

Driveway Regulations

Definitions

Abutting Property Owner – A person or entity owning property bordering on a way.

Driveway – A driveway, private road, logging road, temporary access road for construction, logging, or testing.

Public Way – A way laid out by a public agency or dedicated to public use or laid out for public use and maintained as a public way.

Way – Any public way which is not subject to MGL c. 81 section 21 (state curb cut permit).

Purpose

The purpose of this regulation is to:

- Enhance public safety and welfare by regulating the manner in which entrances onto Public Ways or presumptive future Public Ways are constructed.
- Provide uniformity in the design and construction of entrances and exits.
- Manage storm water runoff and control erosion created by development of private property.
- Minimize adverse impact of development on Public Ways or presumptive Public Ways.

Applications/Permits

Any abutting property owner desiring to gain access to a way or desiring to significantly alter an existing driveway shall do so only in accordance with the provisions of a Curb Cut permit application issued by the Highway Superintendent.

Before beginning construction, the abutting property owner or his duly authorized agent shall make written application to the Highway Superintendent by means of a Curb Cut permit. The application shall include a plan showing any driveway that is to be created or significantly altered and details on drainage.

Design Requirements

- 1) The Highway Superintendent shall consider the requirements of the State Department of Public Works Manual on Uniform Traffic Control Devices, but shall modify these to accord with:
 - Local conditions
 - Compatibility with local road design
 - Size of the proposed project
- 2) Driveways shall be located to the best advantage with regard to alignments with the way, profile, sight distance conditions and the like.
- 3) No more than two driveways shall normally be allowed for any property unless there is a clear necessity for more. Circular drives will only be allowed where there is a minimum frontage of 150 feet.

- 4) The elevation of driveways at the point of entry into the public right-of-way should be no more than the elevation of the shoulder of the road.
- 5) Driveways shall be constructed so that water from the driveway shall not drain onto the crown of the road.
- 6) The edge of the driveway entering onto the road shall not conflict with the flow of surface water runoff.
- 7) Individual driveways shall not be less than 8 feet nor more than 24 feet in width within the Town right-of-way.
- 8) Any curb at the entrance shall be rounded off with a minimum radius of two feet.
- 9) No driveway shall intersect the way at less than a sixty-degree angle.
- 10) The grade of a driveway may not exceed 10% plus or minus for a distance of at least 20 feet from the property line into the lot.

Exceptions

No permit shall be required for:

- Driveways already in existence, except for significant alterations.
- Driveways reviewed by municipal boards under other existing regulations or bylaws.

Waiver of Compliance

Strict compliance with the requirements of this article may be waived by the vote of the Board of Selectmen at a duly posted meeting when in the judgement of the Board such action is in the public interest and not in opposition to the intent of these regulations.

Special Considerations

- Any work to be done on roads classified as "Scenic Roads" is subject to Massachusetts General Laws, Chapter 40, Section 15C.
- Work on State Highways and Rights of Way is subject to Mass DOT jurisdiction.
- Driveways serving more than one but less than or equal to four lots are subject to the Southampton Common Driveway Bylaw.