



# *TOWN OF NATICK MASSACHUSETTS*

## **POLICY REGULATING PUBLIC WAY ACCESS PERMITS**

### BOARD OF SELECTMEN

JONATHAN FREEDMAN – CHAIRMAN  
SUSAN G. SALAMOFF – VICE CHAIRMAN  
RICHARD P. JENNETT JR. - CLERK  
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### TOWN ADMINISTRATOR

MARTHA WHITE

### DIRECTOR OF PUBLIC WORKS

JEREMY MARSETTE, P.E.

### ADOPTED

August 21, 2017

**PURPOSE:**

To provide for safe access and egress to parcels being served and to limit potential areas of traffic conflict while maintaining adequate access for vehicles to be stored conveniently off street.

**RELATED DOCUMENTS:**

Town of Natick Massachusetts Zoning Bylaws, Section V-D Off-street Parking and Loading Requirements

Special Permit and Site Plan Review Rules and Regulations, Town of Natick Planning Board

Subdivision Rules and Regulations, Town of Natick Planning Board

Construction Standards, Town of Natick Department of Public Works

**RESIDENTIAL**

**POLICY:**

Curb cut requests for residential properties shall be in accordance with the Zoning Bylaws where applicable and are subject to review by the Town Engineer. An application for a Public Way Access Permit must be made to the office of the Town Engineer regardless of whether the request is for a new curb cut and driveway apron or alteration to an existing curb cut and driveway apron.

Per the Town of Natick Zoning Bylaw Section V-D 10. Entrance and Exit Driveways, residential driveways shall not be less than nine (9) feet or more than twenty-one (21) feet wide at the right-of-way line nor less thirteen (13) or more than twenty-five (25) feet at the curb line of lots for one or two-family dwellings. No driveway paving shall be placed on a lot closer than two (2) feet to the side property line without a Special Permit issued by the Planning Board under Zoning Bylaw Section IV-A 6. Shared Driveways.

Permission may be granted by the Town Engineer for a second driveway apron and curb cut if, upon investigation, it is found that construction and maintenance of such driveway will not impair, endanger, or interfere with the public safety. When two (2) driveway aprons are permitted, there shall be provided at least twenty (20) feet of sidewalk between them for safe pedestrian refuge and to allow for proper sidewalk ramp design.

Whenever possible, all driveways shall be spaced a minimum of ten (10) feet from adjacent driveways and no driveway openings or curb cuts shall be permitted within fifty (50) feet of a street corner measured from the nearest edge of the driveway and the crossroad edge of pavement.

Any decorative or rumble strip that may be placed at the end of the driveway must be constructed on private property. All driveway aprons and curb cuts within the public way shall be constructed of bituminous concrete or cement concrete. Other materials such as gravel, crushed stone, pea stone, cobblestones or brick pavers may be used to construct the driveway on private property. Said construction must begin eight (8) feet beyond the edge of the roadway and shall be constructed solely on private property and not encroach on the public way.

**PROCEDURE:**

Each application for location or relocation of driveway aprons and curb cuts shall be made to the office of the Town Engineer, 75 West Street, Natick, MA 01760. Such application shall state the need for the new or expanded curb cut and driveway apron. The request shall include a plan at a scale of 1" = 40', showing the lot, its total area and perimeter dimensions, and approximate location of the house and garage, dimensions of the proposed driveway and existing driveway, the disposition of any existing driveways and all materials to be used in the construction of the proposed curb cut and driveway. The Town Engineer shall review the request and approve or disapprove the request in accordance with the requirements of this policy. This review shall be completed within ten (10) working days of the receipt of a completed application.

Should issues arise that cannot be adjudicated between the Town Engineer and the Applicant regarding the proposed driveway apron and curb cut, the Applicant may appeal to the Director of Public Works.

Once approval has been received from the Town Engineer, the owner of the property or his/her designee shall obtain a **Street Opening Permit** from the Department of Public Works prior to construction.

Construction under the terms of a Public Way Access Permit shall be completed within two years of the date of issue, unless otherwise stated in the Permit. The Director of Public Works may extend the Permit for an additional year, at the written request of the permittee, filed prior to the expiration of the original construction period.

**COMMERCIAL/INDUSTRIAL/MIXED USE**

Applicants whose proposed action would otherwise require statutory notice of a public hearing by the Planning Board under the provisions of any applicable Zoning Bylaw, General Bylaws or applicable Rules and Regulations shall submit a request for public way access to the Planning Board as part of Site Plan Review or Special Permit.

Once approval has been received from the Planning Board the owner of the property or his/her designee shall obtain a Street **Occupancy Permit** from the Department of Public Works Engineering Division prior to construction.

**PENALTIES**

Failure to obtain approval of a new, altered or relocated driveway apron or curb cut or any violation of this policy will result in a fine in accordance with Town Bylaw Article 92 Section 1 in the amount of \$100.00 for each offense. Each offense is defined as each day work has been performed or the driveway apron or curb cut is in place without benefit of approval by the Town Engineer.

**Policy Regulating  
Public Way Access Permits**

ADOPTED

August 21, 2017

By: \_\_\_\_\_  
Martha White  
Town Administrator

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EFFECTIVE DATE: August 21, 2017