

AN ORDINANCE
COVERING THE CONSTRUCTION OF DRIVEWAYS

SECTION 1 General: This Ordinance sets forth the policies, rules, procedures, standards and specifications of the Town of Bridgewater, Connecticut for the administration and enforcement of the construction of driveways.

SECTION 2 Scope: It shall be unlawful for any person, firm or corporation to hereafter construct, reconstruct or otherwise alter any driveway abutting or intersecting any State Highway, Town street, Lane or Private Lane before first filing a written application with the Office of the First Selectman of the Town of Bridgewater and receiving a permit therefor.

SECTION 3 Definitions: Whenever used in this Ordinance, the following words or terms have the meanings indicated:

- 3.1 Construct - shall mean the building of a driveway or any portion thereof.
- 3.2 Reconstruct - shall mean to remove or change the existing surface of a driveway.
- 3.3 State Highway - shall mean Route 133, Route 67, Route 67A or any other road under D.O.T. jurisdiction.
- 3.4 Alter - shall mean to change the elevation or location of a driveway.
- 3.5 Town Lane or Private Lane - shall mean all other accessways and driveway corridors to two or more residences.
- 3.6 Town street - shall mean any road within the Town of

Bridgewater that has been accepted by the Town or may be accepted into the Town street system.

3.7 Driveway - shall mean any area providing for vehicular access to or from a street.

3.8 First Selectman - shall mean First Selectman or authorized representative.

SECTION 4 Application and Plans: The application for construction of a driveway shall be in writing on forms provided by the Board of Selectmen and shall include:

4.1 Plans - Two prints of the driveway plans drawn to a recommended scale of 1 inch equals 40 feet and shall include the following:

- a. Location of the intersection of the driveway with the State Highway, Town street, Lane or Private Lane by distance to some permanent reference point.
- b. Length and width of driveway and proposed surface material. If the driveway is not to be paved, show length of proposed apron.
- c. Existing and proposed grades and percent of gradient along centerline of driveway by contour, spot elevations or profile. (Profile shall be at a recommended scale of 1" = 40' horizontal, 1" = 4' vertical.)
- d. All lot lines and significant physical features of the lot such as stone walls, large trees, utility poles, rock outcroppings, etc., as they relate to the road and driveway.
- e. Existing street drainage along entire frontage of the

lot such as culverts, leakoffs, ditches, etc., including invert elevations and direction of flow. If no street drainage exists in front of the lot, show the distance to the nearest downhill drainage structure, and the size and type of structure.

- f. Existing and proposed drainage on the lot including culverts, streams, intermittent watercourses, ditches, swales, foundation and gutter drains, curtain drains and general site drainage patterns (grading) as they relate to the road and driveway. Also show any drainage easements.
- g. Existing driveway sight lines and proposed sight lines and related improvements, if necessary.
- h. Proposed sedimentation and erosion control measures.
- i. Copy of permit from Bridgewater Conservation and Inland Wetlands Commission if driveway or drainage is in an area regulated by that agency.
- j. Copy of Zoning Permit or affidavit of existence prior to zoning if driveway is to service a dwelling or other structure.

4.2 Fee: The application fee shall be \$10 for each residence or farm served by a driveway, and \$50 for each driveway to a commercial, industrial or institutional building.

SECTION 5 Permit Procedures: A driveway construction permit shall be issued in writing by the First Selectman subject to:

5.1 Plan Revisions: The completion of plans for the construction of the driveway and other improvements requested by the First Selectman, and thereafter approved

by the First Selectman.

5.2 Inspection Fee: Payment to the Town of Bridgewater of an inspection fee equal to 5 percent of the cost of the driveway and other improvements based on cost estimates approved by the First Selectman.

5.3 Deposit: To guarantee completion of the driveway as approved under the permit, a cash deposit in the amount deemed sufficient by the First Selectman. Under normal conditions, the cash deposit will be set between \$500.00 and \$1,000.00.

5.4 Time Limit: The permit shall be valid for a period of one (1) year or such lesser period as the First Selectman may specify. Any permit which has expired may be renewed only upon reapplication and repayment of the fees.

5.5 Hold Harmless: The applicant agrees to hold the Town harmless against any action for personal injury or property damages during the construction of said driveway.

SECTION 6 Revocation: The First Selectman may revoke or suspend a driveway permit when the First Selectman determines that the work is not being carried out in accordance with the permit.

SECTION 7 Release or Forfeiture of Deposit: Upon the completion of the permit work in accordance with this Ordinance and upon the issuance of a certificate of approval for said driveway, the permittee shall be entitled to the return of the cash deposit. In the event that the work is not completed in accordance with this Ordinance, the permit issued and within the time period granted for completion or

as extended, the cash deposit shall be forfeited to the Town. But the permittee shall still remain liable for the completion of the permit work at his sole cost and expense. The Town shall be allowed in its sole discretion after forfeiture of the deposit to do, or cause to be done, the work at the sole cost and expense of the permittee.

Notwithstanding the above, the Town shall have the right to utilize all deposits forfeited hereunder, to bring up to Town standards any driveway that does not comply with this Ordinance.

SECTION 8 Design: Driveways shall conform to the following requirements:

- 8.1 Intersection with Streets: Driveways shall intersect streets at or as near to a right angle as is practical.
- 8.2 Storm Drainage: Street drainage or existing storm flow within the street right-of-way shall not be changed or obstructed by a driveway and the applicant must provide, at his expense, suitable drainage structures and/or drainage pipes, a minimum 15 inch or larger, as approved by the First Selectman. Driveways shall not pass storm water onto the surface of any existing or proposed street. Where a driveway slopes down to the pavement in a Town street, adequate provisions shall be made for the flow of storm water into the normal drainage pattern and not into the traveled portion of the street. Driveways intersecting with State Highways shall conform to standards required by the State Permit as far as State jurisdiction extends.

8.3 Grades: Driveway grades shall not exceed:

- a. 5 percent from the edge of the street pavement for a distance of not less than twenty-five (25) feet.
Generally all driveways will pitch up from the edge of pavement to the property line. See Standard Details.
- b. 10 percent for residential uses. Grades steeper than 10 percent may be approved up to 12 percent by the First Selectman when the topography warrants such approval in order to prevent deep cuts and/or fills and will be in the best interests of the Town. That portion of the driveway, approved by the First Selectman, which exceeds 10 percent shall have a compacted subgrade, an 8 inch compacted gravel base and not less than two inches of compacted bituminous concrete. Provisions shall be made for storm water runoff to prevent erosion or the concentration of storm water runoff onto adjacent property or streets.
- c. 10 percent for commercial, industrial and institutional uses.

8.4 Apron: A paved apron shall be provided from the street pavement to the street line and flared at the street to permit normal turning by vehicles using the driveway.

8.5 Width of Driveway: The traveled portion of the driveway shall be not less than 10 feet wide for one (1) residential lot (or farm). The width of all other driveways shall conform to such plan approved by the Planning and Zoning Commission in accordance with the Zoning Regulations of the

Town of Bridgewater.

Driveways over 400 feet in length shall be widened every 400 feet or less to a width of 18 feet for a distance of 30 feet so that a moving vehicle can pass a vehicle stopped in the widened area. Such driveways will be required to provide, to the satisfaction of the First Selectman, a means for fire apparatus to turn around within the parcel served by the driveway and exit in a forward direction. The First Selectman may grant a waiver which would permit a driveway to serve not more than two residential lots when the applicant proves that each lot has a driveway corridor that conforms to all the requirements of this Ordinance, the Subdivision Regulations and the Inland Wetlands and Watercourse Regulations. The traveled portion of a driveway serving not more than two residential lots shall be not less than 18 feet in width and conform to all other provisions of this Ordinance. The First Selectman shall attach appropriate conditions and require such guarantees as may be necessary to protect the public interest.

- 8.6 Sight Distance: Sight lines shall be a minimum of one hundred fifty (150) feet, but the First Selectman may reduce this requirement in the case of hardship.
- 8.7 Culverts: All culverts and bridges under the driveway shall be provided if needed in the opinion of the First Selectman, and shall be capable of carrying Fire Department vehicles.
- 8.8 Parking in Right-of-way: Construction of a parking area on the street right-of-way is prohibited.

- 8.9 Location: Driveways shall be confined between lines projected from the frontage corners of the property perpendicular to the center of the highway, but this requirement, in cases of hardship, may be waived in writing by the First Selectman.
- 8.10 State Highway Permit: If the driveway is to be on a State highway, a written permit from the Department of Transportation, Permit Encroachment Division, located in Thomaston, Connecticut, is required before the Bridgewater Building Inspector can issue any driveway permit for a driveway from the State highway.

SECTION 9 Construction:

- 9.1 Inspection: A driveway constructed within the street right-of-way under a permit shall be subject to inspection by the First Selectman or authorized representative. The right is reserved by the First Selectman to require such changes, additions and relocations as in the opinion of the First Selectman may be necessary for relocation, reconstruction or maintenance to provide protection to life and property.
- The applicant shall give the First Selectman at least 72 hours notice before installation of any driveway to facilitate his scheduling of inspection.
- 9.2 Paved Apron: All paved aprons, as specified in Section 8.4 herein, shall have a compacted subgrade, a 6 inch compacted gravel base and 2 inches of compacted bituminous concrete or 4 inches of concrete. No driveway apron is to be installed with an overlap of pavement onto or over a Town

road. The two pavement edges are to be cut and blended together so as to obtain a smooth junction with no protrusions.

- 9.3 Safety Railing: If any driveway installation requires the removal of a portion of a cable or metal beam railing within the street right-of-way, proper replacement and anchoring of the safety railing on each side of the driveway shall be provided.
- 9.4 Gravel Driveways beyond the street line shall have a compacted subgrade and 8 inches of compacted gravel.
- 9.5 Drainage Structures shall be constructed in accordance with the Ordinance Concerning the Construction and Acceptance of Streets to the Town of Bridgewater.
- 9.6 Public Safety: During construction the applicant shall not create a hazard to the traveling public and shall furnish such protective devices or police protection as the First Selectmen may require at the applicant's expense.
- 9.7 Erosion Control: Erosion and siltation control requirements are applicable to all construction work which causes disturbance to the existing ground surface. All control measures shall be constructed and maintained during construction in accordance with the Erosion & Sediment Control Handbook, latest edition, Soil Conservation Service, U.S. Department of Agriculture.

SECTION 10 Permits and Certificates: No Building Permit shall be issued by the Building Inspector for the construction of any building or structure for which a new driveway is necessary until a Driveway Permit has been issued as

required by this Ordinance. No Certificate of Occupancy shall be issued by him for the use or occupancy of any building or structure until such driveway therefor has been approved by the First Selectman or authorized agent. For such approval, plans drawn and certified by an engineer or surveyor licensed in the State of Connecticut showing the final driveway grades in conformity with the approved permit, must be submitted to the Building Inspector.

SECTION 11 Remedies and Penalties: The Board of Selectmen may institute any appropriate action or proceedings to enforce the provisions of this Ordinance or to prevent, restrain, enjoin, correct or abate any violation of this Ordinance, as may be authorized by law. Any person, firm or corporation who shall construct, provide, move, alter or reconstruct any driveway or other motor vehicle travelway that is subject to this Ordinance, except under a valid driveway permit, shall be fined no more than twenty-five (25) dollars for each day that such violation continues.

Adopted at a Town Meeting on May 17, 1997

Effective on June 7, 1997