



Town of Sherborn

Driveway Location Approval Rules and Regulations

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These Rules and Regulations were approved by the Selectmen on November 24, 1998 and amended on August 12, 1999.

1. Driveway Location Approval Procedure

- a. Application for driveway location approval shall be filed with the Superintendent of Streets (Community Maintenance & Development Director) as a representative of the Board of Selectmen.
- b. Upon request for an application for driveway location approval, the Superintendent of Streets shall provide the person making the request with the application form, a copy of these regulations and a copy of the Town of Sherborn General By-Laws Chapter 22.
- c. A complete application shall consist of:
 1. Application form for driveway location approval;
 2. Driveway location plan;
 3. Copies of prior Board of Appeals permits and variances if any;
 4. A Massachusetts Highway Department street entrance permit, where required (some locations only);
 5. Properly executed consent by the owner where the site involves property not owned by the applicant;
 6. Photographs where deemed necessary by the Superintendent of Streets due to the nature of the site as requested;
 7. Copies of all required driveway easements as recorded at the registry of deeds.

2. Form of Application

The application for driveway location approval shall be made on a form approved by the Board of Selectman titled "Application for permit to construct a driveway".

3. Form of Site Plan if Required

- a. Format
 - 1) A clear, legible and transparent reproducible copy, largest dimension not to exceed 36 inches.
 - 2) Drawn to scale of 1"=20', unless special permission is granted to use the scale 1"=40'.
 - 3) Prepared by and showing the seal and the signature of a Registered Professional Engineer or Registered Land Surveyor.
 - 4) Locate and scale
 - a. Buildings, all existing and proposed.
 - b. Parking Areas.
 - c. Type of driveway and parking surface area.

- 5) Locate all landscape features including trees 1 ½" or more in diameter, grass areas, plantings, rock walls, curbs, poles, fences or screening; ect within 25' of proposed driveway unless a greater distance is necessary when calculating line of sight distance.
- 6) Indicate existing and proposed surface water flow from the proposed driveway. (no discharge is permitted on public way without prior written permission from proper authority)
- 7) Indicate all setbacks for building, parking, storage, screening, signs, pumps and hydrants where such features will need to be considered when calculating sight distance.
- 8) List, locate and describe (underground and above) where such features will need to be considered when calculating sight distance:
 - a. Water supply
 - b. Electricity supply
 - c. Gas supply
 - d. Septic system
- 9) List, locate and describe all signs as to height, size, single or double-sided, illumination and side elevation where such features will need to be considered when calculating sight distance.
- 10) Locate and describe all entrances and exits to roads, including size.
- 11) Line of sight distance for all proposed driveways shall be shown for both directions of travel on the public way.
- 12) Locate distances to nearest adjacent driveways on each side of street and across the street if applicable.

b. Proposed Construction

All proposed construction, including but not limited to upgrading and drainage pipes, increased size of parking areas, change of grades, shall be drawn on the plan so as to clearly distinguish it from existing construction at the site.

c. Design Standards

See design standards for Standard Driveways set forth in Appendix A (Standard Driveways)

d. Waiver Provisions

The Superintendent of Streets may at his discretion, waive any of the requirements of Section 3 if in his opinion the requirement is unnecessary, for the relocation of an existing driveway or would cause undue hardship on the applicant, taking into consideration the size and configuration of the site, the buildings and other structures located or to be located thereon, the complexity of the plan, topography, the existence of wetlands, or other local conditions.

4. Consideration by Superintendent of Streets

- a. The Superintendent of Streets may request that the applicant provide additional information as necessary to evaluate the application properly.

- b. Upon approval of the plan, with or without conditions, the Superintendent of Streets shall sign and date the plan under the legend “Approved” or “Approved with conditions”. If needed a street number will be assigned.
- c. Approval of a plan by the Superintendent of Streets shall not relieve the applicant from conforming to the requirements of, or making application to, other boards or commissions on matters within their jurisdiction.
- d. If the Superintendent of Streets disapproves a plan, he shall state his reasons therefore. Grounds for denial shall be non-compliance with the Standard Driveway Design Standards shown in Appendix A or non-compliance with any requirement of these rules and regulations.
- e. No Approval will be granted:
 - 1) For a driveway along a designated scenic road, where compliance with the attached schedule requires the removal of any tree or the alteration of a stone wall on such a scenic road, unless such removal or alteration has first been approved by the Planning Board after a hearing in accordance with the scenic road statute and bylaw; or
 - 2) For a driveway along any road that is not a scenic road, where compliance with the attached schedule has the effect of changing the rural character of the road by requiring the removal of any tree, stone wall or other scenic characteristic of a road that is not a scenic road, unless this requirement is waived for good cause shown by the Director of CM&D.

5. Changes After Approval

- a. No changes in the physical condition of the site, including changes in the location or design of structures or systems, following initial approval of the approved driveway location plan may be made without prior written approval of the Superintendent of Streets.
- b. Before implementing such changes, the applicant shall file a copy of the plan with the Superintendent of Streets clearly indicating the changes, requesting modification of the approval of the plan to reflect such changes.
- c. Depending on the nature and extent of the changes, the Superintendent of the Streets shall determine the appropriate review procedure in the circumstances.
- d. Upon modification of his approval of the plan to reflect such changes, the applicant shall, at the request of the Superintendent of the Streets, revise the plan to show all approved changes and provide the Superintendent of the Streets with two (2) copies of the plan as implemented.

6. Time Limitations

- a. The Superintendent of the Streets has **fifteen business days** from the receipt of a driveway application to approve, disapprove or approve with conditions said application or to refer application to Police Department and/or Traffic Safety Committee for comment. Such referral shall require written notification to applicant that additional study is required.

- b. Time limitations stated in these Regulations are for the orderly consideration of an application. The failure of the Superintendent of Streets to meet such time limitations shall not constitute approval of the application.

7. Roadway Improvements

If, in the opinion of the Superintendent of Streets, there is an opportunity to improve roadway features such as sight distance, visibility, grade, drainage or any safety related feature that would benefit motorists, residents or pedestrians using the street, a study may be required. The study may include potential improvements that could be implemented by the applicant alone, or in cooperation with the Town of Sherborn.

If the approval of a driveway plan brings about repairs or improvements to the public way to enhance the safety of the driving public moving past the new driveway, all costs associated therewith shall be billed to and paid by the applicant. These costs shall be computed and presented to the applicant prior to approval so that the applicant has the opportunity to either accept responsibility for the charges so billed or to change the proposed driveway plan to avoid the road repairs or improvements. Failure to agree to pay such charges shall be grounds to deny the proposed plan.

8. Trees

Any public shade trees affected by the proposed driveway shall be identified on the plan submitted. Any trees identified and proposed to be removed shall be brought in writing to the attention of the Tree Warden. Such notice shall be in advance so that any posting required, legal advertisement, notification and public hearing may be made in accordance with M.G.L. Ch. 87. If the road to which the driveway will be connected is a scenic road, compliance with the Town's Scenic Road bylaw as administered by the Planning Board is required prior to any removal.

9. Stone Walls

Any stone wall affected by the proposed driveway, if on a scenic road and within the right of way shall require approval of the Planning Board in accordance with M.G.L. Ch. 40 Section 15c.

10. Appeals Process

The applicant or aggrieved person will be allowed to appeal to the Planning Board if application is denied by filing a request for appeal with the Town Clerk's office within thirty (30) days of the issuance by the Superintendent of Streets of his statement of written reasons pursuant to Section 4 hereof with a copy of the appeal being provided to the Planning Board.

Appendix A

Driveways Design Standards

1. Width of Street Line (driveway)

Minimum	10ft.
Maximum	20ft.

2. Curb Radius

Minimum	3ft.
Maximum	10ft.

3. Vertical Alignment

Vertical alignment is for the entire length of the driveway; where the driveway intersects a street, a leveling area of no greater than 2% will be required for a distance of 30ft from the edge of pavement of the street. This platform area shall be paved to reduce wheel spin unless waived in writing by the Superintendent of Streets.

Minimum	1.0 percent grade
Maximum	8.0 percent grade

4. Distance off Property Line

5ft. minimum

5. Distance between Drives

20ft. minimum

6. Distance from Street Intersection

100ft. minimum

7. Driveways per Lot

1

8. Sight Distances

For 25 MPH	200ft. minimum
For 30 MPH	275ft. minimum
For 35 MPH	300ft. minimum
For 40 MPH	350ft. minimum
For 45 MPH	400ft. minimum
For 50 MPH	425ft. minimum

Or as set forth in the most recent edition of the Highway Design Manual, whichever value is greater.

If it is in the opinion of the Superintendent of the Streets that actual running speed is substantially different from the posted speed limit then he may require additional study to be done. If additional information substantiates a difference between running speed and posted speed then the Superintendent may require the larger sight distance value.

If sight distance measurements cross property not owned by applicant an easement for that purpose may be required. A sight distance easement plan shall be recorded and a copy given with the application.

9. Storm Drainage Provision must be made to prevent storm runoff from flowing down the proposed driveway into the street and to prevent street runoff from flowing into the subject property via the proposed driveway. Such provision must be shown on the submitted plan.

10. Any driveway with a length to be more than five hundred (500) feet shall comply with the Driveway bylaw and described in the General By-Law of The Town of Sherborn, Chapter 22 (added 1994).

Appendix B

Scenic Roads

1. Designated as scenic roads at the Annual Town Meeting held on March 11, 1974:

Apple Street
Ash Lane
Brush Hill Road
Cross Street
Curve Street
Farm Road
Forest Street
Goulding Street East
Goulding Street West
Greenwood Street
Hollis Street
Hunting Lane
Lake Street
Maple Street
Mill Street
Nason Hill Road
Perry Street
Pleasant Street
Prospect Street
Rockwood Street
Snow Street
South Street
Western Avenue
Whitney Street
Woodland Street