Town of Colrain
Highway Superintendent
55 Main Road
Colrain, MA 01340
(413) 624-5500
highway@colrain-ma.gov

Application for Curb Cut Permit

Purpose: To provide better protection of public safety through the orderly control of traffic entering and exiting a public way and to provide the necessary grade and drainage to protect the public way from damage.

Fee: The fee for the curb cut permit is $25. Please submit your application with a check payable to the Town of Colrain.

Applicant Name: _____

Address: _____

City/State/Zip: _____

Home Phone: _____ Cell Phone: _____

Email: _____

Road on which curb cut is to be made: _____

Contractor Name: _____

Address: _____

Phone: _____

Description of Work: _____

_____

_____

Anticipated Start Date: _____ Completion Date: _____

PLAN: Attach a drawing /plan of the proposed curb cut or driveway and any necessary construction details. The curb cut and/or driveway must be designed in accordance with the provision of the curb cut bylaw attached to this application.

To be completed by the applicant (must be signed at time of application)
I have read the attached Curb Cut Bylaw Regulations and agree to abide by such regulations when implementing and maintaining the above referenced project:

Signature of Applicant: _____ **Date:** _____

Revised 2024-08-20

Submission and Review of Application

Date received by the Highway Superintendent: _____

The Highway Superintendent must notify the applicant making the application within 21 days, in writing, indicating whether the application is approved or not. If the permit is denied, an appeal may be made in writing within 20 days to the Select Board.

The Highway Superintendent shall consult with the Police Chief and Fire Chief and other interested town officials to obtain their comments on the curb cut.

Reviewed by:

_____
Fire Chief

_____
Police Chief

Decision of Application

_____Permit is granted as it conforms to town standards.

_____Permit is granted with the following modifications, standards, restrictions:
_____
_____

_____Permit is granted, but not subject to the design standards set forth in Section 5 of the Bylaw, as the access does not serve a building and is not used continuously on a year round basis. The curb cut/driveway is used mainly for agriculture or forestry purposes and is subject to the following provisions:
_____
_____

_____**Permit is denied for the following reasons**: _____
_____
_____

Permission is hereby granted for the above request. Conditions attached to this permit must be followed. It will be the responsibility of the applicant to notify all utility companies involved (Dig Safe No. in Massachusetts is 1-888-344-7233).
Dig Safe No. _____

Said permit for the above shall be under the direct inspection of the Highway Superintendent, who will inspect the project during and after construction. He shall have the authority to halt construction and/or prohibit access to said driveway if construction is not in accordance with the approved plan until objectionable conditions are corrected. The Highway Superintendent shall "Sign Off" on the permit after satisfactory completion of construction.

Signature of Highway Superintendent: _____

Date Permit Granted: _____ Date Permit Released: _____

Copies of all permit applications must be sent to the Select Board.

CURB CUT BYLAW

SECTION 1: PUBLIC WAY: a way accepted and maintained by a public agency.
DRIVEWAY: privately owned access to and from a public way.

SECTION 2: PURPOSES

A) To provide better protection of public safety through the orderly control of traffic entering and exiting a public way.
B) To provide the necessary grade and drainage to protect the public way from damage.

SECTION 3: APPLICATION FOR A PERMIT

A) Any property owner desiring to construct a driveway which accesses a public way shall do so only after securing a written permit for such driveway from the Road Superintendent having charge of the maintenance and repair of such public ways.
B) Any access from a public way that does not serve a building and is not used continuously on a year round basis such as access for agricultural, forestry and other uses must apply for a permit under this bylaw but will not be subject to the design standards set forth in SECTION 5. Such access ways will be subject to more general standards based on safety considerations and the need for protection of public ways.
C) A driveway shall be designed and must receive approval from the Road Superintendent before a building permit for a newly constructed building is approved and the driveway construction shall be completed before any occupancy or use of the premised is permitted.
D) Driveways that would be exempt from this permit requirements are:
    1) Driveways already in existence
    2) Driveways subject to M.G.L. C. 81, s.21 (state curb cut permit)
    3) Driveways reviewed by municipal boards under existing zoning and sub-division bylaws.

SECTION 4: PERMIT APPLICATION AND REVIEW PROCEDURES

A) The property owner seeking a curb cut permit shall make a written submission to the Road Superintendent including two copies of the Application for Curb Cut Permit, including a plan showing:
    1) Any driveway that is to be created, altered or closed and the relationship to the public way.
    2) Construction details to describe compliance with Section 5, Design Standards.
B) The Road Superintendent shall consult with the Police Chief and the Fire Chief and other interested town officials to obtain their comment on the plan.
C) The Road Superintendent shall notify the property owner making the application within 21 days, in writing indicating:
    1) The curb cut does conform to the town's standard set forth in the bylaw, or,
    2) The curb cut does conform subject to certain modifications, conditions, restrictions, or,
    3) The permit is denied based on certain stated reasons.

If the Road Superintendent takes no action within 21 days of completed submission, the Curb Cut Permit is automatically issued in accordance with the plan and the Town Clerk may so certify.

If the permit is denied, an appeal may be made within 20 days to the Select Board.

E) The Road Superintendent will inspect the project during and after construction and shall have the authority to halt construction and/or prohibit access to said driveway if construction is not in accordance with the approved plan, until objectionable conditions are corrected.

F) The Road Superintendent shall "sign off" on the Permit after satisfactory completion of construction.

SECTION 5: DESIGN STANDARDS—These standards are for the purpose of this bylaw only and shall not apply to such curb cuts required for non-continuous, year round uses such as agriculture, forestry and other such uses.

A) Culverts and Drainage: Existing drainage ditches parallel to public ways from which driveways will be constructed shall not be obstructed by new driveway construction. If a culvert is necessary, culverts of appropriate size and a durable material (such as asphalt-coated galvanized steel) shall be installed at the expense of the applicant. Culvert diameter shall be determined by the Road Superintendent or by a licensed professional engineer hired by the applicant.

Where appropriate in the judgment of the Road Superintendent, driveways shall be provided with parallel drainage swales and with culverts allowing storm water to cross the driveway without creating erosion or washouts.

B) Sight Distances: All new driveways shall be constructed to allow for a minimum sight distance in both directions along the public way of not less than 100 feet, or if less than 100 feet it may be allowed at the discretion of the Road Superintendent. This distance shall be measured at the height of not more than four feet above the elevation of the driveway at its point of intersection with the public way (typical eye-level of car drivers)
C) Gradients: Maximum gradient of any new driveway shall not exceed 12% within 25 feet of the edge of the traveled way.
D) Construction Material: All new driveways must be provided with a minimum of 8 inches of sand and gravel (bank run or better) in which there are no stones greater than 4 inches in diameter. On slopes of between 5% and 12% within 35 feet of the edge of the way, the driveway shall be overlain by at least 4 inches of graded crushed gravel of "trap rock" gravel, in which the chip size does not exceed three-fourths of an inch to prevent unstabilized driveway material from washing out into the road.
E) Width of the Driveway: the width of the entrance shall be at least 18 feet to allow safety vehicles to enter, and beyond the entrance, the driveway width shall be at least 10 feet to allow access for emergency vehicles.
F) Safety of the Public During Construction: persons securing a permit are responsible for insuring the safety of the public in the excavated area. Adequate safety and warning devices must be placed at appropriate locations to adequately warn and protect the motoring and pedestrian public. Such devices may include reflectorized signs, barricades and barrels along with lights. Any liability arising from improper safeguards shall be borne by the person to whom the permit was issued. The Town of Colrain is not responsible for providing devices for safety signage.

Voted June 29, 1989