

**STREET ENTRANCE AND DRIVEWAY CONSTRUCTION**  
**STANDARDS REGULATIONS**  
**(Effective April 3, 2002)**

**A. Purpose:**

This regulation has been adopted for the purpose of protecting the health, safety and general welfare of the inhabitants of the Town of Palmer as well as all motorists and pedestrians utilizing the streets, roadways and sidewalks within the Town of Palmer, by setting forth uniform regulations for driveway access and driveway constructions standards.

**B. Regulation of Curb Cuts and Driveway Access:**

No building permit in connection with a building or use which creates a new curb cut onto a public right-of-way, or private right-of-way intended for public use, shall be issued, nor shall use be established, until a street entrance permit has been approved by the D.P.W. Director and issued by the Town Manager of the Town of Palmer.

**C. Applicability:**

The following curb cuts shall be subject to the requirements of this regulation:

- a. New access within public ways;
- b. Modification to existing access;
- c. Change of use of an existing building or facility that will generate a substantial increase in or change of traffic flow.

Re-paving or re-surfacing of existing driveways shall not require a permit, however, erosion control and other standards as may be applicable shall be adhered to.

**D. Application for Permit:**

The Town Manager or its designee shall be responsible for issuance and/or denial of curb cut applications. All permits shall be requested in writing on forms provided for that purpose by the Office of the Town Manager. All applications shall be accompanied by the following:

- a. All applications shall be accompanied by the appropriate fee;
- b. If the property owner is different from the applicant, proof of consent of the property owner must be provided with the application;
- c. All applications shall be accompanied by plans that are sufficient to show the proposed location of the curb cut, the width of the driveway and curb cut, the grades of the driveway, the materials and method of construction and all erosion control measures that are proposed;
- d. If the application is for a common driveway then proof of a special permit issued by the Planning Board must accompany the application;

- and
- e. Any other information that may help the D.P.W. Director and the Town Manager and/or its designee determine that the proposal conforms to these regulations.

#### **E. Decisions on Permit Applications:**

An application will be deemed received when an application has been submitted to the Office of the Town Manager accompanied by all of the supporting materials and/or documentation and fees required by this regulation. When an application has been filed, it will be stamped received by the Office of the Town Manager only after the entire application, including all supporting material has been checked for completeness and accuracy by a designee in the Town Manager's office. If the application is deemed incomplete and therefore not received, the applicant shall be notified in writing of the application deficiencies within ten (10) days of filing of the application.

Once the application has been deemed received, the D.P.W. Director and Town Manager and/or its designee shall have fourteen (14) days to either approve or deny the application submitted.

#### **F. Commercial and Industrial Applications:**

Applications for commercial and industrial applications shall not be submitted to the Office of the Town Manager until AFTER Special Permit and Site Plan Approval (as may be necessary) has been issued by the Planning Board. This is to insure that complete engineering plans have been submitted and reviewed to insure that the specifications shall provide for safe and efficient access as is consistent with the Zoning By-Laws of the Town of Palmer and current Planning Department review standards and regulations.

#### **G. Guidelines for Location and Construction of Driveways and Access Ways:**

##### 1. General:

- a. Driveways shall be located to minimize the points of traffic conflict, both pedestrian and vehicular.
- b. Entrance and exit driveways shall be located and designed as to achieve maximum practicable distance from existing and proposed access connections for adjacent properties.
- c. Safe stopping distances consistent with the regulations and standards of the Massachusetts Highway Department.
- d. Driveways serving a building or use shall derive legal access solely from the street frontage of the lot, unless the Planning Board has issued a Special Permit for access other than through the legal frontage. A copy of the permit issued by the Planning Board shall be provided at the time of the application for a street entrance/driveway permit.
- e. Any curb cuts onto a State Highway are subject to the regulations and standards of the Massachusetts Highway Department.
- f. To the extent feasible, all driveways shall contain turn-arounds within

the lot so as to avoid backing of vehicles onto the right-of-way.

## 2. Construction:

- a. Any new or modified driveways intersecting with a paved road shall have the entire area of the driveway approach, but no less than a width of fifteen (15) feet paved with bituminous concrete pavement, or similar material such as concrete or brick as specified by these regulations. The length of such material shall be no less than five (5) feet to help prevent erosion.
- b. Any new or modified driveways intersecting with a graveled road shall have the entire area of the driveway approach, but no less than a width of fifteen (15) feet covered with new packed gravel material as specified by these regulations. The length of such material shall be no less than five (5) feet to help prevent erosion. In the event the roadway is paved or oiled, the owner shall comply with Item #c below within six (6) months.
- c. Driveways shall be constructed of the following materials:
  - i. Compacted subgrade, free of frost, roots and debris.
  - ii. Eight (8) inches of compacted gravel sub-base conforming to Massachusetts Highway Department Standard Specifications for Highways and Bridges.
  - iii. Four (4) inches of compacted gravel base conforming to Massachusetts Highway Department Standard Specifications for Highways and Bridges.
  - iv. \*Two (2) inches of bituminous binder course.
  - v. \*One and one half (1 ½) inches bituminous concrete top course.\*If pavers, concrete, or other alternative materials are to be used, construction standards shall be agreed upon with the D.P.W. Director prior to issuance of a permit.
- d. Driveways shall be constructed with a slope not exceeding 8% at its intersection with the intersecting street. The D.P.W. Director may approve a greater slope based on a finding that a lesser slope is infeasible due to topography or other natural characteristics of the site, and the driveway is designed using sound engineering practice.
- e. A reverse grade of fourteen (14) inches from the gutter of the road is required. This will help to control run-off and will ensure a uniform condition if a sidewalk is constructed or other improvements are to be made to the street.
- f. If a ditch exists within the area of the driveway approach, a drainage pipe may be required. The size of the pipe will have a minimum of twelve (12) inches. All pipes will be kept clean by the homeowners and have headwalls.
- g. All work shall be completed within six (6) months of issuance of the permit for street entrance and/or driveway construction.

## 3. Erosion Control Measures:

- a. Driveways shall be designed and constructed so as not to result in the direction of storm water runoff, and soil, stones, or other debris, onto or within the intersecting right-of-way. Retention basins and/or a trench at the bottom of the driveway shall be installed as required to prevent any run-off or debris from entering the road.
- b. During construction, hay bales and silt fence shall be installed as required to prevent erosion. Temporary retention basins and/or ditches at the bottom of the driveway shall be installed as erosion control measures during construction.
- c. Any areas disturbed in connection with the construction of the driveway shall be stabilized to prevent erosion and sedimentation of the subject property, adjacent property, and of the intersecting street. Adjoining drainage structures shall be protected from sedimentation. Disturbed areas shall be loamed and seeded immediately following construction, or temporary erosion control measures used outside of growing season.
- d. In the event erosion control measures installed by the applicant/contractor/owner fail, it shall be the responsibility of the permit holder to clear any mud, sand, debris and other materials from the right-of-way. In the event the Town must clean the right-of-way due to the time of occurrence of the event, the inability to contact the permit holder to clean the right-of-way, the permit holder shall be responsible for all costs of the clean up. In the event of non-payment, a lien will be placed on the property to secure payment.

**H. Permit Fees:**

A permit fee in the amount of \$100.00 shall be submitted with the application.

**I. Bond:**

A bond in the amount of \$500.00 shall be submitted with the application to cover the costs of clean-up and or construction in the event the applicant defaults on any of these provisions or any of the conditions set on the permit granted.