

Chapter 10
Roads and Driveways

Section 10.1 Acceptance of Ways as Public Highways

- 10.1.1 All private roads that are to be petitioned to be considered for acceptance by the town as public highways and which are later to be petitioned by the town for inclusion as part of the Chapter 81 mileage for such town shall be laid out in accordance with the provisions of Chapter 82, Sections 21 to 23 inclusive and any other requirements of eligibility for Chapter 81 reimbursement

Approved January 6, 1970

Section 10.2 Driveways and Access Roads

- 10.2.1 No one shall construct a driveway or access road so as to drain surface water from said driveway or access road onto the surface of any town road or way dedicated to public use. In the event the owner of land does so construct a driveway or access road, or cause any other construction to be made, which has the effect of causing surface water to drain onto town roads or ways dedicated to a public use, the town Highway Superintendent shall have the right to change the town road, or way dedicated to a public use, so as to prevent such drainage or surface water from going upon said roads, or ways dedicated to public use

- 10.2.2 A permit is required from the Board of Selectmen, with the approval of the Highway Superintendent, before anyone shall construct a driveway or access road so as to connect for vehicular access privately owned property to a town road. A written application together with a plan or map shall be submitted to the Board of Selectmen showing the following

- (1) Abutting roads and property ownership with existing contours and grades at pertinent locations
- (2) Existing drainage channels and proposed drainage after regrading
- (3) Access from the property to the public road

Any permit issued by the Board of Selectmen as herein described shall expire within two years of the date of said permit, but may be renewed by the Board of Selectmen for an additional period of time

Approved November 8, 1974

- 10.2.3 No person or business shall cause any surface water, drainage, perimeter drains or water of any source to flow on a town road or on a way open to public use

Approved as amended June 14, 1994

- 10.2.4 No person or business shall obstruct or allow the obstruction of any Town of Holland drainage system

- 10.2.5 Any violation of this section shall be corrected by the Town of Holland Highway Department or its agents, all costs to be paid by that person or business that causes this violation to exist. Any such violation may be disposed of as a civil violation pursuant to Section 21D of Chapter 40 of the General Laws with a civil assessment of \$25.00

Subsections (10.2.4) and (10.2.5) approved September 24, 1992
Approved as amended January 3, 1995

Section 10.3 Maintenance of Private Ways

10.3.1 The town may make temporary repairs on private ways which have been open to public use for six years or more

10.3.2 Such temporary repairs may include the regrading of gravel roads, the oiling of oiled roads, filling of potholes, depressions and ruts with suitable materials and replacement of damaged culverts, but not including original construction

10.3.3 No such repairs shall be made unless The Board of Selectmen determines that such repairs are necessary for public convenience and safety

Approved October 27, 1993

10.3.4 No betterment charges shall be assessed and no cash deposit shall be required for such repairs

10.3.5 The town shall not be liable for bodily injury, death or damage to property caused by any defect or want of repair in a private way

Approved October 27, 1993

Section 10.4 Plowing of Private Ways

10.4.1 The town may plow snow from and sand private ways on which year-round residents reside and where the Board of Selectmen, in consultation with the Highway Surveyor, have determined that a turnaround exists which is adequate for safe operation of plowing equipment in winter storm conditions

10.4.2 No private driveways shall be plowed

10.4.3 The town shall not be liable for damages of any kind caused by failure to plow a private way.

Approved October 27, 1993