

§ 119-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

COMMON DRIVEWAY – Any driveway servicing more than one (1) dwelling with access on a town highway.

CONSTRUCT – Includes the words “build,” “reconstruct,” “alter,” “enlarge,” “move,” and “establish.”

PERSON – Includes a partnership, corporation or other legal entity.

TOWN HIGHWAY – Includes the words “town street,” “town road,” “proposed town highway,” “proposed town road,” and “proposed town street.”

§ 119-2. Permit required.

It shall hereafter be unlawful for any person to construct a new driveway or to relocate or add to the number of dwellings serviced by an existing driveway abutting, adjoining or leading onto a town highway without first filing a written application with the Board of Selectmen of the Town of Brookfield and receiving a permit therefore. In determining the advisability of issuing such permit, the Selectmen shall include in their consideration the location of the driveway with respect to its effect on highway drainage, highway safety, the width and character of the highway affected, the density of the traffic thereon and the character of such traffic.

§ 119-3. Information required to be submitted.

Said application shall show the location, width, length and grades of the proposed driveway; the number of dwellings to be serviced by the proposed driveway; the affect it will have on the highway drainage and the public safety; the materials to be used in the construction; the time when the work will commence and terminate; and the party or parties to perform the work.

## §119-4. Bond required.

Before any such permit shall be issued, the Board of Selectmen will require a cash bond to be filed with said Board to guarantee the satisfactory completion of the driveway, the amount of bond to be determined by the Selectmen.

## § 119-5 Release of bond.

Said bond shall be released only after the work has been completed to the satisfaction of said Board.

## § 119-6 Materials.

Except as stated in § 119-8 hereof, any such proposed driveway abutting a highway shall be constructed of bituminous concrete two (2) inches deep on a six-inch gravel base or nine (9) inches of reinforced concrete on a six-inch gravel base from the edge of the traveled portion of the highway to the applicant's property line or the highway right-of-way, whichever is greater. The Board of Selectmen, or its designated agent, may alter these requirements if good cause is shown.

## § 119-7. Maximum width.

The maximum width of the driveway at the highway gutter line or edge of the pavement shall not exceed the following:

- A. Residential, single-or multifamily: thirty (30) feet.
- B. Commercial: fifty (50) feet.

§ 119-8 Grade; berm required for descending driveways;  
driveways entering unpaved roads.

The grade of the proposed driveway shall not exceed ten percent (10%) for a distance of thirty (30) feet from the edge of the traveled portion of the highway. If the proposed driveway is descending, a four-inch berm of bituminous concrete or reinforced concrete shall be constructed to protect the property

from surface water entering. If a driveway is on an unpaved road, then the Selectmen shall determine the point at which the pavement will end adjacent to the highway.

§ 119-9 Location.

The proposed driveway shall be confined between lines drawn from the frontage corners of the property to a point perpendicular to the center line of the highway.

§ 119-10 Restrictions on curves.

The center line of the proposed driveway shall not deviate more than thirty degrees (30°) from a right angle for a distance of thirty (30) feet from the edge of the traveled portion of the highway.

§ 119-11 Town officials not liable; responsibility for maintenance.

The applicant agrees to hold harmless the Town of Brookfield and the Board of Selectmen and their duly appointed agents and employees against any action for personal injury or property damage and for the cost of any repair of the highway which may result from the exercise of this permit. The maintenance of the proposed driveway from the edge of the traveled portion of the highway shall be the responsibility of the owner of the property served by the driveway.

§ 119-12 Culverts.

When culverts have to be installed to control the flow of water, such culverts shall extend to an established drainage right-of-way, or the owner shall provide a deeded drainage easement at the outfall of the culvert. No culverts shall outlet into the gutter or a ditch on the highway right-of-way except with the permission of the Selectmen.

§ 119-13. Special requirements authorized under certain conditions.

If the Board of Selectmen finds that unusual drainage or traffic conditions might result from the construction of a common driveway, the Selectmen may require the construction thereof to conform to any special conditions or directions which the Director of Public Works or the Town Engineer may specify, including but not limited to the recording of a written maintenance agreement between the parties sharing the common driveway.

§ 119-14. Violations and penalties.

Any person, firm or corporation violating any of the provisions of this chapter shall be fined not less than one hundred dollars (\$100.) for each offense; and a separate offense shall be deemed committed upon each day during or on which the violation occurs and continues.