

## Guidelines for Driveway Permit

### Application Plan

Plan shall be prepared by a licensed engineer or surveyor at a scale of 1" = 40' and shall include the following:

1. Location of the intersection of the driveway with the street by distance to some permanent reference point.
2. Length and width of driveway and proposed surface material. If driveway is not to be paved, show length of proposed apron.
3. Existing and proposed grades and percent of gradient along centerline of driveway by contour spot elevations or profile. Profile shall be at a scale of 1" = 40' horizontal, 1" = 40' vertical.
4. All lot lines and significant physical features of the lot such as stone walls, large trees, utility poles, rock outcroppings, etc, as they relate to the road and driveway.
5. Existing street drainage along entire frontage of lot such as culverts, leakoffs ditches, etc, including invert elevations and direction of flow. If no street drainage exists in front of the lot, show the distance to the nearest downhill drainage structure, and the size and type of structure.
6. Existing and proposed drainage on the lot including culverts streams, intermittent watercourses, ditches, swales, foundation and gutter drains, curtain drains and general site drainage patterns (grading) as they relate to the road and driveway. Also, show any drainage easements.
7. Existing driveway sight lines and proposed site line improvement, if necessary.
8. Proposed sedimentation and erosion controls.

(4/87)

**RESOLUTION FOR TOWN MEETING**

**TOWN OF MIDDLEBURY**

**APRIL 20, 1987**

**\*\* Revised and Approved by Board of Selectmen July 6, 1987 \*\***

**WHEREAS**, it is desirable to minimize high safety problems created by excessive and unplanned curve cuts, and

**WHEREAS**, it is desirable to control erosion and sedimentation upon the public street caused by driveways, and

**WHEREAS**, it is desirable to avoid altering the existing flow of water in the street or right-of-way, and

**WHEREAS**, it is desirable to establish a permit procedure, which applies to all residential driveways, whether they are on an existing lot of record or in a new subdivision.

**NOW THEREFORE BE IT ORDAINED**

**PART I:      DRIVEWAYS**

- 1.1**           *General:* No person, firm or corporation shall construct, provide or maintain, or move, alter or reconstruct, any driveway or other motor vehicle travelway connecting private property with the right-of-way of (a) any Town street or highway or (b) any street shown on a subdivision map either filed in the office of the Middlebury Town Clerk or approved by the Middlebury Planning Commission until a Driveway Permit therefore has been issued by the Board of Selectmen or their authorized agent.
- 1.2**           *Application and Approval:* Application for a Driveway Permit shall be made to the Board of Selectmen, on the Application Form provided by the Board of Selectmen and in accordance with the accompanying guidelines of the Application Plan. The Driveway Permit may be issued subject to filing with the Board of Selectmen of a suitable executed agreement and bond, as provided in Para. 2.2, to guarantee the full cost of completion of the driveway within the street right-of-way as approved under the Permit. The Board of Selectmen is authorized to charge a Driveway Permit fee in such amount that the Board deems sufficient to defray the Town's cost of plan approval and inspection.
- 1.3**           *Permits and Certificates:* No Building Permit shall be issued by the Building Inspector for the construction of any building or structure for which a

new driveway is necessary until a Driveway Permit has been issued as required by this Ordinance. He shall issue no Certificate of Occupancy for the use or occupancy of any building or structure until such driveway therefor has been approved by the Board of Selectmen or their authorized agent. For such approval, plans drawn and certified by a "Licensed Engineer or Surveyor" showing the final driveway grades in conformity with the specifications in Part II of this Ordinance must be submitted to the Building Inspector.

1.4

*Standards:* All driveways subject to this Ordinance shall be designed and constructed in accordance with the standards and specifications outlined in Part II of this Ordinance. The Board of Selectmen is authorized to and shall amend such standards as necessary to further the objectives of this Ordinance.

1.5

*Existing Driveways:* This Ordinance shall not be construed to require modification of any driveway existing on the effective date of this Ordinance, \*\*except when additional parcels are to be serviced by the existing driveway, in which case the existing driveway shall be brought to such standards as may be required by the Board of Selectmen, which standards shall not be in excess of the standards imposed by this Ordinance for new driveways. \*\*

PART II:

STANDARDS AND SPECIFICATIONS

2.1

*Specifications:* Every new driveway constructed under this Ordinance shall conform to the following specifications:

- A. It shall be so designed as not to pass water on the surface of any existing or proposed roadway.
- B. It shall have a grade not greater than 5% from the edge of the pavement for a distance of twenty-five (25) feet.
- C. Within the lot it shall not contain grades greater than 15%.
- D. It shall intersect generally at right angles with the line of the street.
- E. A paved apron will be provided from the street pavement to the highway line.
- F. The paved apron will be flared at the street to permit normal turning by the vehicles using the driveway.
- G. If the driveway slopes down to the pavement in the street, adequate provision will be made for the flow of water into the normal drainage pattern and not into the traveled portion of the highway. Culverts under the driveway will be provided if needed in the opinion of the Building Inspector.
- H. Sight Distances up and down the street for the emerging driver will be suitable for the highway in the opinion of the Inspector.
- I. Driveways over 400 feet in length, \*\* and less than 18 feet in width, will be widened every 400 feet or less to a width of 18 feet for a distance of 30 feet so that a moving vehicle can pass a vehicle stopped in the widened area. Such driveways may be required to provide, to the satisfaction of the Board of Selectmen, a means for fire apparatus to turn around within the parcel served

- by the driveway and exit in a forward direction. \*\*
- J. \*\*The traveled portion of the driveway shall be of the minimum width; 10 feet for one lot (or other use); 18 feet for (2) two lots; 22 feet for three or more lots. Driveways to more than one (1) lot may be required to provide turnarounds to the satisfaction of the Board of Selectmen. \*\*
- K. \*\*All culverts and bridges located in the driveway shall be capable of carrying Fire Department vehicles. \*\*
- L. \*\*If the driveway is to be on a State Highway, a written permit from the Department of Transportation, Permit Encroachment Division, located in New Milford, Connecticut, is required before the Middlebury Building Inspector can issue any Driveway Permit for a driveway from the State Highway. \*\*

2.2 *Bond:* To guarantee the full cost of completion of the driveway within the street right-of-way as approved under the Permit the Selectmen shall require that a Bond in the minimum amount of \$300.00 be posted.

2.3 *Time Limit:* The Driveway Permit shall be valid for a period of two (2) years, or such lesser period as the Board may specify. Any permit, which has expired, may be renewed only upon reapplication and repayment of the fee.

2.4 *Revocation:* The Board of Selectmen may revoke or suspend a Permit when the Board or its Authorized Agent determines that the work is not being carried Out in accordance with the Regulations and the Permit.

### **PART III: ADMINISTRATION**

3.1 *Administration:* The Board of Selectmen shall have the responsibility for Administration and Enforcement of this Ordinance. In carrying out its duties, the Board of Selectmen is authorized to adopt policies, rules and procedures necessary to the enforcement of this Ordinance, including the charging of Permit and Inspection Fees as specified in Para. 1.2, and the amending of standards as specified in Para. 1.4. Such policies, rules and procedures shall become effective after the Board of Selectmen has held a Public Hearing thereon. Notice of the time and place of such hearing shall be published in the form of a Legal Advertisement appearing in a newspaper having a substantial circulation in the Town at least twice at intervals of not less than two (2) days; the first not more than fifteen (15) days nor less than ten (10) days, and the last not less than two (2) days before such hearing. A copy of the proposed policies, rules and procedures shall be filed in the Office of the Middlebury Town Clerk for public inspection at least ten (10) days before such hearing.

3.2 *Remedies and Penalties:* The Board of Selectmen may institute any appropriate action or proceedings to enforce the provisions of this Ordinance or to prevent, restrain, enjoin, correct or abate any violation of this Ordinance, as may be authorized by law. Any person, firm or corporation who shall construct,

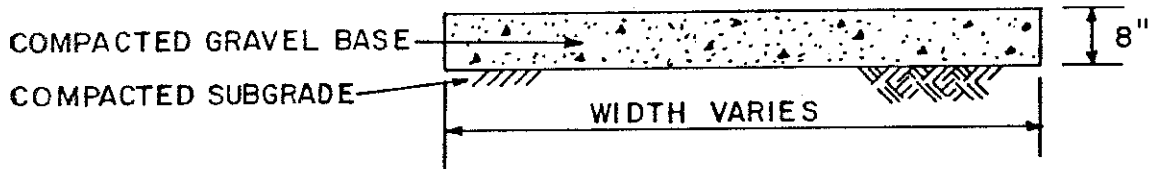
provide or maintain, or move, alter or reconstruct any driveway or other motor vehicle travelway that is subject to this ordinance, except under a valid Driveway Permit, shall be fined no more than twenty-five (\$25.00) dollars for each day that such violation continues.

3.3

*Effective Date:* If enacted at this Town Meeting it shall take effect fifteen (15) days after Publication in the Newspaper.

3.4

*Other Ordinances:* This Ordinance shall supercede and replace any other ordinance or part hereof which concerns the construction, reconstruction or maintenance of driveways in the Town of Middlebury.



## GRAVEL DRIVEWAY

N.T.S.