

COMMONWEALTH OF MASSACHUSETTS  
HOUSING APPEALS COMMITTEE

**BURLEY STREET, LLC**

v.

**WENHAM ZONING BOARD OF APPEALS**

No. 09-12

DECISION

September 27, 2010

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**Appellant's Counsel**

John R. Keilty, Esq.  
40 Lowell Street  
Peabody, MA 01960

**Board's Counsel**

Thomas J. Harrington, Esq.  
Marguerite D. Reynolds, Esq.  
Miyares and Harrington, LLP  
50 Leonard Street, Suite 3  
Belmont, MA 02478

**Appellant's Witnesses**

Kenneth P. Cram, P.E.  
Peter J. Ogren, P.E.

**Board's Witnesses**

Robert Blanchard, Wenham Fire Chief  
Paul J. Hajec, traffic engineering consultant

COMMONWEALTH OF MASSACHUSETTS  
HOUSING APPEALS COMMITTEE

_____	)	
BURLEY STREET, LLC,	)	
	)	
Appellant	)	
	)	
v.	)	No. 09-12
	)	
WENHAM ZONING BOARD OF	)	
APPEALS,	)	
	)	
Appellee	)	
_____	)	

**DECISION**

**I. PROCEDURAL HISTORY**

In a decision filed with the Wenham Town Clerk on July 7, 2004, the Wenham Zoning Board of Appeals granted a comprehensive permit pursuant to G.L. c. 40B, §§ 20-21 to Burley Street, LLC to construct 20 units of affordable condominium housing on 7.2 acres at 70 Burley Street in Wenham. Exh. 2. Construction of the housing was to be financed under the Housing Starts Program of Massachusetts Housing Finance Agency (MassHousing). On July 2, 2009, the developer filed a request with the Board for modification of the approved project because of difficulties encountered in providing for secondary, emergency access to the site. See Exh. 7. By decision filed with the Town Clerk on September 23, 2009, the Board denied that request, and on October 2, 2009, the developer appealed to this Committee. See Exh. 9. The presiding officer convened a Pre-Hearing Conference, and pursuant to 760 CMR 56.06(7)(d)(3) the parties negotiated a Pre-Hearing Order, which was issued January 5, 2010. A *de novo* hearing was then conducted, including prefiled testimony from four witnesses, a site

visit, a one-day evidentiary session to permit cross-examination of witnesses, and filing of post-hearing briefs.

## II. FACTUAL OVERVIEW

The proposed housing consists of ten duplex condominium buildings. The 7.2-acre site is a back lot, surrounded by other housing and lots. A more or less triangular panhandle portion of the property has frontage on Burley Street. Exh. 4, sheet 3. The developer proposes to provide vehicular access through this panhandle, constructing a 1,160-foot-long roadway following an existing roadway that was partially constructed by a previous owner under an Order of Conditions issued a number of years ago by the Wenham Conservation Commission. See Exh. 4, sheets 2 and 3; Exh. 2, p. 3, ¶ 2; Tr. 22; Board's Brief, p. 9. There is to be a four-foot-wide sidewalk on one side of the roadway. Ex. 12, p. 2; Tr. 26-28. The roadway, both as originally approved by the Board and as currently proposed by the developer, is generally 24 feet wide, with an additional one-foot-wide bituminous "Cape Cod berm" on each side. Exh. 4, sheet 6; 12, p. 2; Tr. 76-77.

Where the proposed roadway begins at the eastern edge of the site at Burley Street, the panhandle is over 200 feet wide. Exh. 4, sheet 3. Slightly more than 200 feet into the property, the panhandle narrows to about 50 feet, and, in addition, the roadway is pinched between wetlands on either side. Exh. 4, sheet 3. In that area, beginning about 100 feet from Burley Street, and continuing past the pinched area, that is, for about 300 feet, the roadway narrows to 20 feet (not including the berms).<sup>1,2</sup> Exh. 4, sheet 3. It has retaining walls on both sides. Exh. 4, sheet 6.

The first housing units, that is, those proposed closest to Burley Street, are about 500 feet from Burley Street. Exh. 4, sheet 3. The roadway then continues for more than

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1. Marked on the plans for design purposes are "stations" at 100-foot intervals along the roadway. See Tr. 22, 60. The roadway narrows to 20 feet at about station 11-0, which is 100 feet along the roadway from Burley Street. Exh. 4, sheet 3. It remains at that width almost until station 14-00, which is 400 feet from Burley Street, that is for about 300 feet. Exh. 4, sheet 3, cf. Exh. 15, ¶ 12(b).

2. Because of concerns about wetlands adjacent to the roadway, it appears that the developer may be legally, or at least practically barred from widening the roadway beyond 20 feet. See Tr. 79; also see Tr. 97-103. In any case, as is its right, the developer has chosen to present a design with a 20-foot roadway to the Board and this Committee.

600 feet, ending in a *cul de sac* with a circular turnaround to accommodate the turning of emergency vehicles. Exh. 4, sheet 3.

During the local hearing before the Board, town officials raised concerns about the adequacy of the vehicular access for a dead-end roadway of this length, and a plan was developed for additional, secondary, emergency access from Lester Road, an existing subdivision road behind—that is, to the west of—the site. See Exh. 2, p. 2. The emergency access route would have intersected the main roadway of the development about 700 feet from Burley Street, with the result that there would have been two means of access to fourteen of the housing units, although the six units at the end of the roadway would have remained isolated. See Exh. 4, sheet 2. This design was acceptable to town officials, and the comprehensive permit was granted, based upon the understanding that the emergency access would be constructed and that “details relating to [it be] left to the sole discretion of the Fire Department for final approval.” Exh. 2, p. 3, ¶ 3.

In 2009, as the result of litigation that has little relevance to the current appeal, it became clear that because of a conservation restriction on a small parcel of land that separates the development site from Lester Road, it is not possible to provide emergency access as anticipated by both the developer and the Board. Exh. 7, p. 2; Exh. 3; 15, ¶ 9; Board’s Brief, p. 2. The developer then requested that it be permitted to change its proposal so that the development could proceed without secondary access.<sup>3</sup> Exh. 7, p. 2. The Board denied that request citing safety concerns. Exh. 8, 9.

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3. Procedures concerning changes proposed after issuance of a comprehensive permit are found at 760 CMR 56.05(11)(c). Also see *511 Washington Street, LLC v. Hanover*, No. 06-05, slip op. at 9 (Mass. Housing Appeals Committee Jan. 22, 2008), *aff’d* No. 381349 (land Ct. Apr. 2, 2009); *Avalon Cohasset, Inc. v. Cohasset*, No. 05-09, slip op. at 8 (Mass. Housing Appeals Committee Sep. 18, 2007); *Drumlin Development, LLC v. Sudbury*, No 01-03, slip op. at 3 (Mass. Housing Appeals Committee Sep. 27, 2001); *Shamrock Constr. and Development Corp. v. Whitman*, No. 96-02, slip op. at 2-3 (Mass. Housing Appeals Committee Sep 26, 1996); *Cooperative Alliance of Mass. v. Taunton*, No.90-05 , slip op. at 7 and n.11 (Mass. Housing Appeals Committee Apr. 2, 1993). Though the Pre-Hearing Order drafted by the parties in this case articulates the burden in a more complicated manner, in their briefs, both parties concede that the simpler, traditional formulation of the burdens of proof is the proper one. Developer’s Brief, p. 19 (filed Jun. 8, 2010); Board’s Brief, p. 3 (filed Jun. 24, 2010).

### III. ECONOMIC EFFECT OF DENIAL OF MODIFICATION OF THE PERMIT

When a the Board denies a request for a change in an approved comprehensive permit project, that decision may be appealed to this Committee. See 760 CMR 56.05(11)(c). Though the ultimate question before the Committee is whether the action of the Board is inconsistent with local needs, the initial burden is upon the developer to prove that the denial makes construction or operation of the housing uneconomic; if the developer sustains that burden, the burden shifts to the Board to prove that there is a valid local concern that supports the denial of the change, and that this concerns outweighs the regional need for housing.<sup>4</sup> If the developer alleges that because of the denial of the requested change, construction or operation of the housing is impossible, then it has the burden of proving that, and if it does so, construction or operation of the housing is uneconomic *per se*. See *Peppercorn Village Realty Trust v. Hopkinton*, No. 02-02, slip op. at 8 (Mass. Housing Appeals Committee Jan. 26, 2004). In this case, the parties agree that construction of the emergency access desired by the Board is impossible, and that therefore the denial of the change renders the proposal uneconomic *per se*. Developer's Brief, p. 5 (filed Jun. 8, 2010); Board's Brief, p. 3 (filed Jun. 24, 2010).

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4. 760 CMR 56.05(11)(c); *511 Washington Street, LLC v. Hanover*, No. 06-05, slip op. at 9 (Mass. Housing Appeals Committee Jan. 22, 2008), *aff'd* No. 381349 (land Ct. Apr. 2, 2009); *Avalon Cohasset, Inc. v. Cohasset*, No. 05-09, slip op. at 8 (Mass. Housing Appeals Committee Sep. 18, 2007); *Drumlin Development, LLC v. Sudbury*, No 01-03, slip op. at 3 (Mass. Housing Appeals Committee Sep. 27, 2001); *Shamrock Constr. and Development Corp. v. Whitman*, No. 96-02, slip op. at 2-3 (Mass. Housing Appeals Committee Sep 26, 1996); *Cooperative Alliance of Mass. v. Taunton*, No.90-05 , slip op. at 7 and n.11 (Mass. Housing Appeals Committee Apr. 2, 1993). Though the Pre-Hearing Order drafted by the parties in this case articulates the burden in a more complicated manner, in their briefs both parties concede that the simpler, traditional formulation of the burdens of proof is the proper one. Developer's Brief, p. 19 (filed Jun. 8, 2010); Board's Brief, p. 3 (filed Jun. 24, 2010).

#### IV. LOCAL CONCERNS

The central concern about the proposed roadway (since no secondary access is provided) is that because of its length, it is more likely to become obstructed than a shorter road, with the result that emergency vehicles would be unable to reach any of the homes in the development. Board's Brief, pp. 4-12. The Board also raises a number of subsidiary issues, which relate to the central concern to greater or lesser degrees: the roadway width (Board's Brief, pp. 4-7), the turnaround radius (Board's Brief, pp. 7-9), the reverse curve (Board's Brief, p. 12), and the sidewalk crossing (Board's Brief, p. 11).

##### A. Emergency Access to the Proposed Dead-End Roadway

All of the presentations during the hearing with regard to the safety of the proposed dead-end roadway focused primarily on its width. The developer's traffic engineer and its civil engineer both testified that the roadway is safe. Tr. 21, 76.<sup>5</sup> "[T]he roadway width, at its minimum, exceeds accepted minimum width standards [of 18 feet] for low volume roadways."<sup>6</sup> Exh. 12, p.3. "[T]he roadway of 1,160 feet in length and a minimum of 20 feet in width ... is sufficient to provide safe vehicular access to the proposed 20 residential units without alternative access...." Exh. 13, p. 5. Neither discussed the length of the roadway nor number of housing units in great detail.

The Board and its witnesses focused to an even greater extent than the developer on the width of the proposed roadway. The Wenham fire chief testified that "a single-access road of the proposed length with a width of 20 feet is inadequate to meet the

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5. In addition to prefiled testimony, the witnesses testified under cross-examination as follows:

Q: "And you believe that the plan, as shown,... [is] a safe plan?"

Kenneth Cram: "Yes."

Tr. 21.

Q: "...this road does not have to be 24 feet wide for safe...."

Peter Ogren: "That's correct."

Tr. 76.

6. The standards referred to by Mr. Cram in this prefiled testimony are *Guidelines for Geometric Design of Very Low Volume Local Roads (ADT <=400)*, American Association of State Highway and Transportation Officials (Washington, D.C. 2001) and *Residential Streets*, Urban Land Institute, National Association of Home Builders, American Society of Civil Engineers, and Institute of Transportation Engineers (3<sup>rd</sup> ed., Washington, D.C. 2001). Mr. Ogren referred to the standard for minimum width of 18 feet found in the state Board of Fire Prevention regulations, 527 CMR 10.03(10)(a).



necessary fire safety requirements.” Exh. 14, ¶ 12. This opinion is based upon the National Fire Prevention Association Fire Code 1141, § 5.3.6 standard that two-way fire lanes be a minimum of 24 feet wide. Exh. 14, ¶ 12. The Board’s traffic expert testified that because of the “potential for vehicle/pedestrian, vehicle/bicyclist, vehicle/vehicle, and vehicle/fixed object conflicts, as well as other barriers to vehicle flow (e.g., sidewalk curbing, snow bank, parked and idling vehicles)” a “roadway width of 26 feet is required,” and he “recommend[ed] that the roadway be 26 feet wide....” Exh. 15, p. 5, ¶ 12(b); Exh. 15, p. 9. He also acknowledged, however, that a 20-foot roadway design meets minimum state and national standards. Exh. 15, p. 5, ¶ 12(b).

The parties have also drawn our attention to a number of decisions of this Committee concerning emergency access. It is important to note at the outset that these are of limited precedential value, since “[e]ach design must be considered on its own merits.” *Cirsan Realty Trust v. Woburn*, No. 01-22, slip op. at 8 (Mass. Housing Appeals Comm. Jun. 11, 2003), *aff’d* No. 05-P-219, (Mass. App. Ct. May 31, 2006). But they do provide a frame of reference.

Particularly helpful are the only two cases in which we have rejected the plan submitted by the developer. In *Braintree* the road was wide—in fact, we noted that it was over designed—but it was long and served many units. *O.I.B. Corp. v. Braintree*, No. 03-15, slip op. 9, 11, n.14 (Mass. Housing Appeals Committee Mar. 27, 2006), *aff’d* No. 2006-1704 (Suffolk Super. Ct. Jul. 16, 2007)(119 condominium units on a 1,500-foot roadway). In *Waltham*, the roadway was narrow—20 feet wide, as here—but other factors were more important. It had a relatively large number of units on a fairly long roadway, but most critical was that the roadway was “steep, winding, and narrow.” *Lexington Woods, LLC. v. Waltham*, No. 02-36, slip op. at 19, 8-20 (Mass. Housing Appeals Committee Feb. 1, 2005)(36 condominium units on a 1,000-foot roadway). And in both *Braintree* and *Waltham*, although the roadways were roughly equivalent in length to that in the present case, the development included more housing units, which increased the risk. It is noteworthy that width was not the determining feature in either of these cases. While it is common for the parties to focus on road width, as they have in the present case—perhaps because that is the design parameter that is addressed most specifically in many municipal

regulations and also the parameter that is often most easily altered—it is rarely the most important factor. More typically it is the number of units isolated on the single-access roadway and the length of the roadway, as well as unusual factors specific to the site that are most important.<sup>7</sup>

Thus, we turn to the facts as presented during the hearing. As we have already noted, the Board’s evidence focused nearly entirely on the width of the proposed roadway, and we conclude that it is not sufficient to establish justification for disallowing the construction of the housing development. First, the experts disagree, and were the width of the roadway the only factor here, we would find the developer’s witnesses slightly more credible. But, as noted above, what is equally if not more significant is that width is *not* the only factor to be considered. Rather, three parameters must be taken into account—the width and the length of the roadway, and the number of dwelling units that could become isolated from emergency services. See *Lexington Woods, LLC v. Waltham*, No. 02-36, slip op. at 19 (Mass. Housing Appeals Committee Feb. 1, 2005)(“safety... cannot be assessed solely on the basis of ... width, but be evaluated in light of all of [a roadway’s] characteristics”). And in fact, our view that width is generally the least significant of the three factors is reflected in Wenham’s own subdivision rules and

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7. In the majority of our decisions we have *approved* the roadway proposed by the developer. But these cases are also sufficiently distinct that we view none of them as precedent that would require us to approve the roadway in the present case.

Most similar to the case at hand is *Norwell*, in which a 1,100-foot roadway of unspecified width with “no insurmountable design problems” was approved as access for 36 condominium units. *Norwell, Tiffany Hill, Inc. v.*, No. 04-15, slip op. at 26 (Mass. Housing Appeals Committee Sep. 18, 2007). *Peabody* involved a 1,100-foot roadway, also of unspecified width, with four times as many units as in the current case (88 units), which a town official conceded was safe. *Litchfield Heights, LLC v. Peabody*, No. 04-20, slip o. at 13 (Mass. Housing Appeals Committee Jan. 23, 2006). Also see *Methuen Housing Auth. v. Methuen*, No. 84-02, slip op. at 5, 8-10, 12-14, 19 (Mass. Housing Appeals Committee July 22, 1985)(42 rental units on a 820-foot, 24-foot-wide roadway); *Capital Site Management Assoc. Ltd. Partnership v. Wellesley*, No. 89-15, slip op. at 25, 29 (Mass. Housing Appeals Committee Sep. 24, 1992), *aff’d* No. 96-P-1839 (Mass. App. Ct. Feb. 18, 1998)(33 condominium units of a 200-foot, 24-foot-wide roadway); *Delphic Assoc. LLC v. Middleborough*, No. 00-13, slip op. 12-14 (Mass. Housing Appeals Committee Jul. 17, 2002), *aff’d*, 449 Mass. 514 (2007)(10 single-family homes on a short, 20-foot wide roadway); *Atwater Investors, Inc. v. Ludlow*, No. 01-09, slip op. 13-16 (Mass. Housing Appeals Committee Jan. 26, 2004)(241 condominium units on a 1,600-foot roadway with two 15-foot travel lanes separated by a 5-foot wide median); *Cirsan Realty Trust v. Woburn*, No. 01-22, slip op. at 8-11 (Mass. Housing Appeals Comm. Jun. 11, 2003), *aff’d* No. 05-P-219, (Mass. App. Ct. May 31, 2006)(168 rental units, 28-foot-wide roadway, and sub-optimal, but adequate secondary access).

regulations. These regulations do not directly associate width with dead-end streets, but rather limit their length and the number of housing units. That is, the regulations state that dead-end streets shall not be longer than 500 feet “unless in the opinion of the [planning] board a greater length is necessitated by topography or other local conditions,” and if they are, shall not serve more than six housing units.<sup>8</sup> Exh. 6, § 4.1.6.2, 4.1.6.3.

Neither side in this case presented useful evidence or argument about the interplay between the length of the roadway and the size of the development, or about the risk associated with them. For instance, although the Board’s traffic expert provided a great deal of testimony with regard to how he would prefer to see the roadway designed, he addressed the issue of blockage of access in but a single sentence.<sup>9</sup>

It is a foregone conclusion that a long dead-end road presents safety concerns. Similarly, it is a matter of simple logic that a longer, narrower road is more susceptible to blockages from fallen trees, car crashes, or other sources than a shorter, wider road. But the burden of proof in this case rests upon the Board, and it has given us insufficient data with which to assess the *degree* of risk that this development presents. Therefore, on the record presented, we must rule that the Board has failed to meet its burden of proof.

### **B. The Roadway Turnaround**

The Wenham fire chief also testified that the size of the 100-foot-diameter turnaround at the end of the roadway should be increased. Exh. 14, ¶ 14. This opinion is also based upon the National Fire Prevention Association Fire Code standard which states that a diameter of 120 feet should be considered the minimum. Exh. 14, ¶ 13.

There are several flaws in the Board’s position. First, the 100-foot-diameter turnaround was approved as part of the original comprehensive permit when there was to be secondary access to part of the development. Admittedly, after fighting a fire at one of the 14 units closest to Burley Street, a fire truck would have been able to exit using the secondary access without turning around, which would have been more convenient than

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8. In addition, “[d]epending upon the proposed roadway use, the Planning Board may require the construction of a divided roadway...” Exh. 6, § 4.1.6.4.

9. “Due to its proposed narrow width (20 feet), an accident on the project roadway would likely prevent use of the Burley Street connection by project traffic.” Exh. 15, p. 6, ¶ 11(e). Also see Exh. 15, p. 7, ¶ 13(f).

using the circular turnaround. But the logical inference to be drawn from the fact that a 100-foot-diameter turn around was required and approved at the end of the roadway is that that size was sufficient to permit turning by any fire trucks that might have to go beyond the secondary access—that is, that such trucks would not have to back out, but rather could successfully use the turnaround. Thus, we must conclude that while the design before us now may be less convenient when there is a fire close to Burley Street, the turnaround will provide the ability to turn around that the Board required. See *L.A. Assoc., Inc. v. Tewksbury*, No. 03-01, slip op. at 6, (Mass. Housing Appeals Committee Feb. 1, 2005)(design requiring fire trucks to back out a short distance is a matter of inconvenience, and not sufficient to support denial of a permit), *aff'd*, No. 05-00680-L2 (Middlesex Super. Ct. Feb. 26, 2007); also see *Meadowbrook Estates Ventures, LLC v. Amesbury*, No. 02-21, slip op. at 20 (Mass. Housing Appeals Committee Dec. 12, 2006), *aff'd* No. 08-P-1240 (Mass. App. Ct. Sep. 16, 2009).

Second, for minor dead-end streets in Wenham—admittedly streets that presumably have fewer housing units than here—the turnaround diameter required under Wenham’s subdivision rules and regulations is only 100 feet. Exh. 6, § 4.1.6.6. This also implies that this size is considered safe for the fire trucks in use in Wenham.

Finally, the fire chief testified explicitly that his largest truck requires an inside roadway radius of forty feet and that it would be able to turn in the circle as designed. Tr. 86, 88.

The Board has not proven a legitimate local concern with regard to the diameter of the roadway turnaround.

### **C. The Reverse Curve**

Just before the first housing units are reached, there is a reverse curve (or “S” curve) in the roadway. These are not particularly dramatic—each is about 100 feet long, for a total of about 200 feet. Exh. 4, sheet 3.

The Board’s position might be challenged on legal grounds since Wenham has chosen not to regulate reverse curves on local or minor streets such as this. That is, reverse curves are regulated in the town’s subdivision rules and regulations only on arterial and collector streets. Exh. 6, § 4.1.3.3.

Factually, the Board's expert presented no detailed evidence with regard to the length of the curves or, especially, their radii. See Exh. 15, p. 5, ¶ 12(c). Without such detailed information, it is useless to attempt to evaluate the risk associated with these curves. In fact, such curves are very site-specific and difficult to evaluate in any case. Traditional, mid-twentieth-century traffic engineering principles would suggest that this roadway would be safest if it were wide, straight, and obstacle-free, but more contemporary principles based upon "traffic calming" suggest that drivers will drive more safely if it were curved, narrow, with obstacles placed near the right of way. See Tr. 31-32.

Finally, the Board's expert noted that "[i]f allowed, [the curve] should have properly selected and placed warnings and speed zone signs." Exh. 15, p. 5, ¶ 12(c). This equivocation is a clear indication that any danger associated with the curve is not sufficient to outweigh the regional need for affordable housing.

#### **D. The Crosswalk**

The Board quite reasonably required that a sidewalk be provided for the entire length of the roadway. As designed, however, it crosses the roadway from the south side to the north via a perpendicular crosswalk just as the reverse curve ends, that is, about 100 feet before the first housing units. Exh. 4, sheet 3. This is not ideal.

The developer's expert testified that the sidewalk could be placed entirely on one side of the roadway. Tr. 28. In fact, there are at least three options: it could be located entirely on the north side, entirely on the south side, or half on each side. See Exh. 4, sheet 3. These are similar in that in any of the scenarios, a walker would have to cross on the roadway pavement behind several perpendicular visitor parking spaces—which is of no particular concern on a low-volume roadway such as this. Placing the sidewalk on the north side might cause design difficulties where the roadway narrows near the entrance, but it would also be less convenient for residents of the six housing units on the *cul de sac*. Actually, the best option is to move the crosswalk a little over 200 feet to the west. This would place it in the middle of the cluster of 14 housing units, which would have two traffic calming advantages. First, because of the buildings, parked cars, and activity in that area, people are already likely to drive slowly in that area, making it a good place

for pedestrians to cross. Second, the very existence of the crosswalk will remind drivers to slow down in this area, where they are more likely to encounter pedestrians or children playing in the street.

We suggest that the parties—or their engineers—negotiate an acceptable location for the sidewalk and crosswalk. If they are unable to reach agreement, we will require, by condition, that the crosswalk be placed in the middle of the cluster of 14 housing units. See § V, below.

## **V. CONCLUSION**

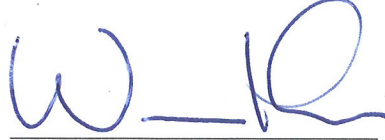
Based upon review of the entire record and upon the findings of fact and discussion above, the Housing Appeals Committee rules that the decision of the Wenham Zoning Board of Appeals filed with the town clerk on September 23, 2009 is not consistent with local needs. The Board is directed to permit the requested change in the comprehensive permit proposal so that it can be built without secondary access from Lester Road. Should the Board fail to carry out this order within thirty days, then, pursuant to G.L. c. 40B, 23 and 760 CMR 56.07(6)(a), this decision shall for all purposes be deemed the action of the Board.

This decision is subject to the following condition:

Unless the parties agree otherwise, the developer shall construct a sidewalk as shown on the Site Development Permit Plan, sheet 3 (prepared by Eastern Land Survey Associates, Inc.; Aug. 27, 2002, rev'd Jun. 3, 2004)(Exh. 4), except that the crosswalk shall be moved approximately 200 feet to the west so that it is located centrally among the cluster of seven buildings in that area.

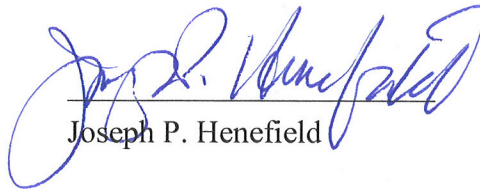
This decision may be reviewed in accordance with the provisions of G.L. c. 40B, § 22 and G.L. c. 30A by instituting an action in the Superior Court within 30 days of receipt of the decision.

Housing Appeals Committee



Werner Lohe, Chairman

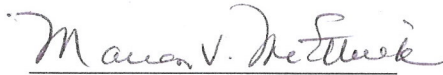
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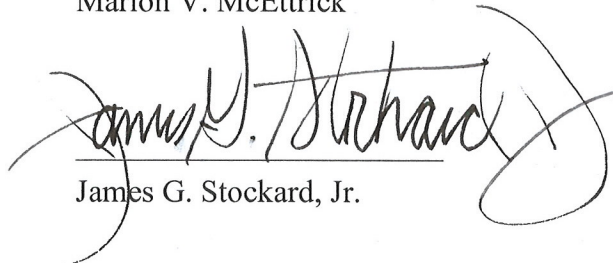
Joseph P. Henefield



Theodore M. Hess-Mahan



Marion V. McEttrick



James G. Stockard, Jr.