

**TOWN OF WHATELY**  
**HIGHWAY DEPARTMENT**  
**REGULATIONS FOR DRIVEWAY OPENING PERMIT**

Approved and Adopted by the Board of Selectmen on May 14, 1991

Amended by the Board of Selectmen on June 28, 1991, September 14, 1999, April 11, 2006 and again on October 28, 2008.

PURPOSE: The following regulations are established by the Whately Board of Selectmen in order to:

1. Prevent deterioration of Town roads due to improper driveway construction.
2. Insure safe access to and from Town roads by vehicular traffic.
3. Insure the safe passage of vehicular and other traffic along Town roads.

*Before any permit for access to a Town way is issued, the Conservation Commission must confirm by signing off on the bottom of the application that no wetlands within their jurisdiction are involved: if wetlands are involved, all appropriate permits from the Conservation Commission must be issued before the final Driveway/Access permit is issued by the Highway Superintendent.*

REGULATIONS:

1. Driveway must be perpendicular to the Town road a minimum distance of twenty (20) feet from the edge of the traveled way.
2. The first twenty (20) feet of the driveway as measured above, shall be kept free of any visual obstructions within an area twelve (12) feet either side of the centerline of the driveway.
3. The first twenty (20) feet of the driveway as measured above, must have a minimum width of twelve (12) feet.
4. The first eight (8) feet of the driveway as measured above, must be paved with bituminous concrete with a minimum thickness of two inches, unless the Town road is unpaved.
5. The driveway design and construction must comply to all applicable sections of the Whately Zoning Bylaw.
6. No portion of the driveway shall be closer than twenty (20) feet to any lot line.
7. The driveway grade shall not exceed five (5) percent for the first twenty (20) feet from the edge of the Town road as defined above.
8. Any new construction of a driveway, or reconstruction of an existing driveway, needing to address drainage along a Town road must be approved by the Whately Highway Superintendent. 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 Highway Superintendent or by a licensed professional engineer hired by the applicant.

9. Any expenses incurred by the Town to correct damages to Town property caused by defective construction, poor design, washout, obstructed drains, or other failure related to the driveway shall be paid by the driveway owner.
10. The applicant shall be responsible for securing DIG SAFE approval and shall report such number to the Highway Superintendent prior to beginning construction.
11. Upon receipt of a street number from the Highway Superintendent, the property owner shall post the same adjacent to the driveway in a conspicuous place visible from the Town road.
12. The Whately Highway Superintendent shall be the administrator of this regulation. Appeals of any requirement of this regulation, or of any decision of the Whately Highway Superintendent with regard to this regulation shall be made to the Whately Board of Selectmen. Said appeal shall be in writing, and shall state the nature of the appeal, and shall propose some alternative remedy which meets the aims of this regulation.

The Board of Selectmen at least fourteen (14) days in advance of the hearing, shall notify the person or persons making the appeal, the Highway Superintendent, and any parties having expressed an interest in the matter in writing, of the date and time of the hearing. Said meeting shall be a duly called meeting of the Board of Selectmen. The Board of Selectmen shall be obligated to render a decision in the matter within 21 days of the opening of the hearing.
13. The Highway 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 regulations, until objectionable conditions are corrected.
14. A driveway for a newly constructed building shall be completed before any occupancy or use of the premises is permitted.
15. The Whately Board of Selectmen shall have the authority to amend these regulations at any regular meeting of the Board of Selectmen, subject to the conditions that the Whately Highway Superintendent shall be notified of the proposed change fourteen days in advance of the meeting and shall have an opportunity to respond to the proposed change.
16. A non-refundable permit fee of \$75.00 must accompany the application.
17. The Board of Selectmen reserve the right to approve or disapprove a proposed driveway based on the safety and welfare of the general public.

## APPLICATION FOR A DRIVEWAY PERMIT

Date Rcd. \_\_\_\_\_

No. \_\_\_\_\_

\_\_\_\_\_ Approved

\_\_\_\_\_ Disapproved

Date: \_\_\_\_\_

By: \_\_\_\_\_

(Supt. of Streets)

Restrictions or Conditions

Attached: \_\_\_\_\_ Yes \_\_\_\_\_ No

**Fee:** \$75.00  
Non- refundable

This permit (license for a driveway opening) is issued as a regulation of the Board of Selectmen, approved and adopted on May 14, 1991 and amended on June 28, 1991. Fee amended from \$35 to \$50 on April 11, 2006 and increased to \$75 on October 28, 2008.

1. Date of Application: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Address of Applicant: \_\_\_\_\_

\_\_\_\_\_

Applicant phone numbers: \_\_\_\_\_

(24 hours per day)

Name of Contractor: \_\_\_\_\_

Address of Contractor: \_\_\_\_\_

\_\_\_\_\_

Contractor phone numbers: \_\_\_\_\_

(24 hours per day)

2. Location and description of proposed work:

3. Anticipated start of work: \_\_\_\_\_

Estimated duration of work: \_\_\_\_\_

4. Dig Safe No. \_\_\_\_\_ Date Dig Safe Notified: \_\_\_\_\_.

5. The applicant certifies that he/she has read the regulations for driveway permits and agrees to adhere to the regulations of the Town of Whately:

\_\_\_\_\_  
(Applicant Signature)

6. Application must be submitted in duplicate to:

Highway Superintendent

P. O. Box 153

Whately, MA 01093

For internal use:

Completed work approved and accepted

Date: \_\_\_\_\_

By: \_\_\_\_\_

Conservation Commission Signoff:

Date Approved: \_\_\_\_\_

By: \_\_\_\_\_