

To see if the Town will vote to adopt a General Bylaw entitled the Driveway and Curb Cut Bylaw, or take any other action relative there to:

**Driveway and Curb Cut Bylaw**

**1. Permitting of Driveways Accessing Public Roads**

Any new driveway accessing a Town-owned public road shall require a Driveway/ Curb Cut Permit from the Town’s Superintendent of the Highway Department. Appeals regarding decisions of the Superintendent may be made to the Board of Selectmen.

**2. Driveway Requirements**

**A. Paved Surfaces:** Driveways accessing a paved Town-owned public road shall have a paved apron. The paved apron must meet whichever is greater: extend a minimum of ten (10) feet from the edge of the paved public road or through the width of the public road layout.

**B. Appropriate Drainage & Runoff Control:** The Permittee shall be responsible for the disposal of all surface water from the proposed driveway. Under no circumstances shall any of this surface water enter the Town-owned public road layout. The Permittee must make provisions, at their own expense, proper management of runoff that may require the installation of drainage by installing pipe, inlets, catch basins, manholes, headwalls, and ditches of proper size, material. Depending on the grade of the driveway proposed, erosion control measures may be necessary, in the Highway Department's determination, to protect the Town's drainage rights

Where the construction of a driveway necessitates crossing a Town road drainage ditch, a culvert pipe shall be installed in the ditch by the Permittee at their own expense. The culvert shall be no less than twelve (12) inches in diameter, and of sufficient size to carry the stormwater runoff for a twenty-five (25) year storm, as determined by the National Oceanic and Atmospheric Administration, from the watershed area. Under no circumstances will existing ditches, swales, or gutters be filled without adequate alternate provisions for drainage being made and approved by the Highway Department.

**C. Dimensional Requirements:**

	<b>Minimum</b>	<b>Maximum</b>
<b>Residential</b>	9 feet	20 feet
<b>Commercial &amp; Industrial</b>		
One-way Use	10 feet	20 feet
Two-way Use	24 feet	40 feet

**Setback Requirements & Visibility:**

	<b>Residential</b>	<b>Commercial &amp; Industrial</b>
Minimum Setback for Corner Lots from Public Intersections	20 feet	20 feet
Minimum Setback from Side Property Lines	5 feet	10 feet

Applicant should consider placing their driveway as close to a 90-degree angle to the road in order to maximize the visibility to oncoming traffic.

Any plantings or placement of objects adjacent to the permitted driveway and the roadway must not impede safety or visibility.

**3. Responsibilities of Property Owners**

- A. The driveway shall be graded in such a manner that no ponding of water occurs within the Town road layout. If such ponding results, the property owner shall be responsible for its correction.
- B. All disturbed areas within the Town road layout shall be graded, loamed, and seeded to the satisfaction of the Superintendent of the Highway Department.
- C. The portion of the driveway located within the Town road layout shall be maintained by the property owner at his/her expense to the satisfaction of the Superintendent of the Highway Department.

**4. Enforcement**

The Building Inspector/ Zoning Enforcement Officer or designee shall enforce the provisions of this bylaw.

**5. Fees**

There shall be a fee assessed for the driveway permit and for each required inspection. The Board of Selectmen shall determine the amount of the fee.

**6. Violations and Penalties**

Anyone found to be in violation of this bylaw shall be given sixty (60) days' notice. If not corrected, the property owner shall be fined One Hundred Dollars (\$100.00) on the sixty-first day and Ten Dollars (\$10.00) a day after that until such time as the non-compliance is corrected.

This by-law is in accordance with Chapter 40, Section 21D which pertains to the non-criminal disposition of ordinance, by-law, rule or regulation violations.

SUBMITTED BY: Highway Department

FINANCE COMMITTEE RECOMMENDS: Approval [Vote: Aye (3), Nay (0), Absent (2)]

*Article Information: Approval of this article would formalize the requirements for a driveway/curb cut in the Town. A permit to construct a driveway/curb cut from the Highway*