

# *Town of Franklin*

## *Ordinance on Driveways*

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### I) DEFINITIONS:

- Applicant : The person proposing a driveway.
- Business/Commercial: The retail sale of goods and services or multi-family housing units.
- Contractor: The firm or individual actually constructing any driveway.
- Common Driveway: A driveway servicing two or more single-family detached residences.
- Driveway: An access onto or an egress from a town street.
- Industrial: The storage, manufacturing and processing of goods, wholesaling and related storage, research laboratories, general office space, printing and publishing establishments and bulk storage of cement and petroleum products.
- New Driveway: An access onto or an egress from a street that was not in existence on or before the adoption date of this ordinance, or an existing access or an existing egress from a street, where the use of that driveway is proposed to be changed.
- Person: Includes corporations, partnerships, firms, associations and/or any other entity.
- Residential Dwelling Unit: A building or portion thereof containing complete housekeeping facilities.
- Road Standards: The standards and specifications set forth in the Connecticut Department of Transportation Standard Specifications for Roads, Bridges, and Incidental Construction Form 816, and as amended.
- Sight Line Distance: This shall be the distance measured at a point of 15 feet off of the edge of pavement and shall be from a 3.5 foot high eye height to a 3.5 foot object height. No obstruction shall lie within 18 inches under any point of the sightline or sightline triangle.
- Town Road/Street/Highway - Any town-maintained highway constructed for and dedicated to movement of vehicles and pedestrians. This shall not include private driveways, private roads, and rights-of-way (R.O.W.).
- Town: The Town of Franklin.

II) PURPOSE: It is the declared purpose of this Ordinance to regulate driveways for the purpose of providing safe and structurally adequate access onto streets.

### III) PROCEDURE:

1. No person shall construct a new driveway, relocate an existing driveway, or

change the use of an existing driveway leading to a Town Road including those used for (a) agricultural, (b) forestry practices (logging), or (c) earth excavation without first obtaining a written permit from the First Selectman of the Town.

a . Driveways installed for agricultural practices shall be installed to the specifications for a temporary driveway apron and shall be installed at a width sufficient that all vehicles using the access will be enter onto the Town Road while being fully supported within the apron. Should more than intermittent seasonal use of said access be desired, and then the access shall be constructed as a permanent apron meeting the Commercial/Industrial standards. All agricultural driveways shall installed meeting the specifications recited in Section 4, subsections a, b, c, d, & f.

b . Driveways installed for forestry practices shall be installed to the specifications for a temporary driveway apron and shall be installed at a width sufficient that all vehicles using the access will be enter onto the Town road while being fully supported within the apron. At the completion of the forestry operation, the temporary access shall be securely closed. The temporary apron shall remain in place. Should continued use of said access be desired, then the access shall be constructed as a permanent apron. All forestry practice driveways shall installed meeting the specifications recited in Section 4, subsections a, b, c, d, & f.

c . Driveways for earth excavation operations shall be installed to meet the standards for permanent Commercial/Industrial driveways. At the completion of the excavation operations, the access shall be securely blocked or gated. Unless all access to the site is removed, the apron shall remain as permanent. If all access to the site is removed, the apron may be saw cut one (1) foot away from the edge of pavement and be removed. All earth excavation driveways shall installed meeting the specifications recited in Section 4, subsections a, b, c, d, & f. The width of the apron and the pavement flares shall be sufficient such that exiting trucks do not need to cross the centerline in order to remain on the apron.

- 2 . No Driveway Construction Permit will be issued until the First Selectman of the Town and/or his representative reviews the location, sightline, and any potential drainage problems that may result from the construction of a new driveway. At the sole discretion of the First Selectman, Professionally prepared plans or a sightline analysis may be required. The Applicant will be responsible for providing any such required plans or studies.
- 3 . It is the responsibility of the permit holder to ensure that the CALL BEFORE YOU DIG regulations are adhered to.
- 4 . The permanent driveway apron or a temporary driveway apron including the gravel construction entrance shall be installed prior to the issuance of a Building Permit and prior to the start of any construction or excavation activities except for the necessary grading activities associated with the

- construction of the proposed driveway entrance.
5. Actual driveway construction may start only after the Driveway Construction Permit has been issued.
  6. Final approval of the driveway will be issued by the First Selectman of the Town and/or his agent when all work is completed in accordance with the specifications set forth and by final inspection.
  7. No Certificate of Occupancy will be issued until the First Selectman of the Town and/or his agent issues their final approval of the driveway.
  8. Driveways entering onto a State Highway/Road shall be permitted by the State of Connecticut Department of Transportation (CDOT). No Building Permit shall be issued until a Permit from (CDOT) has been obtained and a copy is provided to the Building Official. No Certificate of Occupancy will be issued until the Applicant provides to the Town evidence of final CDOT approval of the driveway as constructed.
  9. Application shall be made to the First Selectman of the Town on the provided form. A sketch plan showing proposed dimensions, location of the driveway and lot boundaries accompanied by an application fee of \$150.00 and a cash bond of \$1000.00 for residential driveways, or a \$1,500.00 cash bond for commercial and industrial driveways shall be submitted with the application. The applicant will be issued a Driveway Construction Permit only after all of the specifications, fees, and bond are met. Construction must be completed within one year from date of permit issuance. Any remaining cash bond will be refunded within 60 days of written final approval from the First Selectman of the Town.
  10. All Contractors installing residential driveways shall possess a valid State of Connecticut Home Improvement Contractors License. A copy of that license shall be submitted with the permit application.
  11. Insurance: Certificates of insurance shall be provided to the Town by the Contractor in at least the minimum amounts listed below prior to issuance of a Driveway Construction Permit:
    - Bodily Injury and/or Property Damage Liability: \$1,000,000 aggregate
    - Workers Compensation and Employers' Liability:
      - Employer Liability: \$100,000 each accident
      - Employer Liability Disease: \$500,000 policy limit
      - Employer Liability Disease: \$100,000 each employee

#### IV) SPECIFICATIONS:

- 1) The following specifications shall apply to all new residential, business/commercial, and Industrial driveway construction:
  - a. One (1) single family residential driveways (see Figure 1)
  - b. Common driveways (see Figure 2)
  - c. Industrial/Commercial driveways (see Figure 3)
- 2) The following specifications shall also apply to all new driveway construction:
  - a. Driveways shall intersect streets at an angle of approximately (90) degrees and shall be located and designed with adequate sight distance

along Town roads. All driveways that enter a Town Road shall have minimum sight distance of two hundred seventy five (275) feet (see Figure 6).

- b. No new driveway shall enter onto a Town Road within 100 feet of a Town Road intersection.
- c. Driveways shall be designed to prevent storm water flows from entering a Town Road and, whenever possible, the Town Right-of-Way. Privately owned and maintained drainage diversion swales, detention basins, and/or dry wells shall be utilized to the greatest extent possible to limit the amount of storm water flows onto a Town Road. Culverts, with a minimum diameter of fifteen (15) inches, shall be used when crossing Town drainage ways. Culverts shall be sized to pass a 25 year design storm at a minimum. All drainage pipe and other drainage structures shall be designed and sized consistent with current Connecticut Department of Transportation Drainage Design Standards and applicable Town Regulations, whichever is greater. Whenever a private swale or private detention basin is utilized in diverting driveway water from the Town Road or Right-of-Way, the owner of the subject property(s) shall be responsible for the maintenance of any swales, detention basins and/or culverts in accordance with the approved design.
- d. All stumps from any tree removal shall be excavated and removed or ground at least 6 inches below finished grades.
- e. A maintenance agreement signed by the owner of the land shall also be submitted. After the permit is issued, such maintenance agreement shall be filed in the land records to ensure compliance by subsequent owners.
- f. The First Selectman may waive specific "specifications" within this Ordinance if; the specification(s) waived do not decrease the safety of and/or the structural adequacy of, any "new driveway" or condition of the affected Town Road.

- V) VIOLATIONS: Failure of any person constructing or locating such a new driveway to first obtain a "Driveway Construction Permit" shall constitute a violation of this Ordinance and any such person shall be subject to the penalties provided in Section 7-148 of the Connecticut General Statutes, Revision of 1958, as amended. Each day such driveway is permitted or suffered to remain shall constitute a separate violation.

VI) EFFECTIVE DATE: This ordinance shall become effective as prescribed under the Connecticut General Statutes. All previous Driveway Ordinances are hereby repealed upon the effective date of this ordinance.

Effective date March 20, 2013

**TOWN OF FRANKLIN**  
APPLICATION FOR DRIVEWAY CONSTRUCTION PERMIT

DATE: \_\_\_\_\_

1. Applicant \_\_\_\_\_
2. Mailing Address \_\_\_\_\_
3. \*\*Contractor's Name \_\_\_\_\_
4. Contractor's Address \_\_\_\_\_
5. Location of proposed driveway:
  - a. Street name & address \_\_\_\_\_
  - b. (N S E W) side of street \_\_\_\_\_
  - c. Closest intersection \_\_\_\_\_
  - d. Closest utility pole # \_\_\_\_\_
6. Interest in property:
  - a. Owner \_\_\_\_\_ Agent \_\_\_\_\_
  - b. Lessee \_\_\_\_\_ Other \_\_\_\_\_
7. Dimension of lot: Frontage \_\_\_\_\_
8. Tax Assessors Map #: \_\_\_\_\_ Lot #: \_\_\_\_\_
9. Reason for Driveway Construction Permit
  - a. One Residential Unit \_\_\_\_\_
  - b. Common Driveway for Single Family Units \_\_\_\_\_
  - c. Business/Commercial Building \_\_\_\_\_
  - d. Industrial Building \_\_\_\_\_
  - e. Other (describe) \_\_\_\_\_
10. Maintenance agreement attached \_\_\_\_\_
11. Date application received \_\_\_\_\_

SIGNATURE OF PROPERTY OWNER:

\_\_\_\_\_ AND/OR  
SIGNATURE OF AGENT \_\_\_\_\_  
MAILING ADDRESS \_\_\_\_\_  
PHONE # \_\_\_\_\_

DATE ISSUED \_\_\_\_\_ DATE DENIED \_\_\_\_\_ DATE WITHDRAWN \_\_\_\_\_

\*\* Copies of the required insurance certificates (for any driveway) and Home Improvement Contractors License (for residential driveways only) shall be attached hereto.

# SKETCH

# DRIVEWAY PERMIT

TOWN OF FRANKLIN, CONNECTICUT

Permit # \_\_\_\_\_

NAME OF PROPERTY OWNER \_\_\_\_\_

ADDRESS \_\_\_\_\_ TELEPHONE NUMBER \_\_\_\_\_

NAME OF CONTRACTOR \_\_\_\_\_

ADDRESS \_\_\_\_\_ TELEPHONE NUMBER \_\_\_\_\_

HOME IMPROVEMENT CONTRACTORS LICENSE # \_\_\_\_\_  
(IF RESIDENTIAL)

LOCATION OF PROPERTY \_\_\_\_\_

MAP NUMBER \_\_\_\_\_ LOT NUMBER \_\_\_\_\_

PERMIT TYPE \_\_\_\_\_

ISSUED BY \_\_\_\_\_ TITLE \_\_\_\_\_

ISSUER'S SIGNATURE \_\_\_\_\_

**A BUILDING PERMIT CANNOT BE ISSUED UNTIL A DRIVEWAY CONSTRUCTION PERMIT HAS BEEN ISSUED BY THE FIRST SELECTMAN, TOWN OF FRANKLIN AND THE TEMPORARY OR PERMANENT DRIVEWAY APRON AND CONSTRUCTION ENTRANCE HAVE BEEN INSTALLED.**

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**A CERTIFICATE OF OCCUPANCY CANNOT BE ISSUED UNTIL THE DRIVEWAY HAS BEEN INSPECTED AND THE FINAL WRITTEN APPROVAL IS OBTAINED.**

## PERMANENT DRIVEWAY MAINTENANCE AGREEMENT

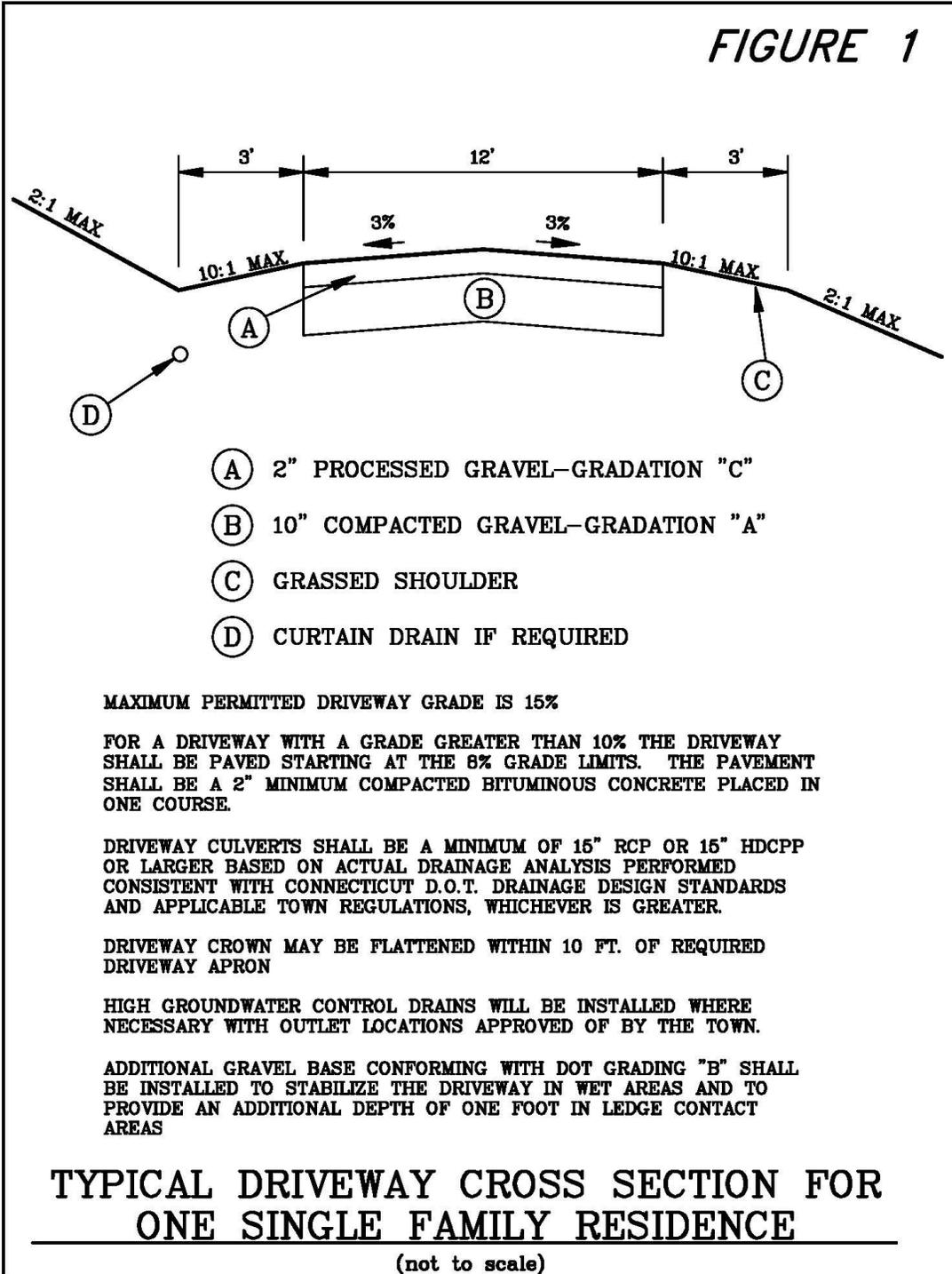
KNOW ALL MEN BY THESE PRESENTS, that I/we \_\_\_\_\_  
\_\_\_\_\_, hereinafter the PARTY OF THE FIRST PART, of  
\_\_\_\_\_(address), do hereby agree to the following  
with regards to construction and maintenance of a residential/commercial/industrial  
driveway at \_\_\_\_\_, Franklin  
Connecticut.

The PARTY OF THE FIRST PART agrees to and that:

- They will create and maintain 275 foot clear sightlines in accordance with the Town of Franklin Driveway Ordinance.
- No brush, trees, shrubbery, tall grasses or weeds, shall be allowed to grow up higher than 18 inches within the area necessary to provide the required sightlines.
- No signs or structures shall be constructed which limit or obstruct the sightline.
- A 10 foot permanent paved apron shall be maintained.
- Any drainage facilities shall be maintained.
- The permanent driveway surface shall be installed and be maintained in accordance with the Franklin Driveway Ordinance.
- This agreement shall be binding upon the PARTY OF THE FIRST PART and his/her/their successors, heirs, and assigns.
- If the PARTY OF THE FIRST PART does not maintain the sightline, driveway apron, or driveway surface, the Town of Franklin will notify the PARTY OF THE FIRST PART and the PARTY OF THE FIRST PART will have 30 days to correct the deficiency.
- If the PARTY OF THE FIRST PART does not correct any sightline, driveway apron, or driveway surface deficiency within the 30 day period, the Town of Franklin or its subcontractor or Agent shall have the right to enter onto the property of the PARTY OF THE FIRST PART to correct the sightline, driveway apron, driveway surface, or stormwater drainage deficiency and the PARTY OF THE FIRST PART further agrees to pay for costs incurred by the Town of Franklin necessary to correct any such deficiency.

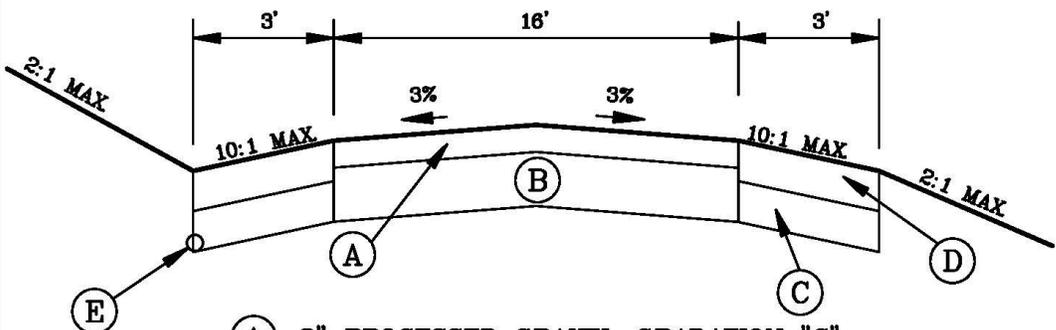


**FIGURE 1**





**FIGURE 2**



- (A) 2" PROCESSED GRAVEL-GRADATION "C"
- (B) 10" COMPACTED GRAVEL-GRADATION "A"
- (C) 8" COMPACTED GRAVEL-GRADATION "B"
- (D) GRASSED SHOULDER WITH 4" TOPSOIL
- (E) CURTAIN DRAIN IF REQUIRED

**MAXIMUM PERMITTED DRIVEWAY GRADE IS 15%**

**FOR A DRIVEWAY WITH A GRADE GREATER THAN 10% THE DRIVEWAY SHALL BE PAVED STARTING AT THE 8% GRADE LIMITS. THE PAVEMENT SHALL BE A 2" MINIMUM COMPACTED BITUMINOUS CONCRETE PLACED IN ONE COURSE.**

**TURN OFFS ARE TO BE PROVIDED EVERY 300 FT. AND SHALL BE 30 FT. LONG BY 10 FT. WIDE.**

**DRIVEWAY CULVERTS SHALL BE A MINIMUM OF 15" RCP OR 15" HDCPP OR LARGER BASED ON ACTUAL DRAINAGE ANALYSIS PERFORMED CONSISTENT WITH CONNECTICUT D.O.T. DRAINAGE DESIGN STANDARDS AND APPLICABLE TOWN REGULATIONS, WHICH EVER IS GREATER.**

**DRIVEWAY CROWN MAY BE FLATTENED WITHIN 10 FT. OF REQUIRED DRIVEWAY APRON**

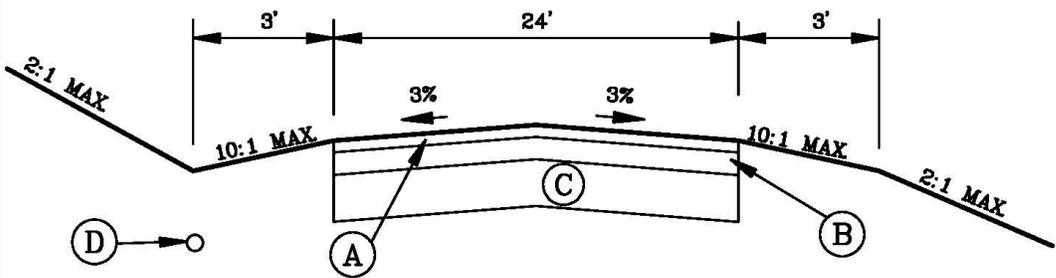
**HIGH GROUNDWATER CONTROL DRAINS WILL BE INSTALLED WHERE NECESSARY WITH OUTLET LOCATIONS APPROVED OF BY THE TOWN.**

**ADDITIONAL GRAVEL BASE CONFORMING WITH DOT GRADING "B" SHALL BE INSTALLED TO STABILIZE THE DRIVEWAY IN WET AREAS AND TO PROVIDE AN ADDITIONAL DEPTH OF ONE FOOT IN LEDGE CONTACT AREAS**

**TYPICAL DRIVEWAY CROSS SECTION FOR  
COMMON DRIVEWAYS**

(not to scale)

**FIGURE 3**



- (A) 2" COMPACTED BITUMINOUS CONCRETE BINDER COURSE (CLASS 1) PLUS 2" COMPACTED BITUMINOUS CONCRETE WEARING COURSE (CLASS 1 OR 2)
- (B) 6" PROCESSED GRAVEL-GRADATION "C"
- (C) 12" MINIMUM COMPACTED GRAVEL SUBBASE-GRADATION "A"
- (D) CURTAIN DRAIN IF REQUIRED

DRIVEWAY CULVERTS SHALL BE A MINIMUM OF 15" RCP OR 15" HDCPP OR LARGER BASED ON ACTUAL DRAINAGE ANALYSIS PERFORMED CONSISTENT WITH CONNECTICUT D.O.T. DRAINAGE DESIGN STANDARDS AND APPLICABLE TOWN REGULATIONS, WHICHEVER IS GREATER.

MINIMUM REQUIRED DRIVEWAY WIDTHS DETAILED WITHIN THESE STANDARDS MAY BE INCREASED BASED ON THE TOWN'S REVIEW OF ACTUAL TRAFFIC PROPOSED.

HIGH GROUNDWATER CONTROL DRAINS WILL BE INSTALLED WHERE NECESSARY WITH OUTLET LOCATIONS APPROVED OF BY THE TOWN.

ADDITIONAL GRAVEL BASE CONFORMING WITH DOT GRADING "B" SHALL BE INSTALLED TO STABILIZE THE DRIVEWAY IN WET AREAS AND TO PROVIDE AN ADDITIONAL DEPTH OF ONE FOOT IN LEDGE CONTACT AREAS

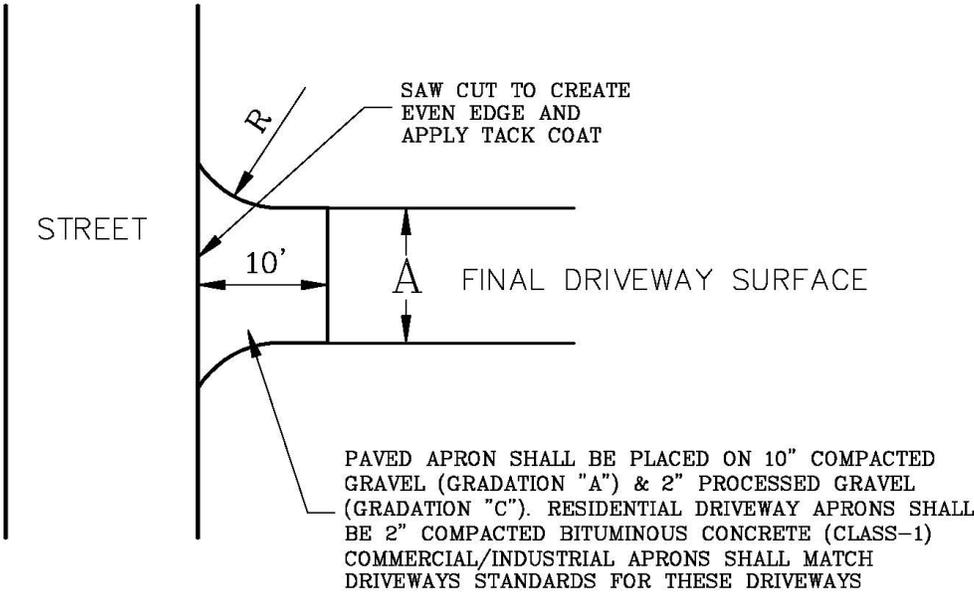
**TYPICAL DRIVEWAY CROSS SECTION FOR INDUSTRIAL & COMMERCIAL DRIVEWAYS**

(not to scale)



**FIGURE 4**

- A=12' ONE SINGLE FAMILY RESIDENCE (R=5')
- A=16' COMMON DRIVEWAYS (R=15')
- A=24' INDUSTRIAL & COMMERCIAL DRIVEWAYS (R=25')



MINIMUM REQUIRED DRIVEWAY WIDTHS DETAILED WITHIN THESE STANDARDS MAY BE INCREASED BASED ON THE TOWN'S REVIEW OF ACTUAL TRAFFIC PROPOSED.

THE FINISHED DRIVEWAY SURFACE MAY ALSO NEED TO WIDENED TO ACCOMMODATE THE FLARE RADII.

**TYPICAL PERMANENT PAVED APRON DETAIL**

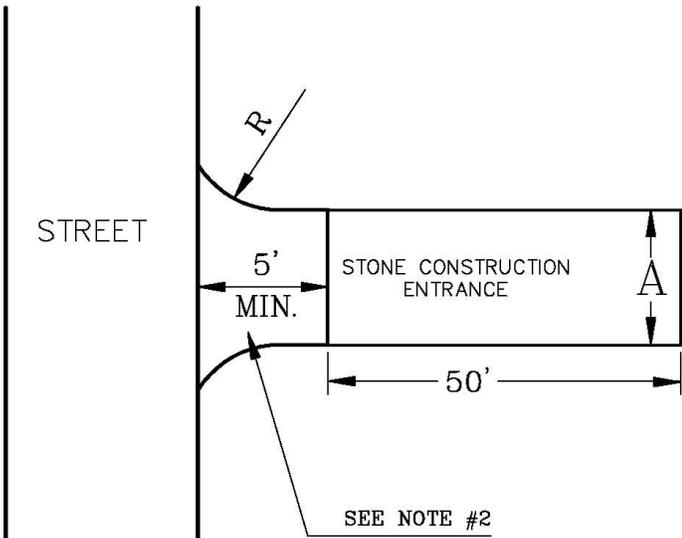
(not to scale)

**FIGURE 5**

A=12' ONE SINGLE FAMILY RESIDENCE (R=5')

**FIGURE 5**

A=12' ONE SINGLE FAMILY RESIDENCE (R=5')  
A=16' COMMON DRIVEWAYS (R=15')  
A=24' INDUSTRIAL & COMMERCIAL DRIVEWAYS (R=25')



**NOTES:**

1. THE TEMPORARY APRON IS TO BE REMOVED AND THE PERMANENT APRON IS TO BE INSTALLED BEFORE THE CERTIFICATE OF OCCUPANCY IS ISSUED

2. INSTALL A 2" COMPACTED BITUMINOUS CONCRETE PAVED APRON FOR SINGLE FAMILY RESIDENCE OR COMMON DRIVEWAYS. INSTALL A 4" COMPACTED BITUMINOUS CONCRETE APRON FOR INDUSTRIAL AND COMMERCIAL DRIVEWAYS. THE APRON IS TO BE INSTALLED ON A 4" MINIMUM COMPACTED DEPTH OF PROCESSED GRAVEL AND 10" GRAVEL SUBBASE (GRADATION "A")

THE CONSTRUCTION ENTRANCE IS TO BE CONSTRUCTED WITH CT DOT 2" CRUSHED GRAVEL AT A MINIMUM DEPTH OF 4" FOR SINGLE FAMILY RESIDENCE AND COMMON DRIVEWAYS OR A MINIMUM OF 6" FOR INDUSTRIAL AND COMMERCIAL DRIVEWAYS

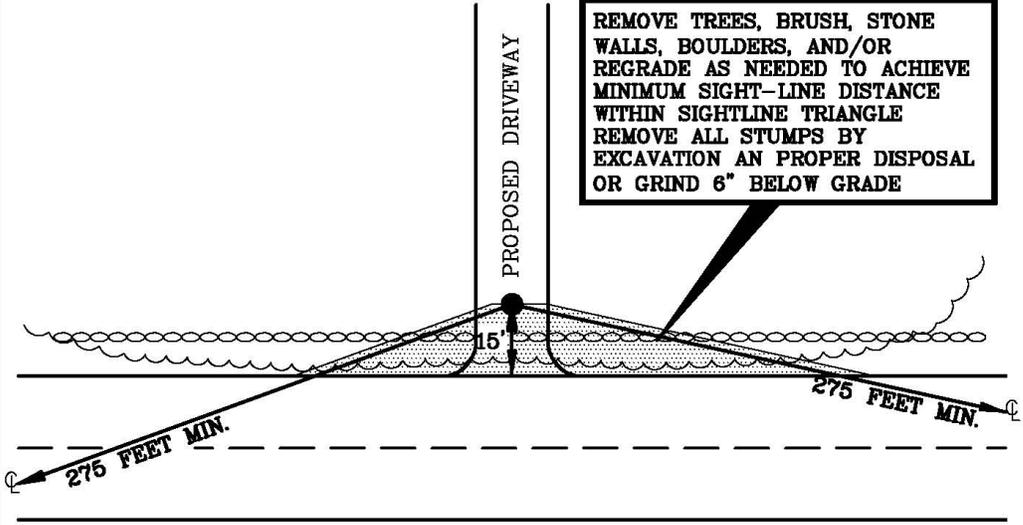
MINIMUM DRIVEWAY WIDTHS DETAILED FOR THE COMMERCIAL AND INDUSTRIAL DRIVEWAYS MAY BE INCREASED BASED ON THE TOWN'S REVIEW OF THE ACTUAL TRAFFIC PROPOSED

THE FINISHED DRIVEWAY SURFACE MAY ALSO NEED TO WIDENED TO ACCOMMODATE THE FLARE RADII.

**TYPICAL TEMPORARY PAVED APRON DETAIL**

(not to scale)

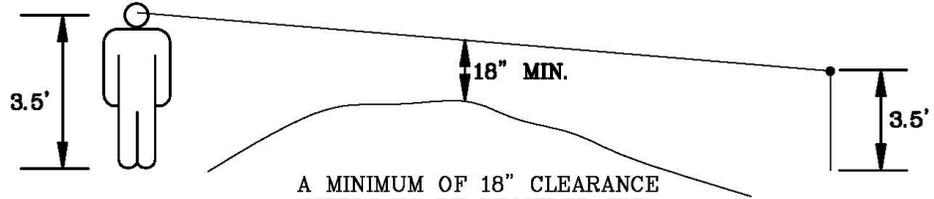
**FIGURE 6**



REMOVE TREES, BRUSH, STONE WALLS, BOULDERS, AND/OR REGRADE AS NEEDED TO ACHIEVE MINIMUM SIGHT-LINE DISTANCE WITHIN SIGHTLINE TRIANGLE REMOVE ALL STUMPS BY EXCAVATION AN PROPER DISPOSAL OR GRIND 6" BELOW GRADE

**PLAN VIEW**

A 275 FOOT MINIMUM SIGHTLINE DISTANCE MEASURED FROM A POINT 15 FEET OFF OF THE GUTTER LINE TO THE CENTERLINE OF THE APPROACHING TRAFFIC IS REQUIRED



A MINIMUM OF 18" CLEARANCE NEEDS TO BE PROVIDED FOR SEASONAL VEGETATIVE GROWTH IN SHOULDER AREAS

SIGHTLINE IS MEASURED FROM A 3.5 FOOT EYE HEIGHT TO A 3.5 FOOT OBJECT HEIGHT

**DRIVEWAY SIGHTLINE DETAIL**

(not to scale)

## FIGURE 7

### DRIVEWAY GRAVEL MATERIALS GRADATION CHART

SQUARE MESH SIEVES	GRADING		
	A	B	C
PASS 5"		100	
PASS 3-1/2"	100	90 - 100	
PASS 1-1/2"	55 - 100	55 - 95	100
PASS 3/4"			45 - 80
PASS 1/4"	25 - 60	25 - 60	25 - 60
PASS #10	15 - 45	15 - 45	15 - 45
PASS #40	5 - 25	5 - 25	5 - 25
PASS #100	0 - 10	0 - 10	0 - 10
PASS #200	0 - 5	0 - 5	0 - 5