



TOWN OF TRURO

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Select Board Curb Cut REGULATIONS

1. Authority

The Select Board promulgates these Regulations pursuant to Chapter IV, Section 8 of the General Bylaws of the Town of Truro.

2. Purpose

The purpose of this Bylaw is to protect public safety, including but not limited to safe passage for emergency vehicles and personnel, and to protect Town roads and infrastructure, as they are impacted by the location and use of Curb Cuts on Town- and State-owned roads.

3. Definition

For purposes of this Bylaw, a Curb Cut is any portion of the frontage of a lot, on a public way, used for vehicular access to and egress from such lot.

4. Effective Date

As of the date that Section 4-8 of the General Bylaws take effect, these regulations shall apply.

5. Approving Authorities

Permits for Curb Cuts on Town roads are issued by the Select Board following Town Department review. Permits for Curb Cuts on State-owned roads are referred to the Massachusetts Department of Transportation for review and approval.

6. Applicability

All new Curb Cuts and modifications to existing Curb Cuts require the submittal of a complete Curb Cut Application. The curb cut permit must be obtained prior to application for a building permit for construction on the subject lot.

7. Procedures

Adopted April 22, 2025

- 1) Curb Cut Application. Prior to performing commencing any work on a Curb Cut onto a Town- or State-owned road, the property owner or representative shall submit a completed Curb Cut Application to the Building Department. Such Application shall be available at the Building Department, and may be amended from time to time.
- 2) Required Information. The following materials shall be submitted with a completed Curb Cut Application:
 - Complete plans of subject property (engineered; stamped; scale no less than 1" = 40'), showing property lines; topography; existing and proposed driveway(s); and grade of driveway to be served by Curb Cut.
 - List of materials
 - Explanation/illustration of means and methods for construction, stormwater management and erosion control
- 3) Town Department Review. The completed Curb Cut Application with supporting materials shall be reviewed for compliance with the Curb Cut Standards by the Director of Public Works and other Town Departments as deemed necessary, including but not limited to the Police and Fire Departments. The Director of Public Works shall submit to the Select Board with a recommendation of approval; approval with conditions; or disapproval.
- 4) Select Board Review. The Select Board shall, following review of the Curb Cut Application and Town Department comment, approve or disapprove the Curb Cut, imposing on an approval any conditions deemed necessary for public safety and/or the protection of Town property.
- 5) Construction of Curb Cut. All approved Curb Cuts must be completed within one year of approval. Upon written request, an extension may be granted by the Director of Public Works.
- 6) Inspection and Certification. The Director of Public Works shall inspect the completed Curb Cut and certify its compliance with applicable standards and any conditions of approval.
- 7) Violation or Noncompliance with Curb Cut Standards. The Director of Public Works may inspect a Curb Cut under construction, and may direct the issuance of a stop work (cease and desist) order for noncompliance with the Curb Cut Standards and/or violation of the approval granted, including any conditions of approval.
- 8) Modifications to Existing Curb Cuts. All modifications to existing Curb Cuts require the submittal of a complete Curb Cut Application. The Director of Public Works is authorized to approve alterations to existing Curb Cuts (i.e., without approval of Select Board) following a modified review process.

8. *Curb Cut Standards*

1) *General*

- A. One (1) Curb Cut is permitted on each lot. The Select Board may grant a variance from this limit upon demonstration of site-specific need.
- B. Curb Cuts and driveways shall be located to maximize safety for entrance to and exit from the property, considering factors of grade, road alignment, profile, and sight distance conditions.

2) *Grade; Radius; Sight Distances*

- A. Driveways served by Curb Cuts shall have a maximum grade of 15%.
- B. The radius of a private driveway may not extend beyond the private owner's property line without the written consent of the abutting property owner.
- C. When possible, all Curb Cuts shall be constructed such that the sight distance in each direction is not less than three hundred (300) feet; however, when intersecting Route 6, the sight distance in each direction shall be no less than four hundred seventy-five (475) feet.

3) *Public Safety Clearing (Vegetation).* Consistent with General Bylaw 1-9-13, for driveways in excess of fifty (50) feet in length, the following standards shall be met:

- A. The traveled way of any driveway shall be no less than eight (8) feet wide
- B. The combined traveled way and clearance of any obstacles including vegetation shall be no less than (14) feet. (8' wide driveway 3' clearing on either side of driveway).
- C. Height clearance shall be no less than fourteen (14) feet from the road surface.

4) *Erosion Control; Damage.* All Curb Cuts and related driveways shall be located and constructed so as to preclude, during and after construction:

- Erosion of sand, soils, and other materials onto any Town or State Road
- Stormwater runoff onto any Town or State road
- Damage to any Town or State road.

- Any other potential hazard to public safety or Town property as may be identified by the Director of the Department of Public Works, Building Commissioner, Chief of Police, and/or Fire Chief.

Temporary vegetation and/or mulching shall be used to protect exposed areas during construction. Permanent (final) vegetation and any mechanical measures required to stabilize the land surface and control erosion shall be installed as soon as practicable after construction ends.

9. Costs to be borne by property owners

- 1) All costs relating to construction of a Curb Cut shall be borne by the property owner(s) and any successors in interest.
- 2) The cost of any repairs to Town property caused during or after construction of the Curb Cut, and/or caused by failure to comply with this Bylaw or any condition(s) of Curb Cut approval, shall be borne by the property owner(s) and/or any successors in interest.

10. Enforcement of Curb Cut Regulations

The Select Board, or its agent, shall enforce these Regulations in accordance with the Town's General Bylaws. Failure to comply with these Regulations or the conditions of the Curb Cut will result in a denial of the building permit and/or for issuance of a certificate of occupancy, and shall be punishable by fine as established in Appendix A of the Town's General Bylaws. Each day or portion thereof that a violation exists shall be deemed a separate offense.