

**CURB CUT PERMIT**  
**Town of Buckland**  
17 State Street  
Shelburne Falls MA 01370

On May 22, 2012 the Buckland Board of Selectmen voted to amend the Buckland Selectmen's Policies to contain the following:

1. Definitions: These definitions are for the purpose of the policy only.

Public Way: A way accepted and maintained by a public agency

Driveway: Privately owned access to and from a public way

Landing: The first twenty (20) feet of a driveway adjoining a public way, measured from the edge of the traveled way.

2. Purposes:

- A. To provide better protection of the 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.

3. Application for Permit:

Any property owner desiring to construct a driveway which accesses a public way shall do so only after securing a permit to do so from the Board of Selectmen in accordance with this policy. A Curb Cut Permit is required before construction of the driveway or before submission for any applicable building permit. Whomever by him/herself being the owner or occupant, or by his/her agents or servants, violates this regulation, may be punished by a fine not to exceed one hundred dollar (\$100.00) per day following certified notice, and shall be liable in total to the Town of Buckland for all damages caused thereby, and for the cost and expenses of removing the obstructing material and of restoring the said way to its former condition.

Exceptions:

- A. Driveways already in existence where the use remains the same.
- B. Driveways subject to Massachusetts General Laws Chapter 81, Section 21 (State Curb Cut Permit).
- C. Driveways reviewed by municipal boards under existing laws or bylaws to include but not limited to scenic roads bylaw or subdivision bylaw.

4. Review Procedures:

- A. The property owner seeking a curb cut shall make a written submission to the Board of Selectmen, including three (3) 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 accessed public way. (2) Construction details described under Section V, Design Standards.
- B. The Board of Selectmen shall consult with the Highway Superintendent, Police Chief, and Fire Chief, and other interested Town Officials to obtain

their comments on the plan.

- C. The Board of Selectmen will notify the property owner making the application within twenty-one (21) days, in writing, indicating: (1) The Curb Cut Permit is granted as it conforms to Town of Buckland standards; (2) Permit is granted with modifications, standards, and restrictions; (3) Permit is granted but not subject to the design standards set forth in Section 5 of the policy, and reasons thereto. (4) Permit is denied for the specified reasons.
- D. The Town will inspect the project during and after construction. The Board of Selectmen and the Highway Superintendent will have the authority to halt construction and/or to prohibit access to said driveway if construction is not in accordance with the approved plan until objectionable conditions are corrected.
- E. The Board of Selectmen will "sign off" on the Curb Cut Permit after satisfactory completion of construction.

## 5. Design Standards

- A. Driveways should be located to the best advantage with regard to alignment with the public way and intersect at as close to a right angle as feasible. The angle of the intersection shall be between 60 and 120°. The curb-line radius of the landing to the edge of the traveled way shall be a minimum of ten (10) feet. The width of the landing shall be a minimum of fourteen (14) feet but shall not exceed twenty-four (24) feet. Unless conditions require it, a landing should not be located within twenty feet of a side property line.
- B. Sight Distances: No wall or other obstruction shall be planted, constructed, or maintained at the intersection of the driveway with the public way which causes danger to traffic on the public way or to users of the driveway by unreasonably obscuring a view. No new driveway should be located where the minimum sight distance at four (4) feet above the traveled road surface in each direction along the way is less than one hundred fifty (150) feet.
- C. Culverts and Drainage: Existing drainage ditches parallel to the public way shall not be obstructed by driveway construction. Culverts of appropriate size and durable material (such as asphalt-coated galvanized steel) shall be provided by the Applicant as determined by the Highway Superintendent. Culverts should be set back a minimum of four (4) feet from the edge of the traveled way. Culverts should be a minimum of twenty (20) feet in length.
- D. Gradients: The gradients of a new driveway must conform to the following standards: The first six (6) feet of the driveway must have a minimum of 00.5% and a maximum 9% downgrade from the way; the next fourteen (14) feet of the driveway must not exceed a 9% downgrade or upgrade from the way.

The Board of Selectmen may modify these Design Standards based on sound engineering practice for the site's terrain and driveway usage.

**TOWN OF BUCKLAND**  
**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.

**APPLICATION INFORMATION:**

Applicant: \_\_\_\_\_

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

\_\_\_\_\_

Applicant Telephone Number: \_\_\_\_\_

Contractor (if any): \_\_\_\_\_

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

\_\_\_\_\_

Contractor Telephone Number: \_\_\_\_\_

Road on Which Curb Cut to be Made: \_\_\_\_\_

Description of Work: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Anticipated Start Date: \_\_\_\_\_

Anticipated Completion Date: \_\_\_\_\_

You MUST:

1) Submit a plan for any driveway that is to be created, altered, or closed, and the relationship to the access public way. Construction details are described under Section 5, Design Standards below. 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 provisions attached to this application. Any other information deemed necessary or applicable in the judgment of the Building Inspector or Highway Superintendent.

2) Receive written approval BEFORE BEGINNING ANY WORK. Any person who effectively creates or causes to be created, a curb cut without such authorization, may be subject to a fine of \$100.00 per day following certified notice, and is liable for damages and cost of repair, and must restore the area to its' original condition. Approval or denial must be rendered within forty (40) days of the submission/ acceptance date of the request. Incomplete applications do not initiate this deadline.

**REVIEW OF APPLICATION:**

Application must be submitted to: Board of Selectmen, Town of Buckland, 17 State Street, Shelburne Falls, Massachusetts 01370

Please submit one original and three copies of this application.

Must be signed at time of application.

I have read the attached Curb Cut Policy and agree to abide by them when implementing and maintaining the above-referenced project. I understand that the driveway shall be designed and must receive approval from the Board of Selectmen 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 premises is permitted.

Applicant's Signature: \_\_\_\_\_

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

The Board of Selectmen must notify the Applicant making the application within twenty-one (21) days, in writing, indicating whether the application is approved or not. The Highway Superintendent shall consult with the Police Chief and the Fire Chief and other interested Town Officials to obtain their comments on the curb cut.

Reviewed by:

Highway Superintendent: \_\_\_\_\_

Fire Chief: \_\_\_\_\_

Police Chief: \_\_\_\_\_

Said permit for the above shall be under direct inspection of the Highway Superintendent, and he 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 Board of Selectmen shall “sign off” on the permit after satisfactory completion of the construction.

Signatures of Buckland Board of Selectmen

---

---

---

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

If approved:

Date Permit Released: \_\_\_\_\_