



Driveway Regulations

Applies to: *All new/modifications to Driveways in Town*
Select Board Original Adoption: October 17, 2017
Amended on:
Last Reviewed by Select Board:

Purpose

- Enhance public safety and welfare by regulating the manner in which entrances onto Public Ways or presumptive future Public Ways are constructed.
- Clarify the responsibilities of developers/builders/residents who wish to cross or perform work within a Town Right of Way or presumptive future Town Right of Way.
- 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.
- This regulation applies to all new driveways on Public Ways or presumptive Public Ways; suggested change of location such as but not limited to alignment, width and/or any similar work in the Town Right of Way or presumptive future Town Right of Way which has the potential to impact Town infrastructure and/or Public Safety.
- Farm roads, logging roads and temporary construction roads must be permitted and comply with #13.

Regulation

The Highway Superintendent will not sign Curb Cut permit applications nor issue permits without submission of a scale plan which depicts property bounds, Town Right(s) of Way and Public Way including name and layout (or presumptive future of the same), location of all proposed work and area of disturbance, current and finish grades, setbacks; and in compliance with the following criteria:

1. Stormwater runoff generated by development shall be to the extent possible managed and recharged on-site, outside of the Town Right of Way or presumptive Town Right of Way.
2. The maximum width of driveway where it meets/crosses Town Right of Way or presumptive Town Right of Way shall be no less than 8-feet and no wider than 16-feet exclusive of radius with street (unless a wider width is needed to accommodate Requirement number 6).
3. Any portion of the driveway greater than 13% grade shall be paved for a distance of 20-feet before and after such section.
4. The driveway, at its intersection with the Public Way, must provide a leveling-off area with a slope no greater than 10% for the first 20-feet from the edge of road pavement or top of curb if present. If a sidewalk is present it must conform with *Americans with Disabilities Act* (ADA), the *Massachusetts Architectural Access Board* requirements, and be constructed to current standards.



5. The driveway shall intersect a Public Way or presumptive future Public Way at an angle as close to 90° (ninety degrees) as possible, but no less than 60° (sixty degrees).
6. Driveway layout shall accommodate access by emergency vehicles with a 24-foot wheel base and 11-feet of vertical clearance.
7. The driveway shall meet site distance at intersection with Public Way or presumptive Public Way and shall not create traffic or pedestrian safety hazards to its users or the public. For reference see the *American Association of State Highway and Transportation Officials (AASHTO) Geometric Design of Highways* standards for design site stopping distance.
8. The number of curb cuts shall be limited to one per lot. The Highway Superintendent may permit additional curb cuts where deemed reasonable or is necessary to achieve but does not conflict with other design standards.
9. A driveway on a **Major Street** as defined in the *Southampton Sub Division Regulations* shall be designed so that vehicles may enter and exit onto the Public Way by being driving in a forward direction. A driveway on a **Minor Street** or **Secondary Street** as defined in the *Southampton Sub Division Regulations* should be designed so that vehicles may enter and exit onto the Public Way by being driving in a forward direction.
10. All erosion controls necessary to keep alluvium from entering the Municipal Stormwater management system and/or stormwater flow during construction from impacting the Town Right of Way or Public Way shall be employed. The cost of any cleanup will fall upon the applicant.
11. Any deviation or modification from the approved driveway plan must be justified and approved by the Highway Superintendent. Any appeals or waivers shall be heard by the Southampton Select Board and shall require a scale plan stamped by a Professional Engineer.
12. Should an engineer-stamped plan or plans for appeals, waivers or As-Built be deemed necessary by the Town, the cost of the plans will fall upon the Applicant.
13. All reasonable care shall be taken to ensure no negative impact to the Town roadway or Right Of Way; including but not limited to: damage to the road surface or other infrastructure, undermining of the roadway or debris tracked onto roadway. The cost to repair any damage or of any cleanup will fall upon the applicant.
14. A Certificate of Occupancy will not be issued until the Highway Superintendent or his designee signs off that the work subject to this regulation has been performed to the approved plan and in conforms to these regulations. Failure to comply subject to not signing off on Certificate of Occupancy and/or a fine of \$100 for the first day, \$300 on the second day and every day thereafter. Fines to be administered by the Highway Superintendent or Building Inspector under Chapter 21, non-criminal ticketing.



Special Considerations

- A. Work on so-called “Scenic Roads” is subject to Massachusetts General Laws, Chapter 40, Section 15C.
- B. Work on State Highways and Rights of Way is subject to Mass DOT jurisdiction.
- C. Issue of Curb Cut Permit and/or Right Of Way Permit shall not constitute approval of any other required permit nor supersede applicable Federal, State or Local regulations.
- D. Driveways serving greater than one lot are subject to the Southampton Common Driveway Bylaw.
- E. Commercial/Industrial driveways or access will be covered under the Zoning Regulations and heard by the Zoning Board of Appeals.