

**ZONING BOARD OF APPEALS  
ZONING BYLAWS AMENDED JUNE 12, 2021**

**DRIVEWAY SPECIAL PERMIT SECTION 6.16.3 REQUIREMENTS  
APPLICABLE TO DRIVEWAYS REQUIRING A SPECIAL PERMIT**

**82 INTERLAKEN ROAD**

**STOCKBRIDGE MA**

**February 2024**



**PREPARED BY:  
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### **Project Location**

The subject property is located at 82 Interlaken Road (Map 205 / Lot 26, 26.1 & 26.2) on the west shore of Stockbridge Bowl. Lots 26 and 26.2 are developed with a single-family house. Lot 26.1 included in this Special Permit, is an undeveloped lot off of Fox Lane. 82 Interlaken Road borders Stockbridge Bowl, a portion of the property where the house is proposed falls within the R-4 zoning district. The driveway portion of the property falls within the R-4 and R-2 zoning district.

### **Narrative**

The proposed gravel driveway is approximately 1840 feet long and 12 feet wide. The proposed grade will not exceed 10%. To ensure the safety of emergency vehicles there is no turning radius less than 50 degrees. There will be a 64" X 43" arch culvert to allow an intermittent stream to flow under the driveway without disturbing the wetlands or the driveway. Along the driveway there will be sediment forebays and rain gardens that will help manage stormwater.

The subject property of 82 Interlaken LLC consists of 3 parcels that were created as part of a subdivision approved in 2006 which included the creation of a lot that served an existing cottage. The access to that cottage was via deeded access from the driveway from the abutting property to the South owned by Kramer from Interlaken Road to the cottage. The applicant, 82 Interlaken, LLC acquired the property in the Spring of 2021 after securing the necessary permits for demolition and reconstruction of the single-family home including a Stormwater Permit and Order of Conditions from the Stockbridge Con Com, LPOD Special Permit and Select Board Special Permit. At the time of the permitting the applicant received permission to construct an access driveway from the cul-de-sac on the 82 Interlaken Road property to minimize damage to the Kramer's driveway during construction. The applicant moved forward with the understanding and acknowledgement to the various permit granting authorities that for the construction access to remain as a permanent driveway a special permit under Section 6.4 of the Stockbridge zoning bylaw would be required. At the time of closing on the property the applicant made commitments to the Kramers to pursue the driveway further.

In 2023 design work commenced to develop plans for the driveway to remain permanent. In a parallel track, White Engineering, Inc. working closely with Stockbridge Fire Chief, Vincet Garofoli and Wagner Hodgson Landscape architects. The applicant met with the Kramer's as well as the Cohen's who are the immediate abutters to the North. Chief Garofoli reviewed the existing construction access, which will become the permanent driveway. Items added to the design to specifically address Chief Garofoli's concerns was reinforced areas for the ladder truck to turn around in the vicinity of the proposed sport courts.

Upon receipt of approval of the plans submitted with this application by the Stockbridge Conservation Commission in December 2023, we shared the final plans with Chief Garofoli. Enclosed with the application is his endorsement of the plans as presented.

Through a collaborative effort with the applicant and Wagner Hodgson Landscape Architects the proposed screening plantings have been reviewed and approved by each neighbor. A number of design priorities were considered, including providing a mature and solid screen that provided ecological diversity that was also acceptable to the Stockbridge Conservation Commission. The landscape plan set submitted with this application reflects changes to tree species that were suggested as part of the con com review to focus on species native to Berkshire County and not just Massachusetts.

Upon final construction of the driveway and obtaining a certificate of occupancy for the home and Certificate of Compliance from the Stockbridge Conservation Commission, the applicant will be able to waive the rights currently in place for use of the Kramer driveway.

#### **6.16.3 Requirements Applicable to Driveways Requiring a Special Permit**

a. The Planning Board, by special permit issued pursuant to the procedures and standards of Section 6.3 as supplemented by this section, may authorize:

1. Driveways with a maximum grade of more than ten (10) percent;  
***The driveway does not exceed 10%.***
2. Driveways with a maximum length greater than 500 feet, and  
***The driveway is roughly 1840 linear feet long.***
3. Common driveways serving more than two (2) lots but not more than six (6) lots. ***The driveway will only serve 1 home on the three (3) lots. The three lots were created from a subdivision in 2006. The proposed driveway is not a common driveway.***

b. The design of a driveway requiring a special permit shall ensure adequate safety for emergency vehicles, including fire and police vehicles.  
***The design of the driveway ensures safety for emergency vehicles.***

c. The Planning Board shall request the recommendations of the Highway Superintendent, Fire Chief and Police Chief prior to issuing a driveway special permit. ***White Engineering has worked with the Fire Chief on the design of this driveway. See attached email from the Fire Chief.***

d. The Highway Superintendent shall be notified prior to the commencement of the construction of a driveway requiring a special permit and shall inspect the work from time to time as necessary to

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determine compliance with the special permit. ***The highway superintendent shall be notified prior to the commencement of the final construction of the driveway. Although there is no change to the curb-cut or right-of-way.***

e. Upon granting a special permit, the Planning Board shall endorse its approval on a plan of land showing the location of the common driveway, which plan shall be recorded in the Registry of Deeds. No building permit authorizing work on a lot to be served exclusively by a driveway requiring a special permit may be issued until the driveway has been constructed in accordance with the approved and recorded plan. ***Site is not a common driveway-This is not applicable.***