

Town of Townsend
Application for Driveway Permit Instructions
Zoning Bylaw §145-24 et seq.
Scenic Roads Act M.G.L. c.40 § 15C.

Submit this application to the Highway Department Superintendent along with cash or check payable to the Town of Townsend in the amount of \$40.00 for a single driveway and \$40 for each additional driveway in the case of a common driveway (max of 3). Site plan required (such as septic design plan) showing property lines, streets and location of drive.

- The driveway shall be constructed in accordance with the Townsend Zoning Bylaws §145-24 et seq.
- Driveways shall not overlap existing pavement. The portion of the apron required in Zoning bylaw §§ 145-24 C.(8) which extends 15' from the edge of the Town way pavement to the property line shall be in accordance with §§ 145-24C.(5) and shall narrow to the width of the driveway at the property line.
- All work will be supervised by the Highway Department Superintendent. Call (978) 597-1712 to make appointments. The Building Commissioner may inspect at any time before, during or after construction to ensure compliance with Zoning.
- This permit does not relieve the applicant or any person of the necessity of complying with all other federal, state, or local statutes, ordinances, bylaws and regulations, including the Wetlands Protection Act which forbids work within 100' feet of a wetland without an Order of Conditions issued by the Conservation Commission. Call the Land Use Department at (978)597-1703 for information on this procedure.
- The Scenic Roads Act, M.G.L. c.40 § 15C states "*After a road has been designated as a scenic road any repair, maintenance, reconstruction, or paving work done with respect thereto shall not involve or include the cutting or removal of trees, or the tearing down or destruction of stone walls, or portions thereof, except with the prior written consent of the planning board, or if there is no planning board, the selectmen of a town, or the city council of a city, after a public hearing duly advertised twice in a newspaper of general circulation in the area, as to time, date, place and purpose, the last publication to occur at least seven days prior to such hearing; provided, however, that when a public hearing must be held under the provisions of this section and under section three of chapter eighty-seven prior to the cutting or removal of a tree, such hearings shall be consolidated into a single public hearing before the tree warden and the planning board, or if there is no planning board, the selectmen of a town, or the city council of a city, and notice of such consolidated public hearing shall be given by the tree warden or his deputy as provided in said section three of chapter eighty-seven. Any city or town making said scenic road designation may make an ordinance or by-law establishing that a violation of this paragraph shall be punished by a fine not to exceed three hundred dollars*".

Town of Townsend Land Use Article V - Driveways and Entrances §145-24 et seq.

A. Purpose. In order to provide public safety through the orderly control of traffic moving onto and from a street, and to provide adequate drainage of the driveways where required, new driveways and entrances shall be built according to a uniform standard of design and layout.

B. Procedure. Prior to any construction of a driveway, the owner shall make a written application for approval to the Building Inspector acting through the Board of Selectmen, with copy to the Highway Superintendent. Before approval is granted, the application shall be referred to the Highway Superintendent and, if necessary, to other boards and/or commissions. [Amended 11-29-2005 STM by Art. 30]

C. Design requirements.

1. Entrances shall be located to the best advantage with regards to street alignment, profile, sight distance, and safety conditions
 - a. No driveway edge shall be less than 15 feet from any fire hydrant. [Added 11-29-2005 STM by Art. 30]
2. Entrances and driveways to a given tract of land shall be located through the frontage, or across the front lot line, or through a designated access strip of said land as approved by the Building Inspector and the Highway Superintendent. (See Subsection D of this section for common driveways.) [Amended 11-29-2005 STM by Art. 30]
3. Use of access strip other than those across the front lot line shall require utilization of the access strip frontage as the street address for town/public records.
4. Driveway grades and locations shall be constructed and maintained so as to provide safe access for emergency vehicles. Driveways exceeding 500 feet in length shall have one or more emergency vehicle turnouts and a terminus turnaround as specified by the Building Inspector and the Highway Superintendent. [Amended 11-29-2005 STM by Art. 30]
5. Entrance width, measured from the edge of pavement to a point 15 feet onto the applicant's property shall be:

	Minimum	Maximum
Residential	12'	24'
Common Driveways Residential	12'	24
Commercial & Industrial*	One way 12'	One way 20'
	Two way 18'	Two Way 26'

*unless governed by site plan review in accordance with §145-42 et seq.

6. Entrances and exits shall be no less than 50 feet from a street corner measured between the nearest edge of the driveway and edge of pavement at the street corner
7. Entrances off state highways shall conform to the Massachusetts Highway Department Standard and Regulations. [Amended 11-29-2005 STM by Art. 30]
8. Design standards shall provide that no water will drain from the driveway onto the street, and all such driveways shall have a paved apron 15 feet in length and have a width in compliance with Subsection C(5).
9. Any disturbed areas shall be stabilized and returned to their former state.
10. Where a portion of a stone wall must be removed for access to the property, the remaining stone wall shall

be left in a stable and orderly fashion. Removing stone walls located along scenic roads within the Town's right-of-way is subject to filing an application with the Planning Board pursuant to the Scenic Roads Act, MGL c. 40, § 15C. All roads in Townsend, other than numbered routes or state highways, are designated as "scenic roads." [Amended 12-3-2014 STM by Art. 18]

11. Driveway design, layout, and construction shall be approved by the Building Inspector and the Highway Superintendent. [Amended 11-29-2005 STM by Art. 30]
12. When a driveway is to be constructed over a drainage ditch along town-owned property, a smooth bore plastic pipe with a minimum diameter of 18 inches shall be installed to meet the invert of the drainage ditch to allow for the continuous, uninterrupted flow of water in the ditch, the design of which shall be approved by the Highway Superintendent. [Added 11-29-2005 STM by Art. 30]
13. The maintenance of any pipe installed under § 145-24C(12) shall be the responsibility of the driveway owner. [Added 11-29-2005 STM by Art. 30]

D. Common driveways.

1. Each building lot must have viable vital frontage access by itself before a common driveway may be considered.
2. All building lots serviced by a common driveway must have legal frontage on the same public way.
3. Not more than three building lots may be serviced by one common driveway. Said driveway shall be located across the frontage or the front lot line of one or more of the building lot(s) served by the driveway.
4. The minimum distance between any two common driveway entrances shall be 500 feet.
5. The maximum length of any common drive shall be no more than 1,000 feet to the longest point as measured along the driveway. This entire length of common driveway from the street to the beginning of the farthest individual private driveway must be paved. Not more than three individual private driveways may be constructed off of a common driveway with their individual lengths not to exceed 400 feet from the intersection with the common driveway to the dwelling unit. All provisions of Subsection C(4) shall apply to each separate private driveway constructed off a common driveway. [Amended 4-27-1991 STM by Art. 4; 4-29-1997 ATM by Art. 47]
6. All common driveways shall have an easement and maintenance agreement between all parties served by the common driveway. Plans for said common driveway shall show all metes and bounds. Plan, easement and maintenance agreements shall be recorded with the Registry of Deeds following approval of the Building Inspector and the Highway Superintendent. Certification of said recording shall be provided to the Building Inspector and the Highway Superintendent. [Amended 11-29-2005 STM by Art. 30](7) All provisions of this § 145-24, with the exception of access strips, shall apply to the common drive unless noted otherwise.

E. Inspections and fees. [Amended 11-29-2005 STM by Art. 30]

1. The Building Inspector and the Highway Superintendent shall have the right to inspect the proposed site before, during, and after construction.
2. The Building Inspector and the Highway Superintendent may establish reasonable fees for driveway application and inspections.



Town of Townsend,

272 Main St

Townsend, Ma 01469

978-597-1700 ext 1709 978-597 8135 fax

Driveway Permit # _____ Fee \$ _____

Name: _____ Address: _____

Phone: _____ Email: _____

Location of proposed driveway - Street and #. _____

Map _____ Block _____ Lot# _____ The driveway is located _____ feet from the pole

I hereby apply for a permit to:

1. To make an opening for a driveway in a:
 - ☐ town way or....
 - ☐ another way which the Town of Townsend is, by law obligated to maintain and keep in repair.
2. To construct a:
 - ☐ residential driveway
 - ☐ common driveway
3. Use:
 - ☐ Residential
 - ☐ Commercial & Industrial *unless governed by site plan review § 145-42

Signature of Applicant _____

Date _____

Referred to:	Approved by:	Date:
Highway Superintendent		

Comments:

Referred to:	Approved by:	Date:
Building Commissioner		

Comments:

Referred to:	Approved by:	Date:
Assessor's Office		

Comments:

Referred to:	Approved by:	Date:
Land Use/Conservation		

Comments:

Referred to:	Approved by:	Date:
Fire Department		

Comments:

Referred to:	Approved by:	Date:
Police Department		

Comments:

Referred to:	Approved by:	Date:

Comments: