



## TOWN OF WARE

Department of Public Works  
P.O. Box 89, 4 ½ Church Street  
Ware, Massachusetts 01082  
T: 413-967-9620 F: 413-967-9622  
Email: kgoodrow@townofware.com

Permit Number: \_\_\_\_\_

Date Issued: \_\_\_\_\_

### **APPLICATION FOR STREET ENTRANCE PERMIT**

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone #: \_\_\_\_\_

City/Town: \_\_\_\_\_

To enter his/her property on:

Location: \_\_\_\_\_

And agrees to design and construct the driveway according to the following requirements of the current **Town of Ware Zoning** and **Curb Cut By-Laws**:

#### **1. Application for Permit:**

The Superintendent of Public Works and/or his Designee shall be responsible for issuance and / or denial of curb cut applications as follows:

- a. All applications shall be accompanied by the appropriate fee and surety;
- b. Horseshoe driveways shall have two applications with fee and surety for each access to the public way;
- c. If the property owner is different from the applicant, written proof of the consent of the property owner must be provided with the application;
- d. 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, methods employed to prevent runoff from the driveway from entering the public way after construction and all erosion control measures that are proposed to prevent debris from entering the public way from the driveway or other areas within the public way during construction. The Superintendent and/or his designee shall have the right to require that these plans are prepared and stamped by a Professional Engineer registered in the Commonwealth of Massachusetts;
- e. If the application is for a common driveway, then proof of a special permit issued by the Planning Board must accompany the application; and
- f. Any other information requested that may help the Superintendent and/or his designee determine that the proposal conforms to these regulations.

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

- a. Driveways shall be located to minimize points of traffic conflict, both pedestrian and vehicular.
- b. Driveways shall be designed to intersect the existing roadway as close to perpendicular as

- possible.
- c. Entrance and exit driveways shall be located and designed as to achieve maximum practicable distance from existing and proposed access connections for adjacent properties.
  - d. Driveways shall be constructed to allow for safe stopping sight distances that are consistent with the regulations and standards of the Massachusetts Highway Department.
  - e. Driveways serving a building or use shall derive legal access solely from the street frontage of the lot.
  - f. Any curb cuts onto a State Highway are subject to the regulations and standards of the Massachusetts Highway Department.
  - g. 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.
  - h. Driveways shall be constructed with a maximum grade of twelve (12) percent, not to exceed five (5) percent within thirty (30) feet of the property line at the street. The Superintendent of Public Works 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.
  - i. 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. Stormwater management controls shall be installed as required to prevent any run-off or debris from entering the road.
  - j. The need for the installation of culverts and/or drainage to control storm water run-off shall be determined by the Superintendent or his designee and shall be installed at the property owner's expense.
  - k. Driveways shall be constructed so as to minimize the removal of public shade trees, and all by-laws, laws and regulations relative to public shade trees will be observed.
  - l. The cost to remove and reset existing guardrail shall be borne by the owner/applicant and the work shall conform to the Massachusetts Highway Department "Standards & Specifications for Highways and Bridges".

### 3. **Construction Standards:**

- a. Any new or modified residential driveway that intersects a paved road shall not exceed fifteen (15) feet in width and shall have the entire area of the driveway approach within the public way paved with bituminous concrete pavement, or similar material such as concrete, as specified by these regulations. The length of such pavement shall include the entire area within the public way but no less than five (5) feet to help prevent erosion. The driveway shall match the edge of the existing road and shall not extend onto the traveled way and shall conform to **Detail #1**.
- b. Any new or modified residential driveway that intersects a graveled road shall not exceed fifteen (15) feet in width and shall have the entire area of the driveway approach within the public way 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. The driveway shall match the edge of the existing road and shall not extend onto the traveled way. In the event the roadway is paved or oiled the owner shall comply with item a) above within six (6) months.
- c. Any new or modified residential driveway that intersects a paved road or graveled road and a drainage ditch within the area of the driveway approach shall install a drainage pipe not less than 12 inches in diameter along with headwalls or culvert end sections as necessary on each side of the driveway as shown in **Detail #2**. The drainage pipe shall be installed at a line and grade to insure water travels unimpeded through the pipe and under the driveway. After installation of the drainage pipe the driveway shall match the edge of the existing road and shall not extend onto the traveled way. All drainage pipes will be kept clean by the homeowner.

The Superintendent of Public Works may approve a smaller diameter drainage pipe based on a finding that a larger diameter pipe is infeasible due to topography or other natural characteristics of the site, and the driveway is designed using sound engineering practice.

- d. Any new or modified residential driveway that intersects with a paved road with either a bituminous concrete, or cement concrete sidewalk, with or without a grass buffer, shall not exceed fifteen feet in width and shall match the back of the existing sidewalk. The sidewalk shall be replaced as shown in **Details #3 and #4**. The remainder of the driveway within the public way shall be paved with bituminous concrete or cement concrete. The applicant will be responsible for maintaining pedestrian and vehicular safety throughout the construction period and shall provide the Town with evidence of a liability policy in the amounts specified by the Superintendent or his designee.
- e. Any new or modified residential driveways intersecting with a paved road without a sidewalk but with either a bituminous concrete or granite curb shall not exceed fifteen feet in width. The driveway shall match the edge of the existing road and shall not extend onto the traveled way as shown in **Detail #5**.
- f. Any new or modified driveway that serves an estate lot shall comply with the provisions of **Chapter 58, Article 5, ESTATE LOTS** of the current zoning plan.

#### **4. Construction Materials**

Driveways shall be constructed of the following materials:

- a. Compacted sub-grade, free of frost, roots and other organic and deleterious materials.
- b. The apron area between the roadway frontage line and the existing paved or treated public way must be paved with three (3) inches of bituminous concrete (in two layers of 1½ inches each), or six (6) inches of reinforced cement concrete placed over a minimum of twelve (12) inches of compacted gravel borrow.
- c. All materials shall conform to the Massachusetts Highway Department "Standard Specifications for Highways and Bridges".
- d. If pavers, or other alternative materials are to be used, construction standards shall be approved by the Superintendent of Public Works or his designee prior to issuance of a permit.

#### **5. Erosion Control Measures:**

- a. During construction hay bales and silt fence shall be installed as required to prevent storm water runoff, soil, stones, or other debris, from flowing onto or within the intersecting right-of-way. Temporary retention basins and/or ditches at the bottom of the driveway shall be installed as erosion control measures during construction.
- b. Any area disturbed in connection with the construction of the driveway or within the public way 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.
- c. 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 in a timely fashion, and /or the refusal of the permit holder to clean the right-of-way, the permit holder shall be responsible for all costs of the clean-up.

#### **5. Permit Fees:**

A non-refundable permit fee in the amount of \$50.00 shall be submitted with the application.

**6. Work Schedule**

All work shall be completed within six (6) months of issuance of the permit for street entrance and /or driveway construction.

All work shall be performed and completed prior to November 15. No work shall be commenced prior to April 1. For good cause and weather permitting, the Superintendent and/or his designee may, in his discretion reasonably extend the time to complete work beyond November 15, or to commence work prior to April 1.

**7. Surety:**

- a. A bank check made payable to the Town of Ware in the amount of \$500.00 shall be submitted with each application for a driveway as described in 3. a., b., 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.
- b. A bank check made payable to the Town of Ware in the amount of \$750.00 shall be submitted with each application for a driveway described in 3. c., e., 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.
- c. A bank check made payable to the Town of Ware in the amount of \$1,200.00 shall be submitted with each application for a driveway described in 3. d., 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.
- d. A bank check made payable to the Town of Ware in the amount of \$50.00 times the total linear feet of driveway including transition length proposed for each commercial or industrial site 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.

**8. Release of Surety**

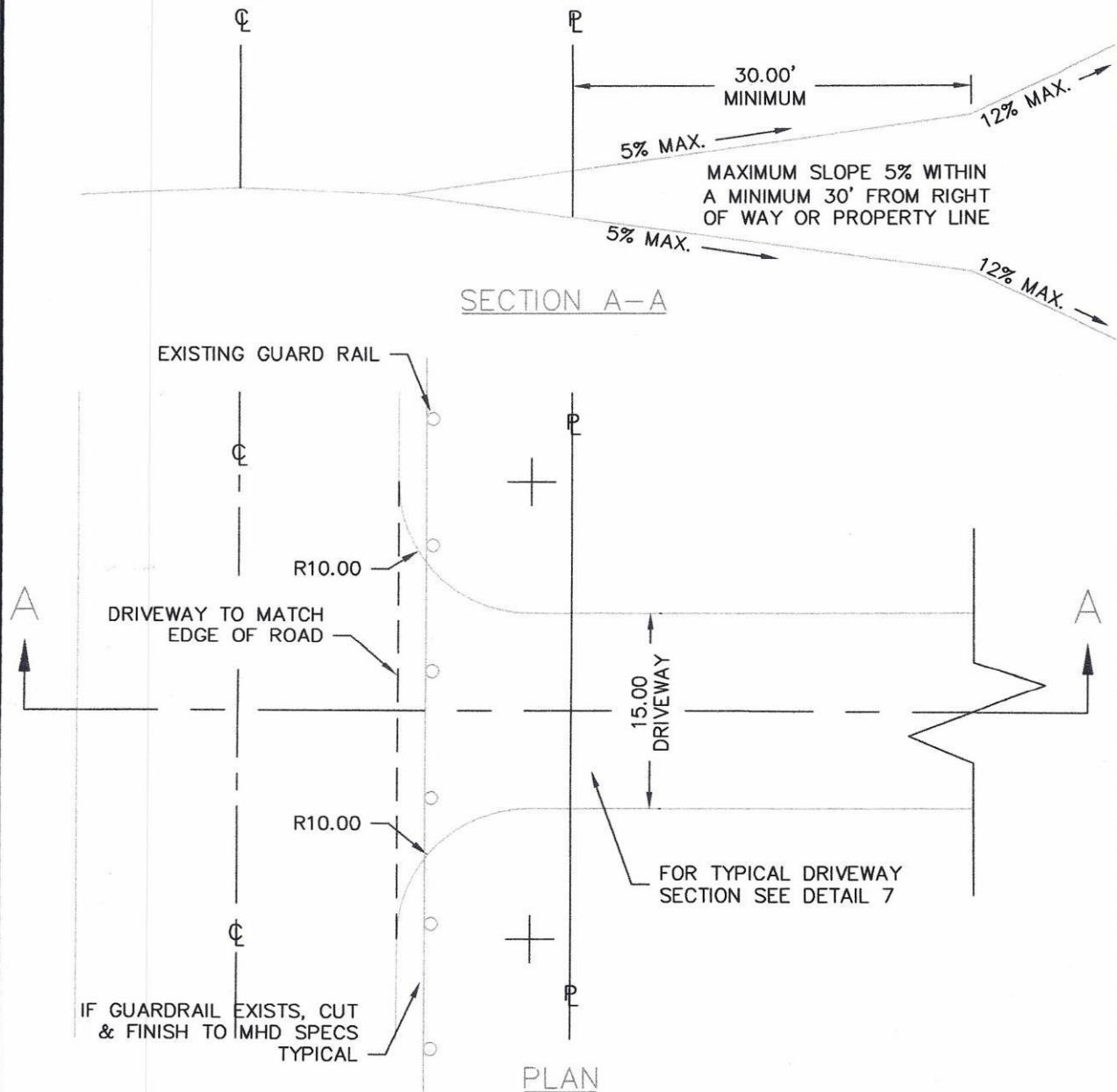
The surety, or remainder thereof, will be released to the grantee after a final inspection of the driveway installation by the Superintendent of Public Works and/or his designee and a sign-off on the permit issued to the grantee. If after a final inspection the work is not acceptable to the Superintendent of Public Works, the grantee shall be given written notice of the deficiencies and shall have thirty (30) days to correct any deficiencies. If all the necessary work is not completed within said thirty (30) day period, then the surety funds may be expended by the Town to cover the cost of completing the work. If the cost of completing the work exceeds the amount of the surety funds, then the grantee shall be responsible for said additional costs.

**Applicant's Signature:** \_\_\_\_\_

**Applicant's Relationship to Owner:** \_\_\_\_\_

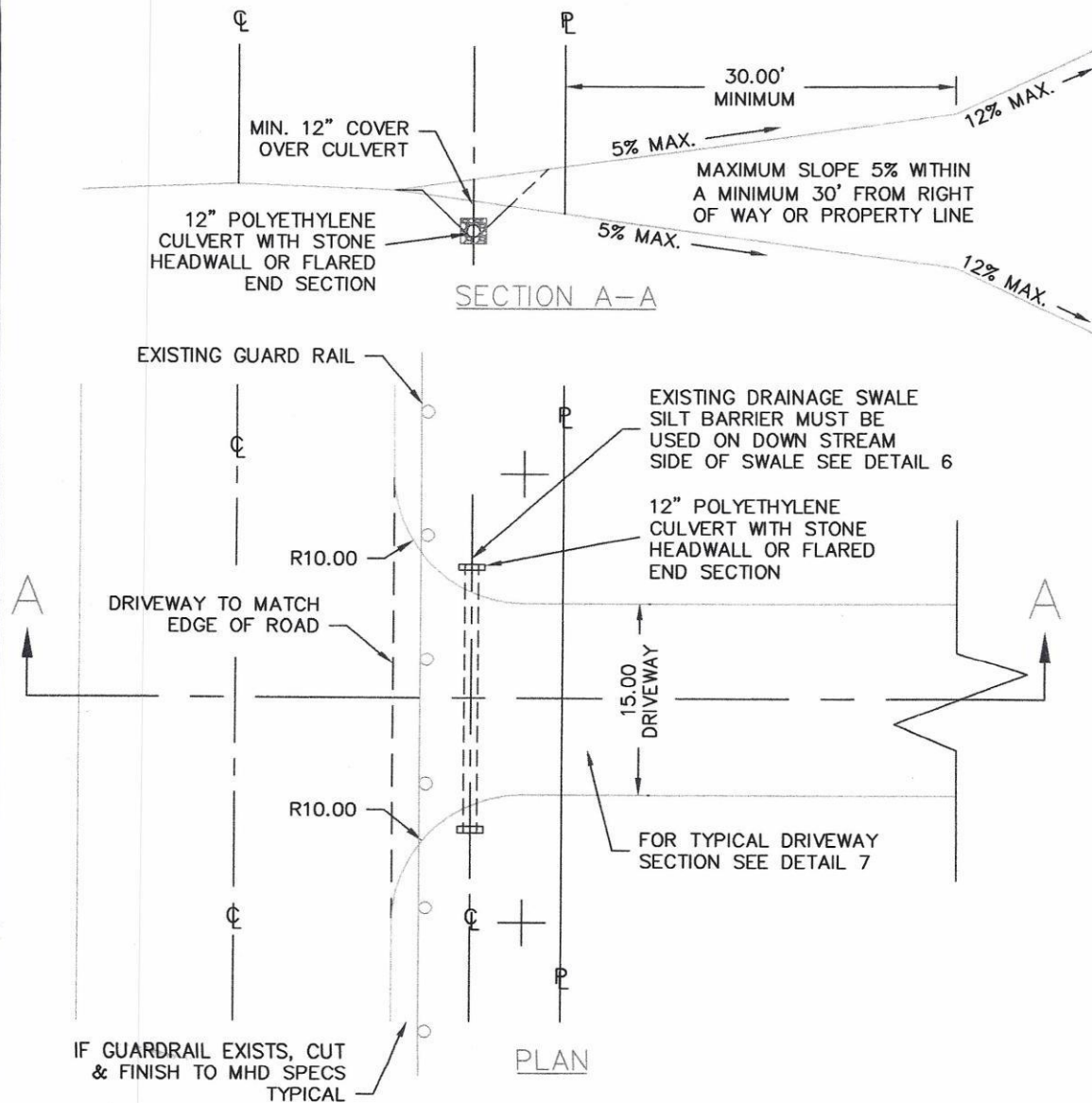
enc: standard details

# TOWN OF WARE DEPARTMENT OF PUBLIC WORKS



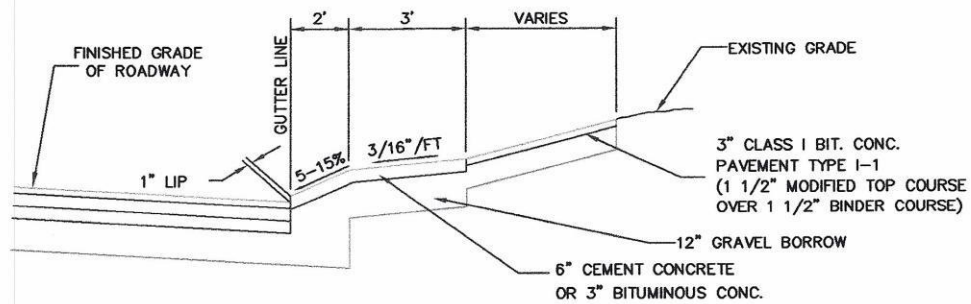
## DETAIL #1

# TOWN OF WARE DEPARTMENT OF PUBLIC WORKS

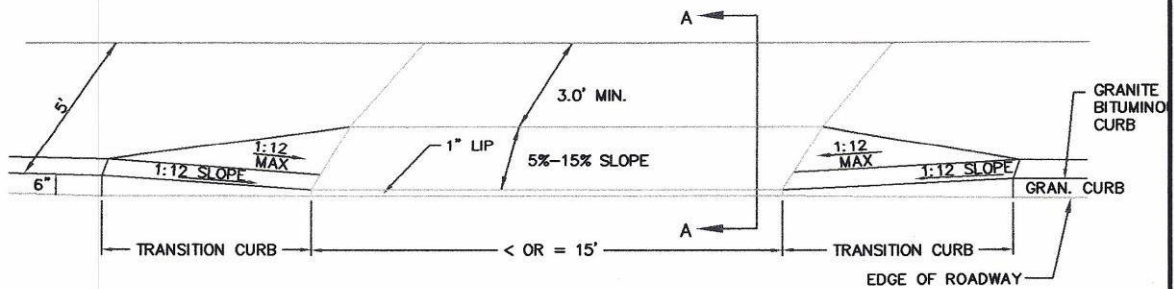


## DETAIL #2

# TOWN OF WARE DEPARTMENT OF PUBLIC WORKS



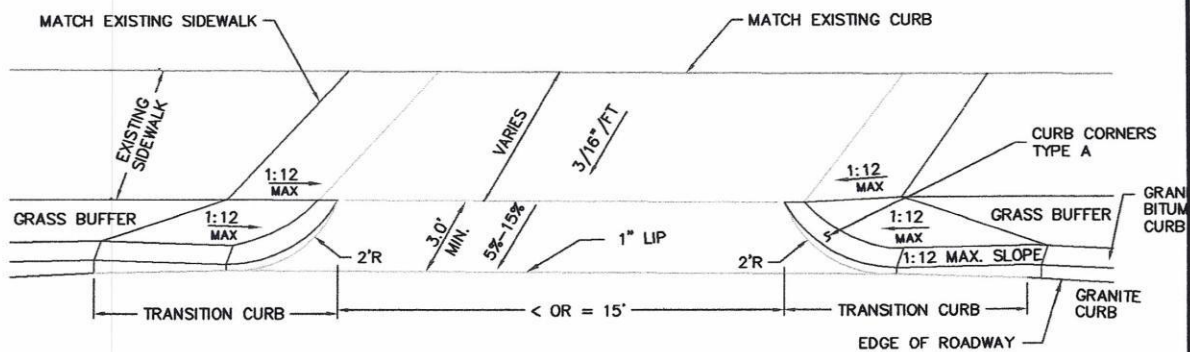
SECTION A-A



TYPICAL DRIVE WITH 5' SIDEWALK AT CURB

## DETAIL #3

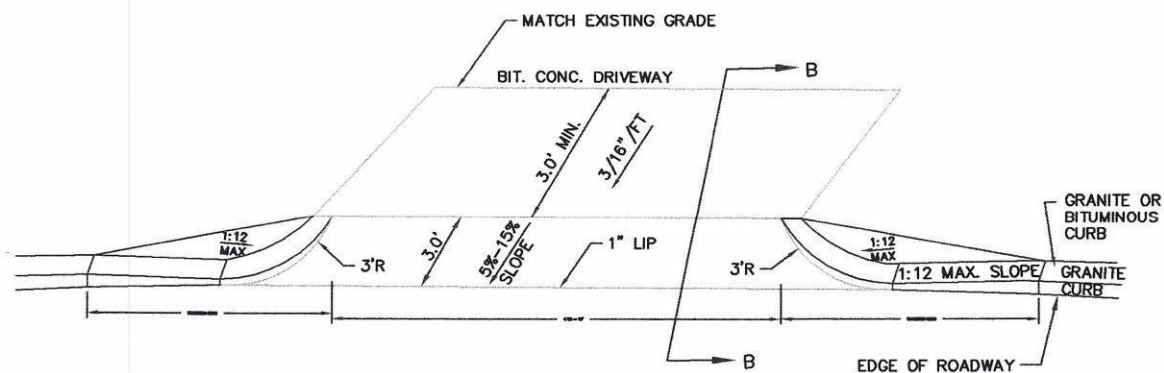
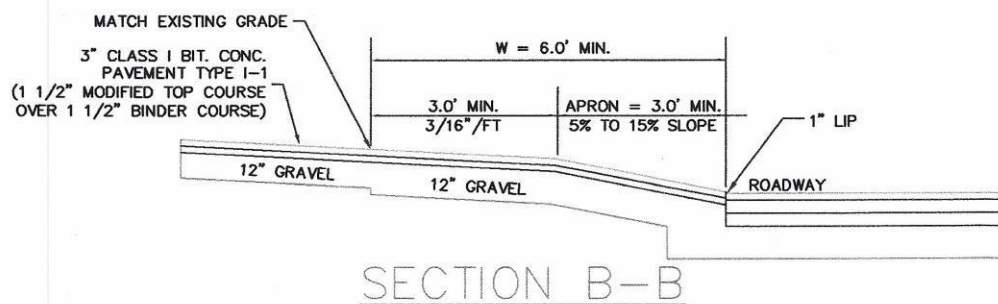
# TOWN OF WARE DEPARTMENT OF PUBLIC WORKS



BIT. CONC. DRIVEWAY WITH GRASS BUFFER

## DETAIL #4

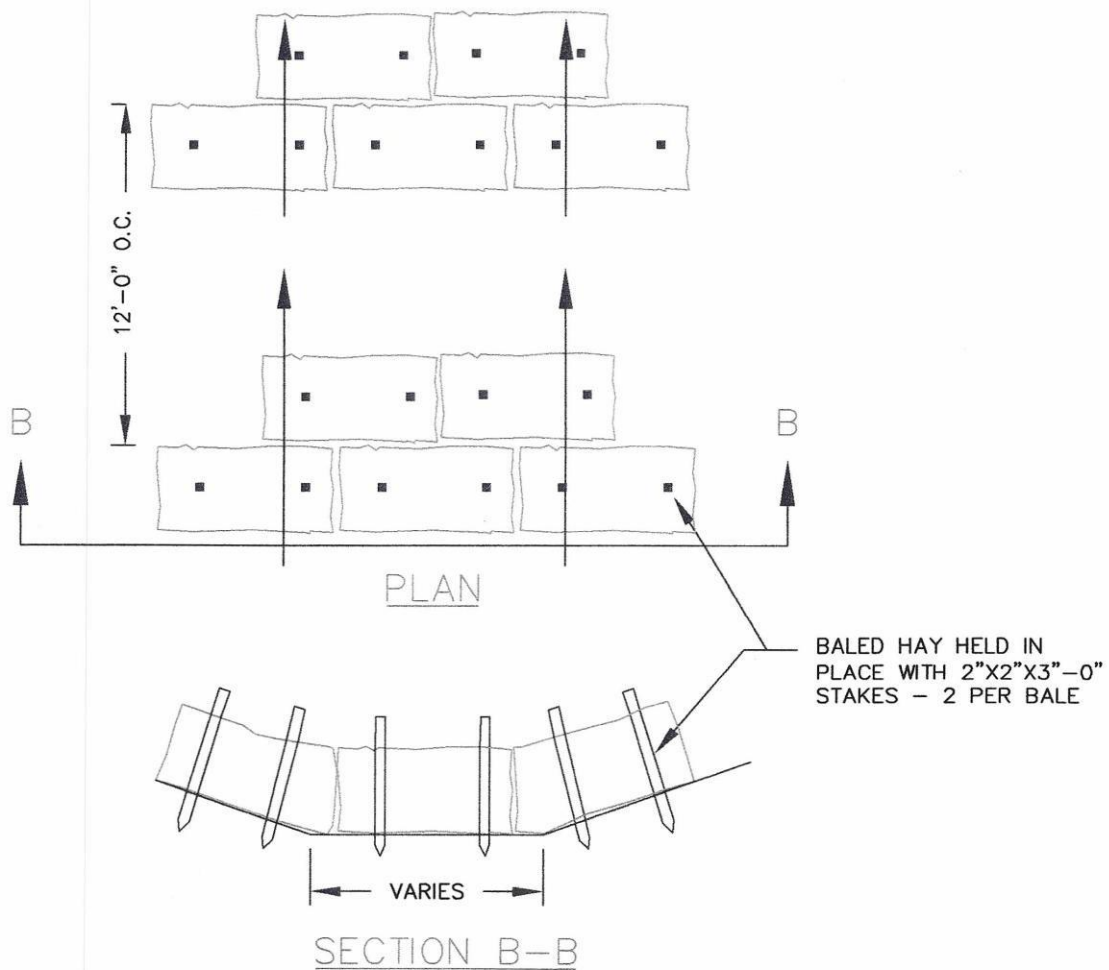




### TYPICAL DRIVE WITH NO SIDEWALK

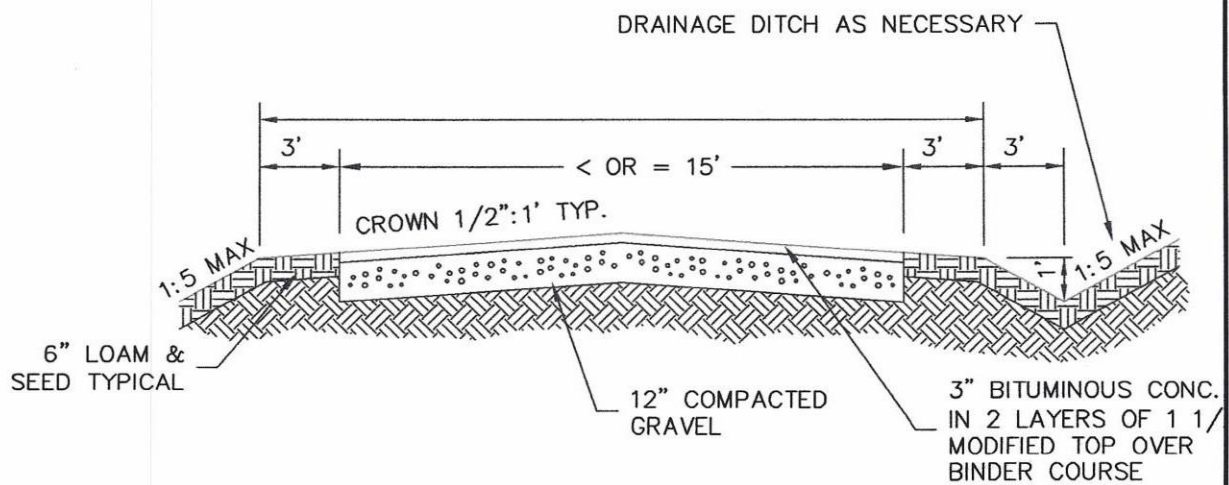
## DETAIL #5

# TOWN OF WARE DEPARTMENT OF PUBLIC WORKS



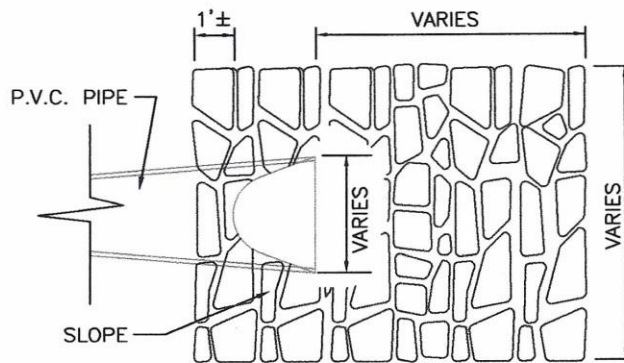
EROSION CONTROL IN DITCH DETAIL #6

# TOWN OF WARE DEPARTMENT OF PUBLIC WORKS

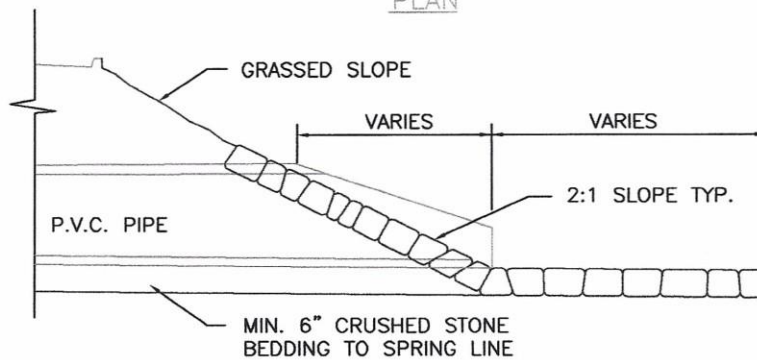


**TYPICAL DRIVEWAY CROSS SECTION DETAIL #7**

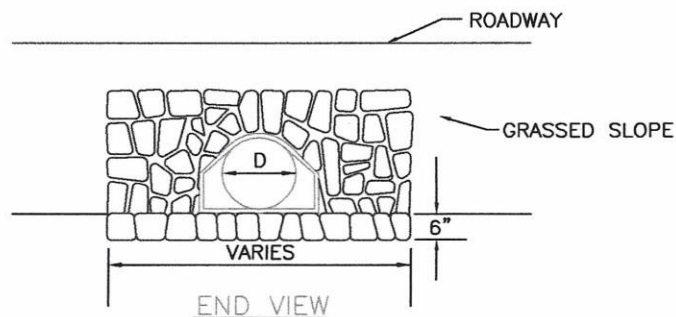
# TOWN OF WARE DEPARTMENT OF PUBLIC WORKS



PLAN



SECTION



END VIEW

STONE PIPE RIPS  
(WITH FLARED END SECTION)

DETAIL #8