's inspecting engineer shall perform these inspections.
13. Any proposed material changes in grading from the approved plan must be reviewed by the town's inspecting engineer before construction occurs. The town's engineer shall certify that such changes shall result in no impact on the drainage system, and shall not increase runoff onto Chief Justice Cushing Highway, or lots adjacent to the subdivision.


14. Prior to the start of construction, the applicant shall:
  - a. Record the endorsed decision and plans at the Plymouth County Registry of Deeds, and provide proof of recording to the Planning Board.
  - b. Deposit with the Treasurer the sum of \$5,000, under G.L. c.44, §53G, to secure proper review of the development by the Town of Scituate inspecting engineer. This deposit shall be applied towards the cost of review of all three Common Driveways shown on the Plan.
  - c. Post surety in the form of \$10,000 cash, to guarantee completion of all work, including Common Driveways, landscaping and drainage system on this development. Upon completion of the work, and satisfactory inspection by the Planning Board or its agent, the surety shall be returned to the applicant. This shall be considered to meet the requirement of the Zoning Bylaw for surety under Section 780.9.
  - d. In the event of any dispute regarding the release of the surety required by paragraph 10(c) herein, the Planning Board shall have the right, after notice to the applicant and a hearing, to require As-Built plans certified by the appropriate registered architect, professional engineer, or surveyor as a basis for its findings.
  - e. Hold a pre-construction conference with the Department of Public Works, town's inspecting engineer, the owner's engineer, the site contractor and the Town Planner. In addition to the plans required in this decision, the applicant shall submit a construction sequencing schedule relating to construction of drainage facilities, roadways and building units to the Board at the pre-construction conference.
15. Prior to the pre-construction conference, a Common Driveway Agreement shall be submitted to and approved by the Planning Board in accordance with Scituate Zoning Bylaw Section 780.5, and an Operation and Maintenance Plan shall be submitted to and approved by the town's consulting engineer. The Condominium Bylaws shall reference the Operation and Maintenance Plan approved by the town's consulting engineer.

Prior to the sale of the first unit, the applicant shall submit to the Board proof of recording at the Plymouth County Registry of Deeds of the Condominium Master Deed and Bylaws. The Bylaws shall specify that the Condominium Association or Condominium Trust will be responsible for maintaining the roadways, detention basin and drainage system, plantings and open space. The said Condominium Bylaws shall substantially incorporate the substance of the proposed Common Driveway agreement submitted to the Planning Board prior hereto in accordance with Zoning Bylaw Section 780.5. The applicant and its successor in title shall be responsible for the maintenance of the drainage system shown on the Plan or as modified by the Department of Public Works.
16. Construction phasing and schedules shall be reviewed at the pre-construction conference. The hours of construction shall be limited to 7 AM to 7 PM weekdays and 8AM to 4 PM Saturdays, with no work to occur on Sundays or holidays, except in the case of emergencies. The name and phone number of a contact person who is available at all times, in case of emergency, shall be provided.
17. Noise mitigation and proper dust controls shall be used, with clean-up of all areas of the site as needed, and truck idling on the site or adjacent streets shall be kept to a minimum. There shall be no off-site parking or standing of construction vehicles.
18. All construction shall comply with all applicable requirements of the Water Resource Protection Zoning District.
19. The Condominium Master Deed shall prohibit the use of pesticides, herbicides and fungicides on the Common Driveways and adjacent property. The Master Deed shall restrict fertilizer to types which state they are approved by state and federal agencies specifically for residential use, which are slow-release fertilizers such as sulfur coated urea (SCU) or isobutylene diurea (IBDU) or a similar slow release fertilizer, and specify frequency and amount of fertilizer to be used in

quantities no greater than manufacturer's recommendations. Copies of the contract(s) for lawn fertilizing, if any, shall be provided to the Planning Board.

20. The Condominium Master Deed shall include a prohibition on the use of road salt on the Common Driveways. Signage shall be installed on each Common Driveway indicating that road salt is not in use to protect the town's water supply.
21. No construction other than the driveway entrances, installation of utilities and approved landscaping shall be permitted within the 100 foot buffer to Chief Justice Cushing Highway. Except for the driveways and approved landscaping required by these conditions or shown on the plan, this buffer shall be shown on the plan as a non-disturbance zone, except that plantings shall be added to increase the thickness of the buffer.
22. All clearing and earth moving operations shall only occur while erosion and sedimentation control measures are in place. Such control measures shall remain in place until the Town Planner determines, after consultation with the Conservation Agent that the danger of erosion or sedimentation no longer exists. Hay bales shall only be used where it has been determined that the danger of soil erosion or sedimentation is minimal and in those instances where they are used as a control method, no bales shall be allowed to remain in place if they have begun to fall apart or deteriorate.
23. There shall be no further subdivision of any lot shown on the plan for the purpose of constructing additional unit(s) and no further expansion of any building on the site. These restrictions shall be contained in the Master Deed for the condominium and shall be noted on the recorded plan.
24. To provide screening and increase groundwater recharge in the Water Resource Protection District, all areas identified as non-disturbance zones or areas of trees on the plan including buffers and vegetated areas within the site, shall not be altered except for removal of dead trees or branches. Plantings shown on the plan intended for screening which die shall be replaced.
25. Lawns shall be limited so as not to exceed 3,000 sq. ft. per unit and shall be located adjacent to the dwellings. Loam shall be applied for a total thickness of six inches to provide increased uptake / treatment of nitrogen in lawn areas. Turf grass that does not require high fertilization or other maintenance shall be used to reduce nitrogen and phosphate loading from fertilization. Scott's "Ecology Mix," or a seed with like characteristics, shall be acceptable.
26. Construction of the roadway, surface drainage and all utilities shall be supervised by a registered professional engineer approved by the Planning Board who shall certify in writing to the Building Commissioner/ Zoning Enforcement Officer at completion that the roadway, surface drainage and utilities 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. Prior to the issuance of an occupancy permit, a registered professional engineer shall inspect the lots and certify to the Building Commissioner that the grading of the lots conforms to that shown on Common Driveway special permit plan.  
  
No Certificate of Occupancy shall be issued until the Building Commissioner is satisfied that access, construction of the roadway, installation of necessary utilities and proper site restoration are in full compliance with the approved plans and the special permit.
27. All dwellings on the plan shall access from the proposed roadways. No other access shall be used. No further extensions or attachments of any other roadways or Common Driveways, or other access to any other lots besides those created by this plan, shall be permitted.

**Vote:** Donald Walter, Mark Fenton, William Limbacher, and Donna Chisholm voted in favor of granting all three Common Driveway Special Permits with conditions.



SCITUATE PLANNING BOARD

William Embach

Richard M. Felt

Donna L. Chisholm

The Planning Board certifies that it has complied with all statutory requirements of MGL Chapter 40A, Sections 9 and 11, and will file copies of this decision with the Town Clerk. The Planning Board further certifies that it has taken into consideration all testimony rendered at the Public Hearing, the comments and suggestions of other boards which have reviewed and made comments on the plans, and all plans and documents submitted by the applicant.

TOWN OF SCITUATE  
Planning Board



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**SCITUATE PLANNING BOARD  
NOTICE OF DECISION**

**DECISION: COMMON DRIVEWAY SPECIAL PERMIT RE THREE COMMON DRIVEWAY SPECIAL PERMIT APPLICATIONS LOTS 1-8 CHIEF JUSTICE CUSHING HIGHWAY (Assessor's Map-Block-Lot 47-2-26A to 26H). OWNER/APPLICANT: SEVEN H. TRUST, WILLIAM HARRINGTON, TR.**

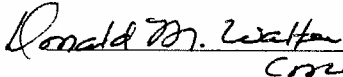
You are hereby notified that the Planning Board on May 29, 2007 filed at the office of the Town Clerk, the Common Driveway Special Permit Decision regarding three (3) Common Driveway applications for property located at Lots 1-8 Chief Justice Cushing Highway (Assessor's Map-Block-Lot 47-2-26A to 26H).

Owner/Applicant: Seven H. Trust, William Harrington, Tr.

This Common Driveway Special Permit was **APPROVED**

**WITH CONDITIONS** by the Planning Board at the **May 24, 2007** Planning Board Meeting. The Decision Document, stating the Board's actions, was filed with the Town Clerk on **May 29, 2007**.

This Decision Document is a public record document and may be obtained at the Town Clerk's Office, Town Hall, 600 Chief Justice Cushing Highway, Scituate. Appeals, if any, shall be made pursuant to the provisions of Chapter 40A (Special Permit Decision) and filed with the Superior Court. Said appeals shall be filed within twenty days after the date of filing of the Decision Document with the Town Clerk (May 29, 2007).

 Donald M. Walter, Chairman  
(initials)

Date of Notice to Abutters: May 29, 2007