

SECTION VII

DRIVEWAY CURB CUTS

7.01.00 DRIVEWAY / CURB CUT PERMIT

I. Definitions (for the purpose of this bylaw only).

Abutting property owner: a person or entity owning a property bordering on a way.

Driveway: privately owned access to and from a way.

Public Way: a way laid out by a public agency, or dedicated to public use or laid out for public use or used and maintained as a public way.

Way: any public way which is not subject to G.L. Ch. 81, S.21 (state curb cut permit) and is not a limited access highway.

II. Purposes:

- A. To provide maximum protection to the public through the orderly control of traffic moving onto and from a way;
- B. To provide a uniform practice in the design and construction of entrances and exits;
- C. To provide the necessary drainage, to insure that any surface water drainage caused by the driveway or way is properly disposed of.

III. Applications

Any abutting owner desiring to gain access to a way shall do so only in accordance with the provisions of a permit issued by the Highway Department Superintendent or DPW if appropriate.

A. Procedures:

Before beginning construction, the abutting property owner shall make written application to the Highway Department Superintendent, including a plan showing:

1. Any driveway that is to be created, altered or closed.
2. Details on drainage. The Highway Superintendent may require the owner of property to obtain drainage impact calculations certified by a registered engineer, together with sufficient written detail to determine the projected impact of surface water drainage from the project on the existing drainage system that services the land, if any, and the projected impact of the surface water drainage on land of the Town of Dudley and abutting properties.

IV. Design Requirements

- A. The Highway Department Superintendent shall consider the requirements of the State DPW manual on Uniform Traffic Control Devices, but shall modify these to accord with:
 1. Local conditions;
 2. Compatibility with local road design;
 3. Size of the proposed project.
- B. Driveways shall be located to the best advantage with regard to alignment with the way, profile, sight distance conditions and the like. Unless conditions require it, a driveway shall not be located at the extreme edge of a property, and at no time less than two (2) feet parallel to any property lot line.
- C. No more than two driveways shall normally be allowed for any one property unless there is a clear necessity for more. Leasing of the portion of the property does not affect this requirement. If a number of establishments will be constructed on one parcel, a service road may be required to connect with an allowable exit and entrance with the approval of the Planning Board.

- D. A channelizing island may be required for an entrance to a high volume traffic generator, such as but not limited to a shopping center. Acceleration and deceleration lanes may also be required for driveways to such projects with the approval of the Planning Board. The Highway Department Superintendent may require a bond to guarantee the satisfactory construction of such driveways in an amount not to exceed the estimated cost.
- E. Driveways shall not normally be approved at intersections, particularly intersections with signals because of the potential safety hazard which arises when a driver enters a road from a corner driveway and is not faced with a direct signal indication. Access directly into a rotary is also discouraged.
- F. One driveway can be used for two (2) houses. Only by a special permit from the Board of Appeals can more than two houses use the same driveway.
- G. At no time shall any water be diverted by natural or mechanical means on to any public way. At no time shall construction modify existing street drainage.
- H. The Driveway/curb cut permit shall be issued and approved by the Highway Department Superintendent before a building permit can be issued.
- I. Driveways shall be no less than ten (10) feet in width and not more than twenty feet in width, and shall be of compact gravel, hot top, or similar materials that will not erode or cause unnecessary dust.
- J. Driveways shall not exceed a 6% grade ascending from the curb cut through the first 50 (fifty) feet or the end, whichever comes first.

V. Exceptions

- A. Driveways already in existence, except for significant alterations;
- B. Driveways reviewed by municipal boards under other existing bylaws (e.g. Scenic Roads bylaws, Subdivision Approval, and site Plan review).
- C. The Massachusetts Department of Public Works.