

TOWN OF HARDWICK
CURB CUT/DRIVEWAY PERMIT
APPLICATION

Marty Gryszowka, Hardwick Highway Superintendent
179 Petersham Rd. - Hardwick
PO Box 575
Gilbertville, MA 01031
413-477-6705

No Building Permit in connection with a building or use which creates a new curb cut/driveway, modification to existing access, change of use of an existing building or facility that will generate an increase or impact on traffic, or a common driveway onto a public right of way or private right of way intended for public use shall be issued, nor shall be established, until a curb cut/driveway permit has issued by the Highways Surveyor/designee.

Please discuss this curb cut/driveway permit application with your driveway contractor/engineer before filling out this application.

OWNER OF LAND

APPLICANT

NAME

NAME

RESIDENTIAL ADDRESS

RESIDENTIAL ADDRESS

MAILING ADDRESS

MAILING ADDRESS

CITY/TOWN

CITY/TOWN

TELEPHONE

TELEPHONE

SIGNATURE OF OWNER

SIGNATURE OF APPLICANT

Revised – 6/5/07 – 6/27/07 – 10/7/13 - 2/7/16 – 9/6/18

Identification of Land/Property: Deed, Book & Page _____
Zoning District _____ Assessor's Map & Lot _____
Location of Land/Property (STREET ADDRESS) _____

PLEASE CHOOSE ONE OF THE FOLLOWING -

This application is for a Curb Cut/Driveway for one of the following:

- a. _____ New access onto a public way.
- b. _____ Modification to existing access to a public way.
- c. _____ Change of use of an existing building/facility that will generate a substantial increase in or impact on traffic from properties that abut the public way.
- d. _____ Common driveways approved by the Planning Board/Special Permit Granting Authority or Zoning Board of Appeals pursuant to the applicable provisions of the Hardwick Zoning By-law.
- e. _____ Agricultural – **FEE EXEMPT** – Plan and completed application are required. See **Section 10 B** and **Section 16** for applicable rules and regulations
- f. _____ Forestry – **FEE EXEMPT** – Plan and completed application are required. See **Section 10 B** and **Section 16** for applicable rules and regulations.

The plan attached to this application for the curbcut/driveway has been prepared by the applicant and is sufficient to show proposed location of curb cut/driveway width of driveway, material, method of construction, and run off/erosion detail to the roadway. The plan has been reviewed and approved by the Highway Surveyor.

Highway Surveyor Date

OR

The plan attached is prepared to the specifications and details drawn in Detail # _____ as outlined in the Town of Hardwick Driveway/Curbcut ByLaw attached to this application or prepared by a contractor or stamped by a professional engineer and has been reviewed and approved by the Highway Surveyor.

Highway Surveyor Date

Contractor /Engineer name

Name _____

Address _____

Phone _____

The plan, the detail sketch,
FEES – REQUIRED

\$ 200.00 Permit Fee as required by Section 11 – Permit Fees.

\$ 1,500.00 Surety as required by Section 12. a. – SURETY – A bank check made payable to the Town of Hardwick in the amount of \$1,500.00 shall be submitted with each application for a curb cut/driveway as described in **Section 8, B, a**, to cover the costs of clean-up and/or construction in the event the applicant defaults on any of these provisions or any of the conditions set on the permit granted.

\$ 2,250.00 Surety as required by Section 12. b - SURETY – A bank check made payable to the Town of Hardwick in the amount of \$2,250.00 shall be submitted with each application for a driveway described in **Section 8, B, c**, to cover the costs of clean-up and or construction in the event the applicatn defaults on any of these provisions or any conditions imposed on the permit granted.

\$ 3,600.00 Surety as required by Section 12.c. – SURETY – A bank check made payable to the Town of Hardwick in the amount of \$3,600.00 shall be submitted with each application for a driveway described in **Section 8, B, d**, to cover the costs of clean-up and or construction in the event the applicant defaults on any of these provisions or any of the conditions imposed on the permit granted.

The Highway Surveyor/designee may find that extraordinary conditions require additional surety in the form of an additional bond or a deposit of money (which may be in the form of an assignment of a savings account assented to a depository bank). In establishing such a bond or other surety the Highway Surveyor/designee shall specifically enumerate the special conditions which he deems to require a bond. Said bond or surety shall be held by the Treasurer of the Town of Hardwick until an “as built:” plan has been completed in compliance with the curb cut/drive way permit. Supervisory expenses and any additional expenses incurred by the Town of Hardwick as a result of any violation of this bylaw by a permit holder and deemed necessary by the Highway Surveyor/designee to monitor the applicant performance, shall be paid by the permit holder.

RELEASE OF SURETY - AS REQUIRED BY SECTION 13 -

The **SURETY**, or remainder thereof, will be released to the grantee after a final inspection of the curb cut/driveway installation by the Highway Surveyor/designee and a sign-off on the permit issued to the grantee. If, after a final inspection, the work is not acceptable to the Highway Surveyor/designee, the grantee shall be given written notice of the deficiencies and shall have thirty (30) days to correct them. If all the necessary work is not completed within said thirty (30) day period, then the surety funds may be expended by the Town to cover the cost of completing the work. If the cost of completing the work exceeds the amount of the surety funds, the grantee shall be responsible for said additional costs.

I understand the Highway Surveyor/designee may require the hiring at the owner/applicant expense a qualified construction/engineer to ensure that all design and construction standards are properly met as allowed by **Section 5** of this By-law and MGL, C.44. s.53g. the Highway Surveyor/designee may impose other conditions to protect health, safety and general welfare of the inhabitants of the Town of Hardwick as well as all motorists and pedestrians utilizing the streets, roadways and sidewalks. In the event of conflict, any specific, more stringent provisions in other sections of state laws and regulations or federal laws or regulations or any other sections of the Town of Hardwick Zoning by-laws, General By-laws or regulations that pertain to the requirement of this By-law may apply.

\$ 200.00 – Permit Application Fee

\$ _____ - Surety as required by Section 12.a, 12.b, or 12.c.

\$ _____ - **TOTAL ENCLOSED - AND INCLUDING - CONTRACTOR'S WORKERS' COMPENSATION INSURANCE AFFIDAVIT**

Massachusetts General Law now requires the that the applicant, contractor or engineer complete a Workers' Compensation Insurance Affidavit and provide a copy of the workers' compensation insurance declaration page to the Town of Hardwick.

I swear and affirm I have read the Town of Hardwick Curb Cut Driveway Bylaw that is an integral part of this permit/application, further I have read and completed this Town of Hardwick Curb Cut/Driveway permit/application and have attached hereto all documentation required, application fee and surety in the amount of \$ _____.

Owner – Signature

Applicant – Signature

Date

Date

This application has been duly received in the Office of the Highway Surveyor/designee on this day:

DATE _____

Signature – Highway Surveyor/designee

The Highway Surveyor/designee have 10 working days to review this permit application for completeness.

10th day from the date received is _____

The Highway Surveyor/designee have 20 working days after the 10th day of the receipt of your filing the permit application to approve or deny your application.

20th day for the approval or denial of your permit/application is _____

Permit /Application: Approved _____

Signature - Highway Surveyor/Designee

DATE _____



The Commonwealth of Massachusetts
 Department of Industrial Accidents
 1 Congress Street, Suite 100
 Boston, MA 02114-2017
 www.mass.gov/dia

Workers' Compensation Insurance Affidavit: Builders/Contractors/Electricians/Plumbers.
 TO BE FILED WITH THE PERMITTING AUTHORITY.

Applicant Information

Name (Business/Organization/Individual): _____ **Please Print Legibly**

Address: _____

City/State/Zip: _____ Phone #: _____

Are you an employer? Check the appropriate box:

- 1. I am an employer with _____ employees (full and/or part-time).*
- 2. I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required.]
- 3. I am a homeowner doing all work myself. [No workers' comp. insurance required.] †
- 4. I am a homeowner and will be hiring contractors to conduct all work on my property. I will ensure that all contractors either have workers' compensation insurance or are sole proprietors with no employees.
- 5. I am a general contractor and I have hired the sub-contractors listed on the attached sheet. These sub-contractors have employees and have workers' comp. insurance. ‡
- 6. We are a corporation and its officers have exercised their right of exemption per MGL c. 152, §1(4), and we have no employees. [No workers' comp. insurance required.]

Type of project (required):

- 7. New construction
- 8. Remodeling
- 9. Demolition
- 10. Building addition
- 11. Electrical repairs or additions
- 12. Plumbing repairs or additions
- 13. Roof repairs
- 14. Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

† Homeowners who submit this affidavit indicating they are doing all work and then hire outside contractors must submit a new affidavit indicating such.

‡ Contractors that check this box must attached an additional sheet showing the name of the sub-contractors and state whether or not those entities have employees. If the sub-contractors have employees, they must provide their workers' comp. policy number.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy and job site information.

Insurance Company Name: _____

Policy # or Self-ins. Lic. #: _____ Expiration Date: _____

Job Site Address: _____ City/State/Zip: _____

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under MGL c. 152, §25A is a criminal violation punishable by a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. A copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify under the pains and penalties of perjury that the information provided above is true and correct.

Signature: _____ Date: _____

Phone #: _____

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

- 1. Board of Health
- 2. Building Department
- 3. City/Town Clerk
- 4. Electrical Inspector
- 5. Plumbing Inspector
- 6. Other _____

Contact Person: _____ Phone #: _____

Information and Instructions

Massachusetts General Laws chapter 152 requires all employers to provide workers' compensation for their employees. Pursuant to this statute, an *employee* is defined as "...every person in the service of another under any contract of hire, express or implied, oral or written."

An *employer* is defined as "an individual, partnership, association, corporation or other legal entity, or any two or more of the foregoing engaged in a joint enterprise, and including the legal representatives of a deceased employer, or the receiver or trustee of an individual, partnership, association or other legal entity, employing employees. However the owner of a dwelling house having not more than three apartments and who resides therein, or the occupant of the dwelling house of another who employs persons to do maintenance, construction or repair work on such dwelling house or on the grounds or building appurtenant thereto shall not because of such employment be deemed to be an employer."

MGL chapter 152, §25C(6) also states that "every state or local licensing agency shall withhold the issuance or renewal of a license or permit to operate a business or to construct buildings in the commonwealth for any applicant who has not produced acceptable evidence of compliance with the insurance coverage required." Additionally, MGL chapter 152, §25C(7) states "Neither the commonwealth nor any of its political subdivisions shall enter into any contract for the performance of public work until acceptable evidence of compliance with the insurance requirements of this chapter have been presented to the contracting authority."

Applicants

Please fill out the workers' compensation affidavit completely, by checking the boxes that apply to your situation and, if necessary, supply sub-contractor(s) name(s), address(es) and phone number(s) along with their certificate(s) of insurance. Limited Liability Companies (LLC) or Limited Liability Partnerships (LLP) with no employees other than the members or partners, are not required to carry workers' compensation insurance. If an LLC or LLP does have employees, a policy is required. Be advised that this affidavit may be submitted to the Department of Industrial Accidents for confirmation of insurance coverage. **Also be sure to sign and date the affidavit.** The affidavit should be returned to the city or town that the application for the permit or license is being requested, **not** the Department of Industrial Accidents. Should you have any questions regarding the law or if you are required to obtain a workers' compensation policy, please call the Department at the number listed below. Self-insured companies should enter their self-insurance license number on the appropriate line.

City or Town Officials

Please be sure that the affidavit is complete and printed legibly. The Department has provided a space at the bottom of the affidavit for you to fill out in the event the Office of Investigations has to contact you regarding the applicant. Please be sure to fill in the permit/license number which will be used as a reference number. In addition, an applicant that must submit multiple permit/license applications in any given year, need only submit one affidavit indicating current policy information (if necessary) and under "Job Site Address" the applicant should write "all locations in _____ (city or town)." A copy of the affidavit that has been officially stamped or marked by the city or town may be provided to the applicant as proof that a valid affidavit is on file for future permits or licenses. A new affidavit must be filled out each year. Where a home owner or citizen is obtaining a license or permit not related to any business or commercial venture (i.e. a dog license or permit to burn leaves etc.) said person is NOT required to complete this affidavit.

The Department's address, telephone and fax number:

The Commonwealth of Massachusetts
Department of Industrial Accidents
1 Congress Street, Suite 100
Boston, MA 02114-2017

Tel. # 617-727-4900 ext. 7406 or 1-877-MASSAFE

Fax # 617-727-7749

www.mass.gov/dia

TOWN OF HARDWICK
CURBCUT/DRIVEWAY BYLAW

TOWN OF HARDWICK
ANNUAL TOWN MEETING
JUNE 17, 2006
ARTICLE # 26.

Curb Cut/Driveway Bylaw

1. Purpose

This Bylaw is for the purpose of protecting the health, safety, and general welfare of the inhabitants of the Town of Hardwick as well as all motorists and pedestrians utilizing the streets, roadways and sidewalks within the Town of Hardwick, by setting forth uniform regulations for driveway access and driveway construction standards.

2. Regulations of Curb Cuts and Driveway Access

No building permit in connection with a building or use which creates a new curb cut onto a public right-of-way or private right-of-way intended for public use, shall be issued, nor shall use be established, until a curb cut/driveway permit has been issued by the Highway Superintendent or their designee.

3. Applicability

The following curb cuts/driveways shall be subject to the requirements of this Bylaw:

- a. New access within public ways;
- b. Modification to existing access within public ways;
- c. Change of use of an existing building or facility that will generate a substantial increase in or impact on traffic from properties that abut the public way;
- d. Common driveways approved by the Planning Board pursuant to the applicable provisions of the Zoning Bylaw.

4. Application for Permit

The Highway Surveyor and/or their designee shall be responsible for issuance and/or denial of curb cut/driveway applications. All permits shall be requested in writing on application forms provided for that purpose by the Highway Department and shall be accompanied by the following:

- a. All Applications shall be accompanied by the appropriate fee and surety; as authorized in **Sections 11 and 12.**
- b. Horseshoe driveways shall have two applications with fee and surety for each access to the public way;
- c. If the property owner is different than the applicant, written proof of the consent of the property owner must be provided with the application;
- d. All applications shall be accompanied by _____ plans that are sufficient to show the proposed

location of the curb cut/driveway, the width of the driveway, the materials and method of construction, methods employed to prevent runoff from entering the public way after construction, and all erosion control measures that are proposed to prevent debris from entering the public way from the driveway or other areas within the public way during construction. The Surveyor and/or their designee shall have the right to require that these plans are prepared and stamped by a Professional Engineer registered in the Commonwealth of Massachusetts.

- e. If the application is for a common driveway, then approval of a site plan or special permit issued by the Planning Board must accompany the application; and
- f. Any other information requested that may help the Surveyor and/or their designee determine that the proposal conforms to these regulations.

5. Decisions on Permit Applications

An application will be deemed received when the application has been submitted to the office of the Highway Surveyor accompanied by all of the supporting materials and/or documentation and fees required by this Bylaw. When an application has been filed, it will be stamped "Received" by the Office of the Surveyor only after the entire application, including all supporting material, has been checked for completeness and accuracy by the Surveyor and/or their designee.

If the application is deemed incomplete and therefore deemed not received, the applicant shall be notified in writing of the application deficiencies within ten (10) working days of the filing of the application.

Once the application has been stamped "Received", the Surveyor and/or their designee shall have twenty (20) working days to either approve or deny the application submitted. Applications for proposed work not in conformity with this Bylaw, or for proposed work that would create safety concerns, hazardous conditions or drainage concerns, shall be denied.

The Highway Surveyor or their designee may require the hiring, at the applicant's expense as per Chapter 44, Section 53g, of a qualified consultant or engineer to ensure that all design and construction standards are properly met.

6. Permits

Permits shall be granted by the Surveyor and/or their designee to the applicant on forms prepared for this purpose. The applicant is responsible for compliance with the requirements of this Bylaw. Permits granted under this Bylaw are not transferable.

7. Commercial and Industrial Applications

Applications for new commercial and industrial applications shall not be submitted to the Surveyor until after Special Permit and Site Plan Approval (as may be necessary) has been issued pursuant to the Zoning Bylaw. This is to ensure that complete engineering plans have been submitted and reviewed to insure that the specifications provide for safe and efficient access as is consistent with the Zoning Bylaw and current Planning Board review standards and regulations. Applications for new access, or modification to existing access for pre-existing commercial and/or industrial uses, shall be in conformity with this Bylaw.

8. Guidelines for Location and Construction of Driveways and Access Ways

A. General

- a. Driveways shall be located to minimize points of traffic conflict, both pedestrian and vehicular.
- b. Driveways shall be designed to intersect the existing roadway as close to perpendicular as possible.
- c. Entrance and exit driveways shall be located and designed as to achieve maximum

practicable distance from existing and proposed access connections for adjacent properties.

- d. Driveways shall be constructed to allow for safe stopping sight distances that are consistent with the regulations and standards of the Massachusetts Highway Department.
- e. Driveways serving a building or use shall derive legal access from the street frontage of the lot or from a side street, provided there is a minimum width of thirty-two feet (32') from the street to the buildable portion of the lot.
- f. Any curb cuts onto a State Highway are subject to the regulations and standards of the Massachusetts Highway Department.
- g. To the extent feasible, all driveways shall contain turn-arounds within the lot so as to avoid backing of vehicles onto the right-of-way.
- h. Driveways shall be constructed with a maximum grade of twelve percent (12%), not to exceed five percent (5%) within thirty feet (30') of the property line at the street. The Highway Surveyor may approve a greater slope based on a finding that a lesser slope is infeasible due to topography or other natural characteristics of the site and the driveway is designed using sound engineering practice.
- i. Driveways shall be designed and constructed so as not to result in the direction of storm water runoff, and soil, stones, or other debris, onto or within the intersecting right-of-way. Stormwater management controls shall be installed as required to prevent any runoff or debris from entering the road.
- j. The need for the installation of culverts and/or drainage to control storm water runoff shall be determined by the Surveyor or their designee and shall be installed at the property owner/applicant's expense.
- k. Driveways shall be constructed so as to minimize the removal of public shade trees, and all bylaws, laws and regulations relative to public shade trees will be observed. Approval of the tree warden is required prior to removal.
- l. The cost to remove and reset existing guardrail shall be borne by the property owner/applicant and the work shall conform to the Massachusetts Highway Department's "Standards & Specifications for Highways and Bridges".
- m. All driveways/curb cuts must maintain a minimum setback of ten-feet (10') from abutters' lot lines.

B. Construction Standards

- a. Any new or modified residential driveway that intersects a paved road shall include a minimum opening width of thirty-two (32') and shall have the entire area of the driveway approach within the public way paved with bituminous concrete pavement, or similar material such as concrete, as specified by these regulations. The length of such pavement shall include the entire area within the public way but no less than five feet (5') to help prevent erosion. The driveway shall match the edge of the existing road and shall not extend onto the traveled way and shall conform to **Detail #1**.
- b. Any new or modified residential driveway that intersects a graveled road shall include a minimum opening width of thirty-two (32') and shall have the entire area of the driveway approach within the public way covered with new packed gravel material as specified by these regulations. The length of such material shall be no less than five feet (5') to help prevent erosion. The driveway shall match the edge of the existing road and shall not extend onto the traveled way. In the event the roadway is paved or oiled, the owner shall comply with **Section 10, A, a** within six (6) months.
- c. Any new or modified residential driveway that intersects a paved road or graveled road with a drainage ditch within the area of the driveway approach shall install a drainage pipe not less than twelve inches (12") in diameter along the headwalls or culvert end sections as necessary on each side of the driveway as shown in **Detail #2**. The drainage pipe shall be installed at a line and grade to insure water travels unimpeded through the pipe and under the driveway. After installation of the drainage pipe the driveway shall match the edge of the existing road and shall not extend onto the traveled way. All drainage pipes shall be kept clean by the homeowner. The Highway Surveyor

may approve a smaller diameter drainage pipe based on a finding that a larger diameter pipe is infeasible due to topography or other natural characteristics of the site, and the driveway is designed using sound engineering practice.

- d. Any new or modified residential driveway that intersects with a paved road with either a bituminous concrete, or cement concrete sidewalk, with or without a grass buffer, shall include a minimum opening width of thirty-two (32') and shall match the back of the existing sidewalk. The sidewalk shall be replaced as shown in Details #3 and #4. The remainder of the driveway within the public way shall be paved with bituminous concrete or cement concrete. The property owner/applicant will be responsible for maintaining pedestrian and vehicular safety throughout the construction period and shall provide the Town with evidence of a liability policy in the amounts specified by Surveyor or their designee per Section 12.
- e. Any new or modified residential driveways intersecting with a paved road without a sidewalk, but with either a bituminous concrete or granite curb, shall include a minimum opening width of thirty-two (32'), and shall match the edge of the existing road and shall not extend onto the traveled way as shown in Detail #5.

C. Construction Materials

Driveways shall be constructed of the following materials:

- a. Compacted subgrade, free of frost, roots and other organic and deleterious materials.
- b. The apron/leveling area between the roadway frontage line and the existing paved or treated public way must be paved for a distance of thirty feet (30') from the centerline of the intersecting street, the common driveway shall be paved with three inches (3") bituminous concrete, with a bottom course of two inches (2") and a top course of one inch (1") or other non-erodible substances approved by the Highway Surveyor.
- c. All materials shall conform to the Massachusetts Highway Department's "Standard Specifications for Highways and Bridges".
- d. If pavers, or other alternative materials are to be used, construction standards shall be approved by the Highway Surveyor or his designee prior to issuance of a permit.

9. Work Schedule

All work shall be completed within six (6) months of issuance of the permit for street entrance and/or driveway construction.

All work shall be performed and completed prior to November 15. No work shall be commenced prior to April 1. For good cause and weather permitting, the Surveyor or his designee may, at his discretion, reasonably extend the time to complete work beyond November 15, or to commence work prior to April 1.

10. Erosion Control Measures

All owners are required to ensure that proper drainage is provided to prevent washout and excessive erosion, with particular attention to the leveling area/apron, so that water draining onto the street surface from the leveling area is eliminated to the maximum extent feasible.

A. Erosion Control Measures During Construction

- a. During construction hay bales and silt fence shall be installed as required to prevent storm water runoff, soil, stones, or other debris, from flowing onto or within the intersecting right-of-way. Temporary retention basins and/or ditches at the bottom of the driveway shall be installed as erosion control measures during construction.
- b. Any area disturbed in connection with the construction of the driveway or within the public

way shall be stabilized to prevent erosion and sedimentation of the subject property, adjacent property, and of the intersecting street. Adjoining drainage structures shall be protected from sedimentation. Disturbed areas shall be loamed and seeded immediately following construction, or temporary erosion control measures used outside of the growing season.

- c. In the event erosion control measures installed by the applicant/contractor/owner fail, it shall be the responsibility of the permit holder to clear any mud, sand, debris and other materials from the right-of-way. In the event the Town must clean the right-of-way due to the time of occurrence of the event, the inability to contact the permit holder in a timely fashion, and/or the refusal of the permit holder to clean the right-of-way, the permit holder shall be responsible for all costs of the clean up.

B. Erosion Control Measures Post Construction

- a. Culverts shall be installed at all stream crossings. The Highway Surveyor their designee may require other drainage control measures where in his judgment there is a potential for storm water to cause erosion, flooding onto adjacent property, or damage to the public way.
- b. The Highway Surveyor may impose other conditions to protect the health, safety and welfare of neighborhood and the Town.

11. Permit Fees

A permit fee in the amount of \$200.00 shall be submitted with the application.

The permit fee set forth herein may be changed by vote of the Board of Selectmen.

12. Surety

- a. A bank check made payable to the Town of Hardwick in the amount of \$1,500.00 shall be submitted with each application for a curb cut/driveway as described in **Section 8, B, a**, to cover the costs of clean-up and or construction in the event the applicant defaults on any of these provisions or any of the conditions set on the permit granted.
- b. A bank check made payable to the Town of Hardwick in the amount of \$2,250.00 shall be submitted with each application for a driveway described in **Section 8, B, c**, to cover the costs of clean-up and or construction in the event the applicant defaults on any of these provisions or any of the conditions imposed on the permit granted.
- c. A bank check made payable to the Town of Hardwick in the amount of \$3,600.00 shall be submitted with each application for a driveway described in **Section 8, B, d**, to cover the costs of clean-up and or construction in the event the applicant defaults on any of these provisions or any of the conditions imposed on the permit granted.
- d. A bank check made payable to the Town of Hardwick in the amount of \$150.00 times the total linear feet of driveway including transition length proposed for each commercial or industrial site to cover the costs of clean-up and or construction in the event the applicant defaults on any of these provisions or any of the conditions imposed on the permit granted.

The Highway Surveyor or their designee may find that extraordinary conditions require additional surety in the form of an additional bond or a deposit of money (which may be in the form of an assignment of a savings account assented to a depository bank). In establishing such a bond or other surety the Highway Surveyor or their designee shall specifically enumerate the special conditions which he deems to require a bond. Said bond or surety shall be held by the ~~Treasurer~~ ^{Town Clerk} of the Town of Hardwick until an "as built" plan has been completed in compliance with the curb cut/driveway permit. Supervisory expenses and any additional expenses incurred by the Town of Hardwick as a result of any violations of this bylaw by a permit holder and deemed necessary by the

Highway Surveyor, or their designee to monitor the applicants performance, shall be paid by the permit holder.

The required surety funds set forth herein may be changed by vote of the Board of Selectmen.

13. Release of Surety

The surety, or remainder thereof, will be released to the grantee after a final inspection of the driveway installation by the Highway Surveyor or his designee and a sign-off on the permit issued to the grantee. If, after a final inspection, the work is not acceptable to the Surveyor, the grantee shall be given written notice of the deficiencies and shall have thirty (30) days to correct them. If all the necessary work is not completed within said thirty (30) day period, then the surety funds may be expended by the Town to cover the cost of completing the work. If the cost of completing the work exceeds the amount of the surety funds, the grantee shall be responsible for said additional costs.

14. Applicability of Conflicting Provisions of Applicable Laws, By-Laws or Regulations

In the event of conflict, any specific, more stringent provision in any other section of any Federal or State Law or regulation, or any other section of any other Town Bylaw that pertains to the requirements of this Bylaw, will prevail.

15. Design and Construction Standards for Common Driveways

Common driveways must conform to all provisions of curb cut/driveway bylaw and the following provisions:

1. Common driveways shall have a right-of-way easement width of not less than thirty-two feet (32') and shall have a traveled way width of not less than twelve feet (12'). The paved width at the street line shall be not less than thirty-two feet (32').
2. A sign showing the name of the common driveway and street addresses of the lots served shall be erected at the entrance to assist emergency vehicles in locating the residences. House numbers shall also be clearly posted where the private driveways split off from the common driveway.
3. Common driveways shall have passing turnouts providing a total width of at least thirty-two feet (32') along a distance of at least thirty feet (30'), spaced with no more than two hundred fifty feet (250') between turnouts, with the first such passing turnout being located within one hundred feet (100') of the driveway connection to the street.
4. A three-foot (3') wide improved shoulder shall be constructed along each side of the traveled way.
5. The grade of the common driveway shall not exceed ten percent (10%) and shall not exceed three percent (3%) within fifty feet (50') of the street line.
6. The common driveway centerline intersection with the street centerline shall not be less than sixty degrees (60°).
7. Turnaround space shall be provided at the end of the common driveway and shall be capable of serving all vehicles including ambulances, fire engines and police vehicles.
8. To insure emergency vehicles can access each residence without difficulty, the private driveways off of any common driveway shall be subject to the same design standards as **Detail 1**.
9. Common driveways shall be constructed according to the following specifications:
 - a. Organic and non-bearing material shall be removed to at least the full width of the traveled way. Rocks and stones projecting into the sub-grade shall be removed to twelve inches (12") below finished grade.
 - b. Common driveways shall be brought to sub-grade nine inches (9") below finished grade, with

bank gravel compacted to avoid settlement. Storm drains, culverts and catch basins shall be installed before the finished sub-base is put in place. To the extent feasible, all other utilities shall be installed before the finished sub-base is put in place.

- c. The finished sub-base shall consist of six inches (6") of clean, compacted gravel containing no stones over two inches (2") in diameter, laid in two (2) lifts of three inches (3") each, and rolled after spreading. Such grading shall be brought to a grade three inches (3") below the finished grade shown on the approved plan.
- d. Common driveways shall be surfaced with three inches (3") of a durable, all-season non-dusting material, drained and suitably maintained to the extent necessary to avoid any nuisance due to dust, erosion or water flow onto streets or adjoining property.

16. Agricultural and Forestry Uses

Curb cuts for agricultural and forestry uses are generally exempt from the provisions of this bylaw but shall conform to **Section 10, B** of this bylaw and the following provisions:

1. Application: An applicant shall apply to the Highway Surveyor for a curb cut/driveway permit. No fee is required. The applicant shall provide a plan showing the location of the curb cut, methods employed to prevent runoff from entering the public way after construction, and erosion control measures proposed to prevent soil from entering the public way. The level of detail to be provided on the plan shall be at the discretion of the Highway Surveyor.
2. An existing Agricultural Curb Cut shall not be considered a curb cut for the purposes of becoming a building lot.

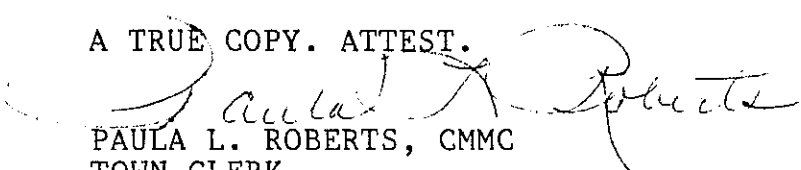
17. Grandfathering

All sections of this bylaw as outlined in **Section 3** shall be subject to this bylaw after date of acceptance.

Driveways created before date of acceptance shall be exempt from all provisions of this bylaw with the exception of **Section 10, A and B**.

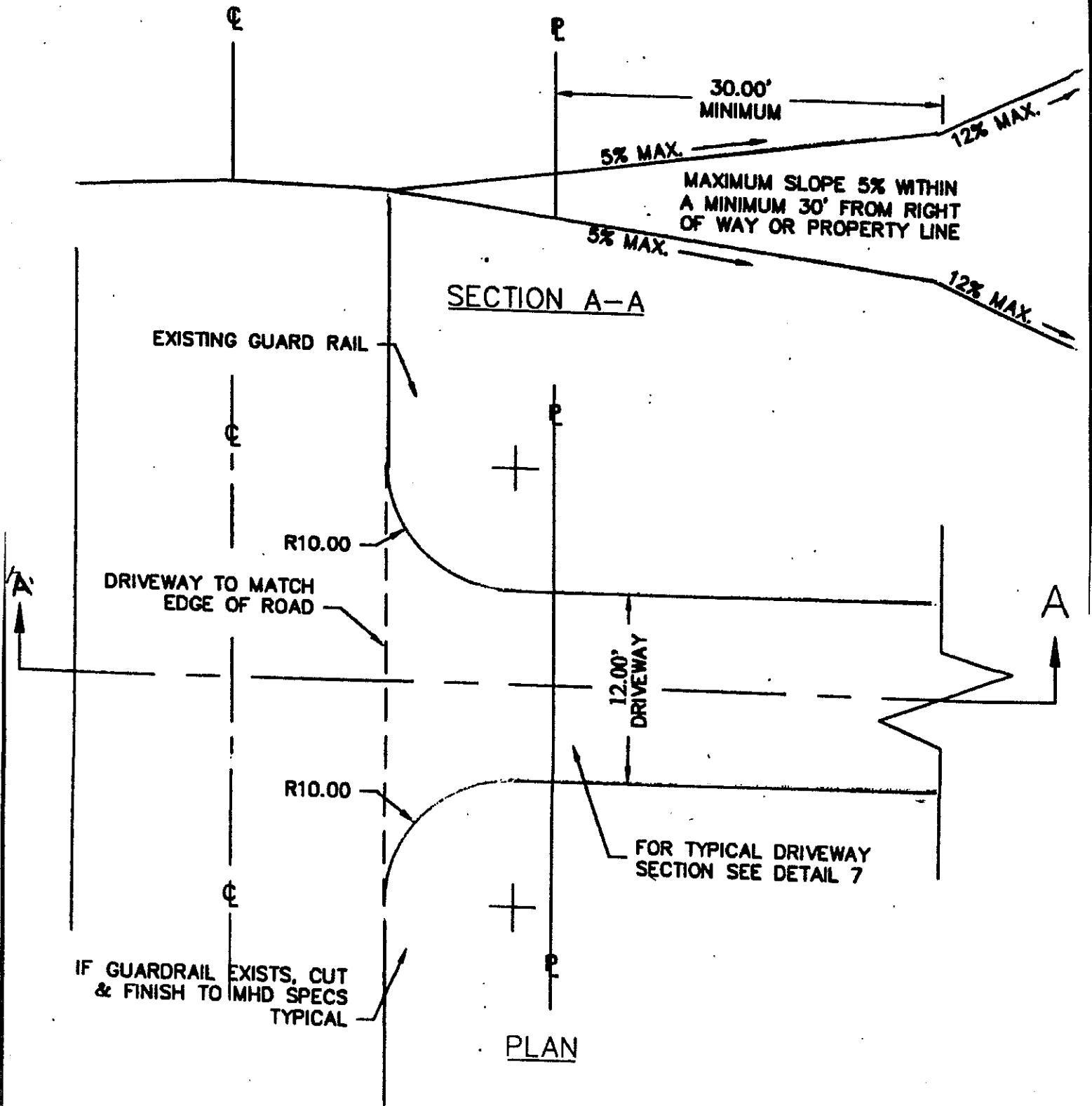
The Moderator declared it is a vote in favor for this article.

A TRUE COPY. ATTEST.


PAULA L. ROBERTS, GMMC
TOWN CLERK
TOWN OF HARDWICK

TOWN OF HARDWICK

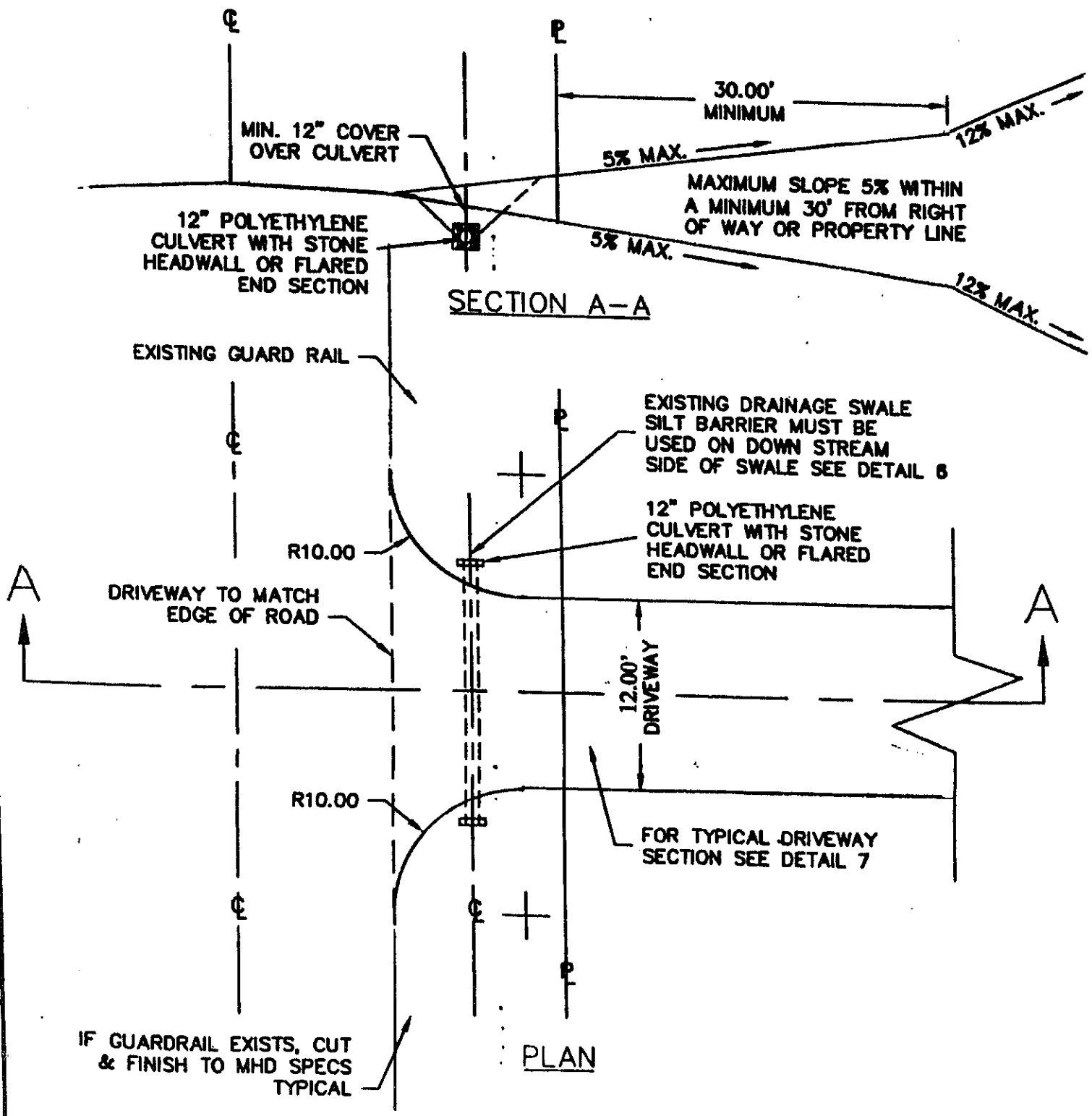
Curb Cut / Driveway Details



DETAIL #1

TOWN OF HARDWICK

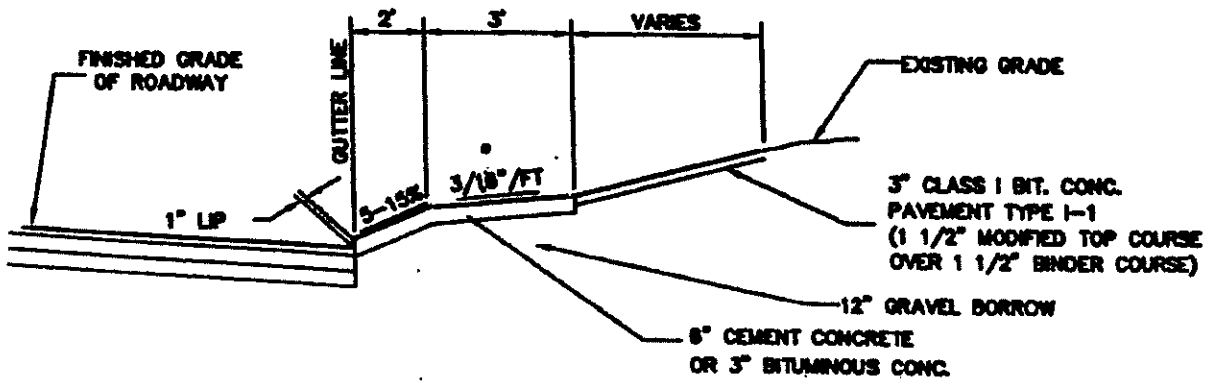
Curb Cut / Driveway Details



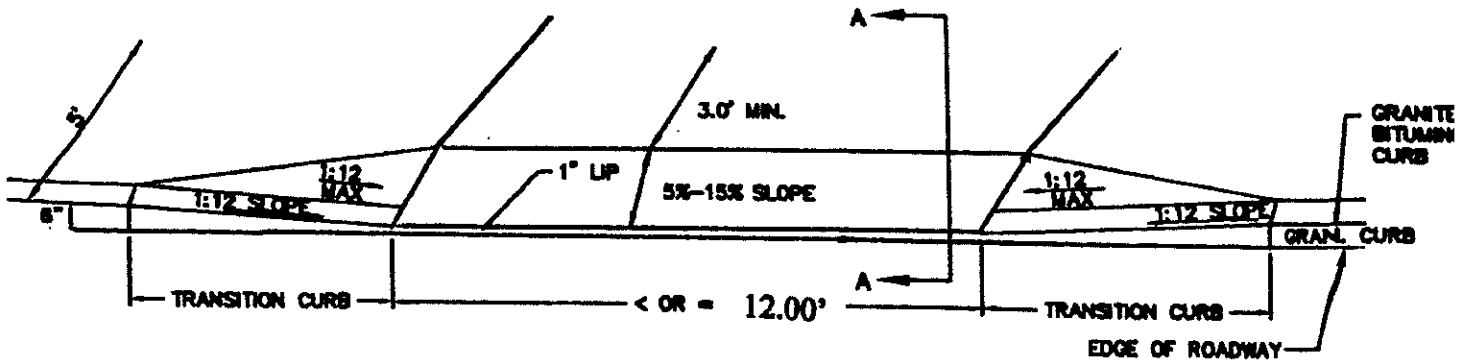
DETAIL #2

TOWN OF HARDWICK

Curb Cut / Driveway Details



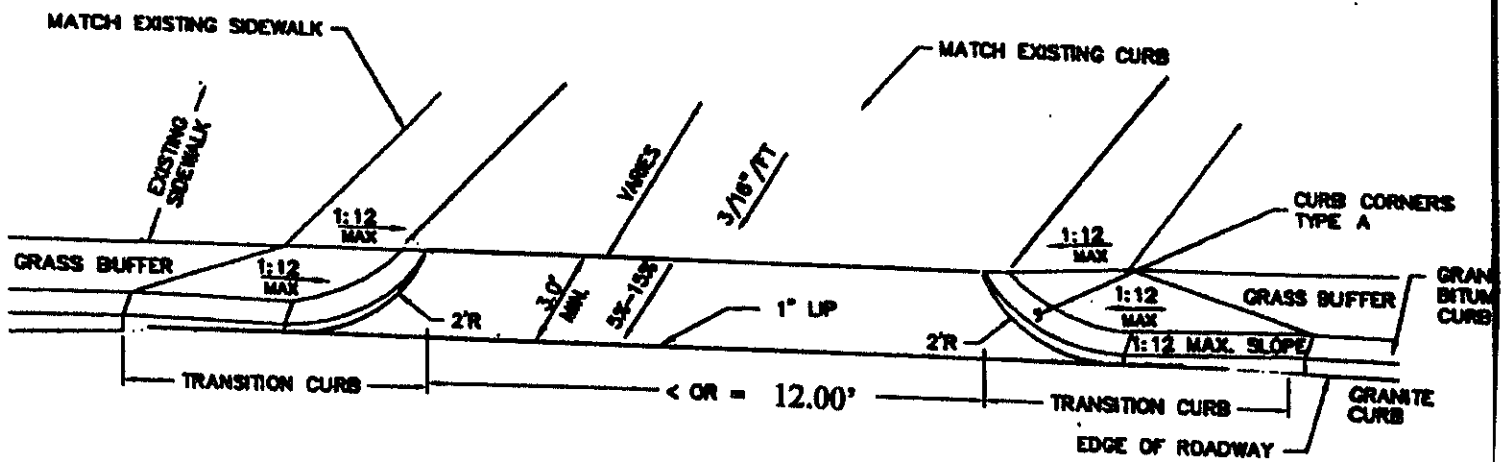
SECTION A-A



TYPICAL DRIVE WITH 5' SIDEWALK AT CURB

TOWN OF HARDWICK

Curb Cut / Driveway Details

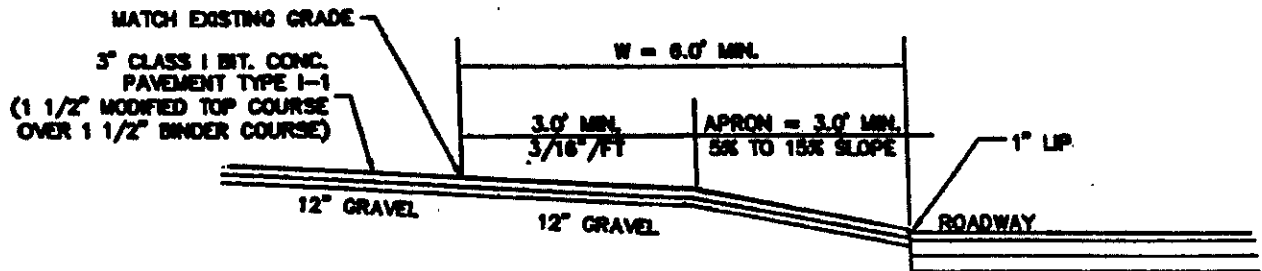


BIT. CONC. DRIVEWAY WITH GRASS BUFFER

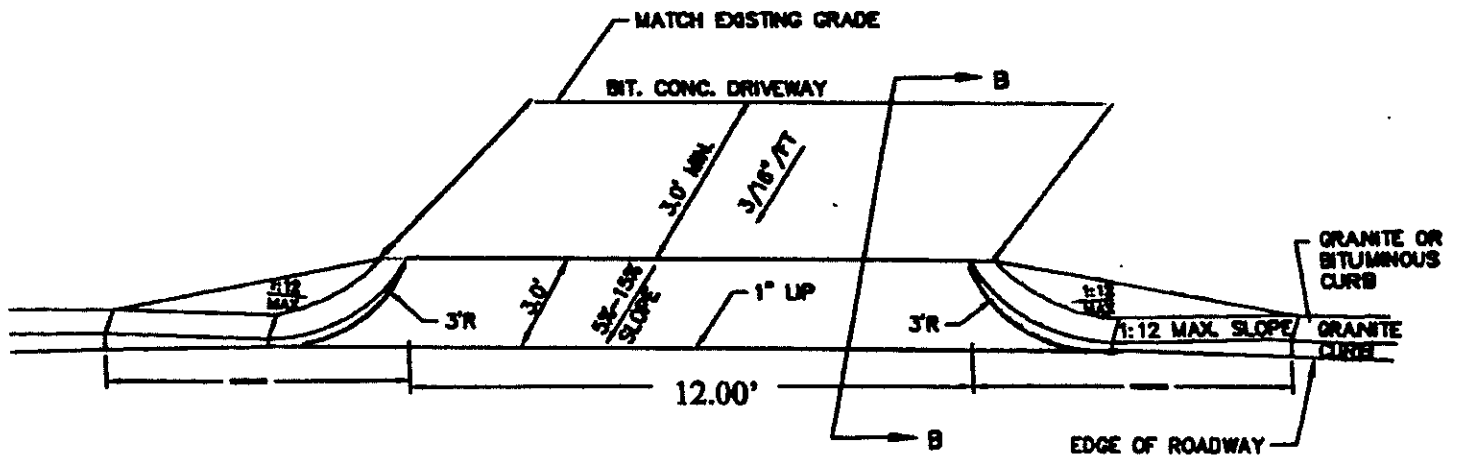
DETAIL #4

TOWN OF HARDWICK

Curb Cut / Driveway Details



SECTION B-B

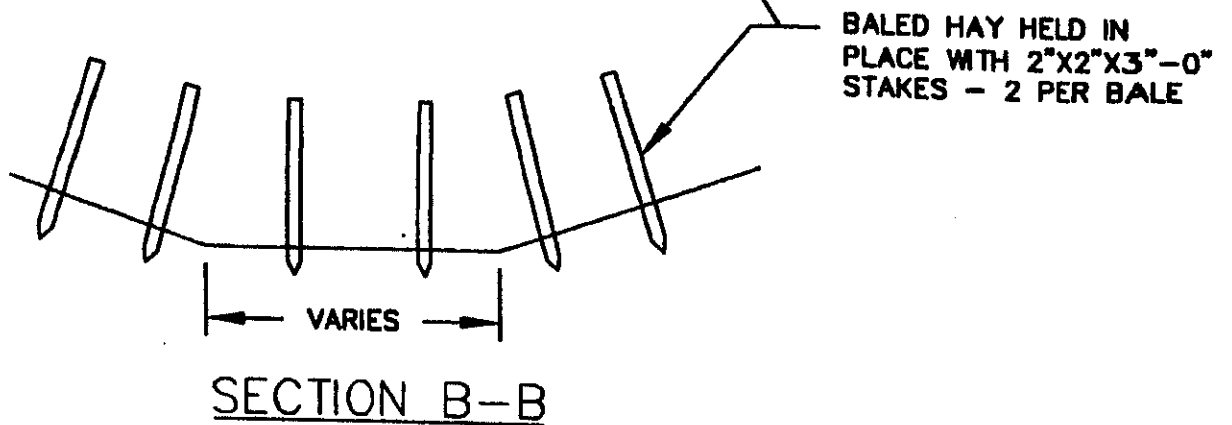
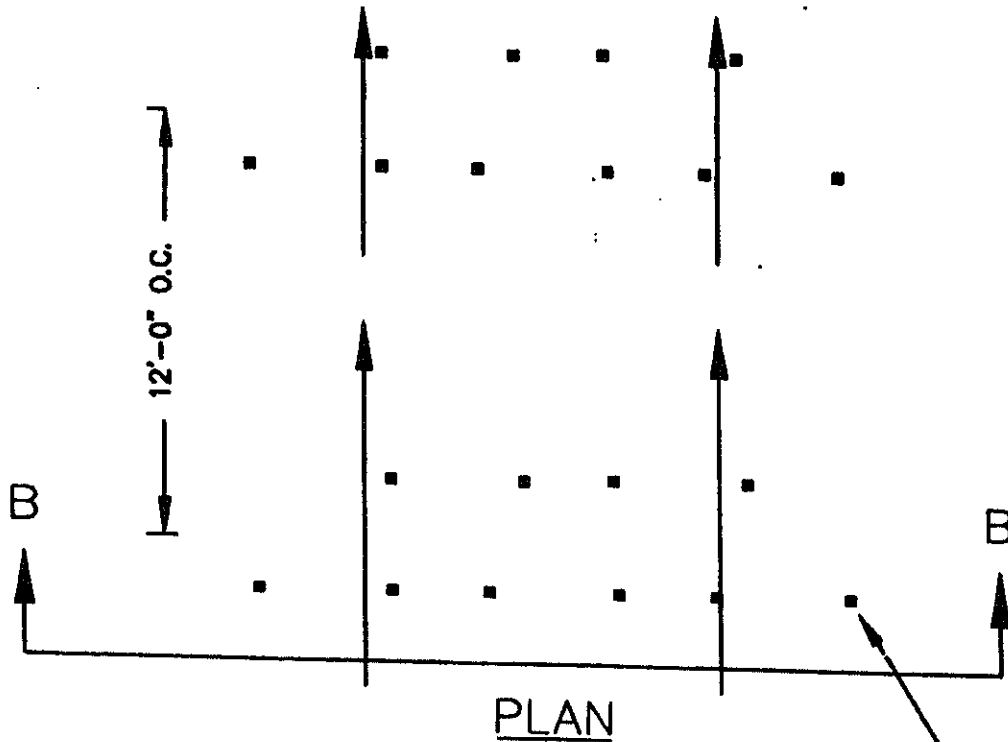


TYPICAL DRIVE WITH NO SIDEWALK

DETAIL #5

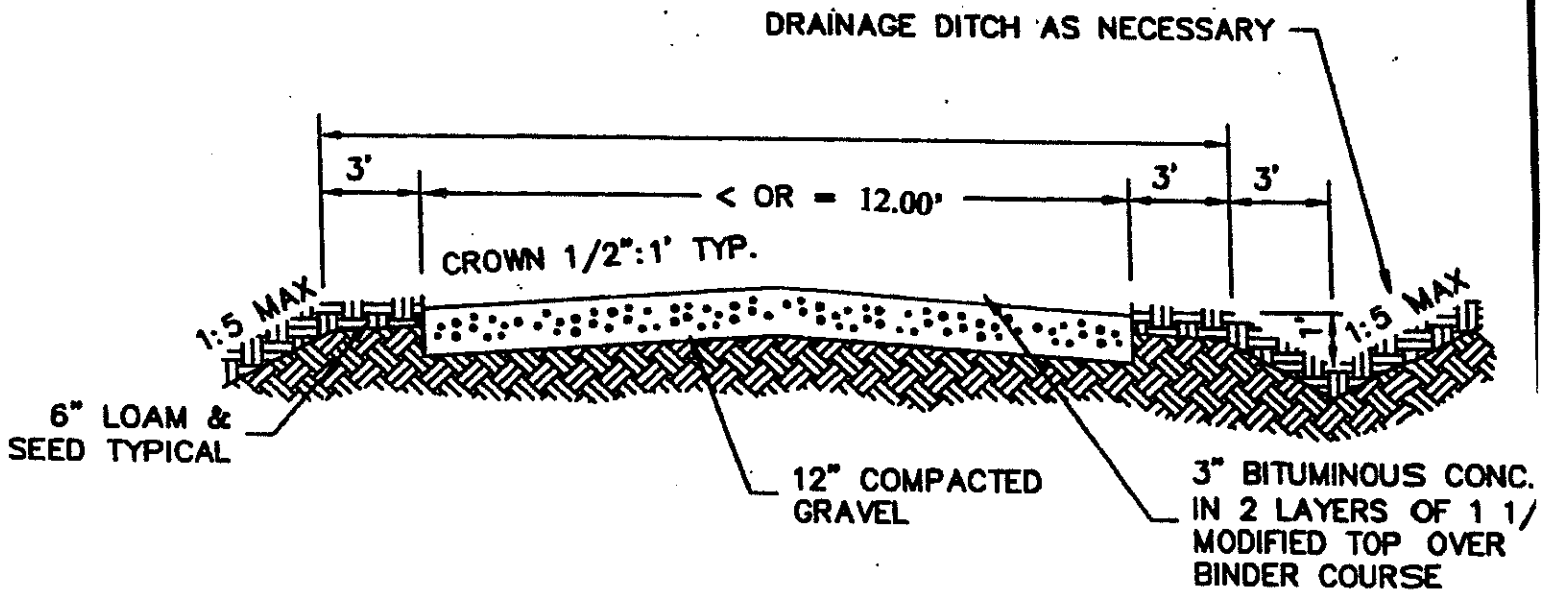
TOWN OF HARDWICK

Curb Cut / Driveway Details



TOWN OF HARDWICK

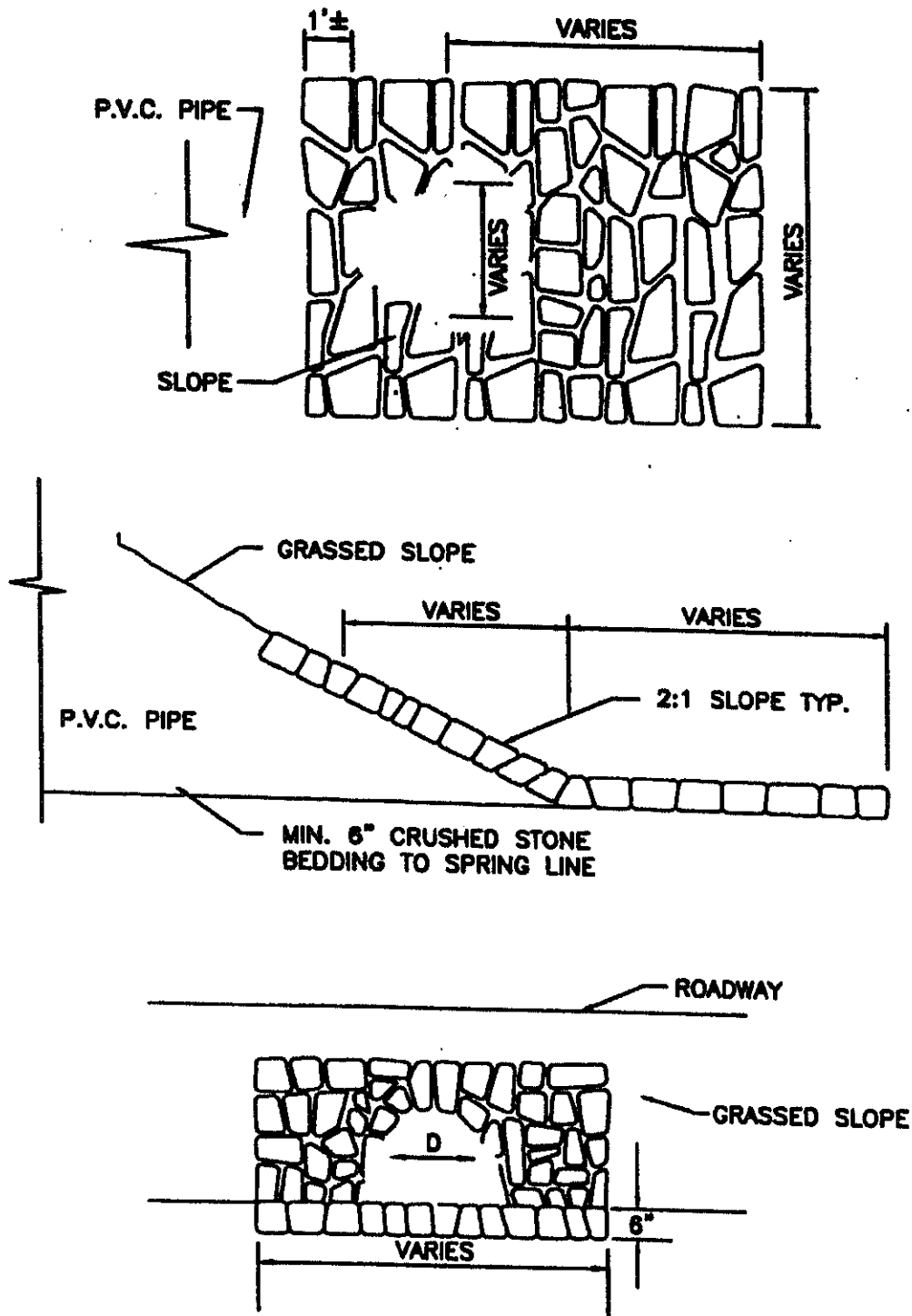
Curb Cut / Driveway Details



TYPICAL DRIVEWAY CROSS SECTION DETAIL #7

TOWN OF HARDWICK

Curb Cut / Driveway Details



DETAIL #8