

PRIVATE ROAD OR DRIVEWAY/ACCESS PERMIT APPLICATION GUIDE
Town of Bennett Roads

It is the policy of the Township of Bennett that permission must be obtained to construct or maintain a driveway or other property access point within the Town Road right-of-way through the following prescribed procedure. Wisconsin State Statutes govern the requirements of driveway and property access points as follows:

Statue 86.05 provides that “Whenever it is necessary, in making any highway improvement to cut or fill or otherwise grade the highway in front of any entrance to abutting premises, a suitable entrance to the premises shall be constructed as a part of the improvements; and if the premises are divided by the highway, then one such entrance shall be constructed on each side of the highway. **Therefore each entrance shall be maintained by the owner of the premises.** During the time the highway is under construction, the state, county, city, village or town shall not be responsible for any damage that may be sustained through the absence of an entrance to any such premises.”

Statue 86.07 (2) provides that “No person shall make any excavation or fill or install any culvert or make any other alteration in any highway or in any manner disturb any highway or bridge without a permit therefore from the highway authority maintaining the highway. Such permit shall contain the statement and be subject to the condition that the work shall be constructed subject to such rules and regulations as may be prescribed by said authority and performed and completed to its satisfaction.”

In summary, the Town of Bennett is obligated to provide a driveway to private property only when making major grading improvements past said property. At all other times, the property owner must (1) obtain the required permit from the Town of Bennett, (2) install their own driveway, supplying the required **new** culvert **where necessary**, and (3) maintain the driveway henceforth.

The permit application has an associated deposit refundable when the entrance is completed and approved by the Town of Bennett. **If work is not completed by the completion date specified on the application, the deposit is forfeited.**

Residential Deposit	\$100.00
Commercial Deposit	\$200.00
Governmental Agencies are exempt from all deposits.	

The procedure for permit application is as follows:

1. Complete attached application form and submit with required deposit.
2. Mark proposed entrance location with orange marking flags.
3. Field review is made by Town of Bennett representative.
4. Applicant is notified of findings of field review.
5. Applicant purchases approved materials from supplier. If a poly (plastic) culvert is used it must meet AASHTO M252, Type S or SP or ASTM F2306
- .6. Applicant installs/constructs access without interfering with highway traffic flow.
7. Applicant notifies the Town of Bennett of access completion.
8. Town of Bennett representative performs final inspection.
9. Deposit is refunded when installation meets all requirements of the permit.

End walls or retaining walls are not permitted on driveways within the Town Road Right of Way.

Temporary accesses require the same procedure as permanent, but approved used culverts may be utilized and the deposit will be refunded only after removal and restoration at the installation location are completed. If the entrance is in place for more than one (1) year, **the deposit is forfeited.**

Construction requirements and conditions of permit issuance:

- 1) The applicant indicated on the permit represents all parties in interest, and that any driveway or approach constructed by or for the applicant is for the bona fide purpose of providing access to the applicant's property.
- 2) The permittee shall furnish all materials, do all work and pay all costs in connection with the construction of the driveway and its appurtenances on the highway right-of-way. In every instance, the subsequent maintenance of the driveway and of its appurtenances within the limits of the highway right-of-way shall be the responsibility of the indicated permittee who shall be obligated to pay all costs and accomplish all works necessary in relation to said maintenance of the driveway facility.
- 3) The driveway installation shall be made without jeopardy to or interference with traffic using the highway.
- 4) Highway surface, shoulders, ditches, and vegetation which are disturbed by the driveway installation shall be restored to at least the preexisting conditions by the driveway constructor.
- 5) The surface of the driveway connecting with the highway shall slope down and away from the highway shoulder a sufficient amount and distance to preclude ordinary surface water drainage from the driveway area flowing onto the highway road bed.
- 6) The driveway shall not obstruct or impair drainage in highway side ditches. Driveway culverts where necessary, shall be adequate for surface water drainage along the highway and in no case shall be less than the equivalent of 18-inch diameter, or as approved by permit.
- 7) No revision of additions shall be made to the access driveway or its appurtenances on the right-of-way without the permission of the Bennett Town Board or other Town designated representative.
- 8) The Town of Bennett does not assume any responsibility for the removal or clearance of snow, ice or sleet, or the opening of windrows of such material, upon any portion of any driveway or entrance along any Town Road, even though snow, ice, or sleet is deposited or windrowed on said driveway or entrance by its authorized representative engaged in normal winter maintenance operations.
- 9) The permittee, his successors, or assigns agree to hold harmless Town of Bennett and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of this permit.

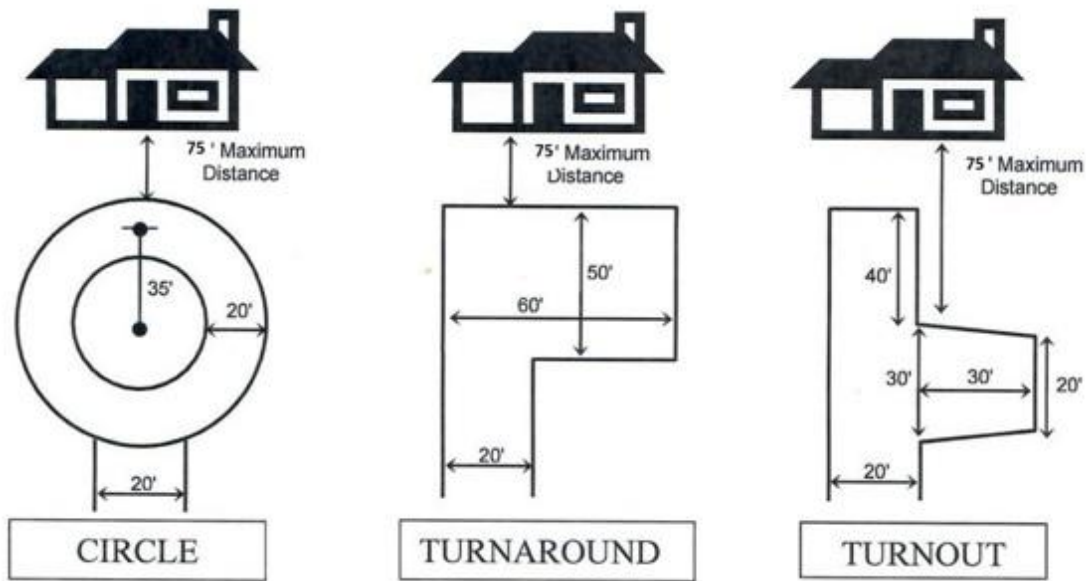
Distance Required Between Access Driveways to Abutting Properties:

<u>Minimum Distance Required Between Driveways</u>	<u>Minimum Distance to ROW Of Intersecting Highway</u>	
300 feet	150 feet	Class B Highways (County Trunk)
75 feet	75 feet	Class C Highways (Town Roads)

Maximum Number and Width of Access Driveways:

<u>Maximum Number of Access Driveways</u>	<u>Minimum Width of Access Driveway</u>	<u>Maximum Width of Access Driveway</u>	
2	30 feet	35 feet	Commercial and Industrial
1	20 feet	24 feet	Other Land Uses

Turn Around



These turn-around specifications are recommended but not mandated. They are designed to allow for turnaround of large vehicles such as fire apparatus, ambulance or plow trucks. Should you opt to not adopt these standards, it may hinder the Town of Bennett in providing the fullest degree of service.

APPLICATION / PERMIT TO CONSTRUCT DRIVEWAY WITHIN TOWN HIGHWAY R/W

Please fill out the required information of this form and submit to the **Town of Bennett** per the above instruction sheet. PLEASE PRINT OR TYPE

1. Applicant Name	5. Telephone # -Area code	6. Road Name
2. Applicant Mailing Address		7. ___Town ___Village of
3. Property Owners Name (If Not Applicant)		8. What type of Driveway (Check One) <input type="checkbox"/> New Driveway <input type="checkbox"/> Temporary Driveway <input type="checkbox"/> Improve Existing Driveway <input type="checkbox"/> Relocate Existing Driveway
4. If Not Property Owner, Reason For Application	9. Driveway Within The (Section-Township-Range)	
10. Estimated Completion Date: (Must Be Filled Out)		

11. What type of use will the driveway serve? (check one)
 Rural - Commercial / Industrial Urban - Commercial / Industrial
 Rural - Residential Urban - Residential
 Rural - Agricultural
12. Approximately how many times will vehicles use this driveway daily (check one)
 0-100 101-500 Over 500
13. What side of the Town road is the proposed driveway located? (check one)
 North South East West
14. Is the proposed driveway less than 75 feet from another driveway on the same side of the highway? Yes No (If proposed driveways less than 75 feet and location cannot be adjusted a variance from Douglas County Zoning will be required.)
15. What is the name of the nearest intersecting road from the proposed driveway?

16. In what direction from the intersecting road listed in #15 is the proposed driveway? (check one)
 North South East West
17. Approximately, how far from the intersecting road listed in #15 is the proposed driveway? _____ Feet or Miles (circle One)
18. Does this parcel of land abut or border alongside another public road? Yes No. If yes, please indicate road's name. _____
19. Please provide a copy of documentation from the jurisdictional zoning authority to prove how the property is zoned. If no zoning has been assigned to the property, include a statement from the jurisdictional zoning authority to the effect that the land is un-zoned.
20. If this parcel is un-zoned as indicated in #19, please explain how the land is currently being used. _____

21. Are you aware of any future plans to change the zoning or land use for this parcel? ___ Yes ___ No ___ Don't Know If yes, please explain.
22. Are there any plans to divide the property into smaller lots? ___ Yes ___ No If yes, please explain.
23. How many existing driveways does this property currently have? _____ (a variance from Douglas County Zoning is required for more than one driveway per parcel)
24. Are there any access easements across the property / recorded or unrecorded? ___ Yes ___ No (If yes, please submit a copy of the access easement agreement with the permit application)

If the driveway is not completed by the "completion Date" specified a time extension must be obtained from the Town of Bennett or this permit is null and void and the driveway shall not be constructed unless authorized through subsequent permit.

25. Are there any access restriction limiting the number of driveways to this property, i.e.: subdivision plat, certified survey map, deed, access covenant (recorded or unrecorded)? ___ Yes ___ No (If yes, please submit a copy of the access restriction agreement with the permit application)

The construction and maintenance of the driveway shall be the responsibility of the applicant. It is understood and agreed that approval is subject to the applicant's full compliance with the pertinent Statutes, as well as any codes, rules, regulations, and permit requirements of other jurisdictional agencies, (i.e. -DNR, Corp. of Engineers, Wetland Filling)

The applicant shall also comply with all permit provisions, superimposed notes, and detail drawings, which may be added by the Township. Any alterations of this form by the applicant is prohibited and may be caused to revoke this permit.

26. _____ (Property Owner/Authorized Representative Signature) _____ (Date)

APPLICANT SHALL PLACE A FLAG OR BRIGHT COLORED MARKER IN THE HIGHWAY DITCH VISIBLE FROM THE HIGHWAY AT THE LOCATION OF THE PROPOSED DRIVEWAY.

27. Describe what will be used: _____

For SAFETY PURPOSES, construction of bituminous, concrete, stone, timber or any other type of vertical headwalls will not be permitted. The driveway shall be constructed at right angles to the highway for the full width of the right of way.

Return Completed Application To: Tamara Johnson, Clerk
Town of Bennett
11043 E Homestead Lane
Lake Nebagamon, WI 54849

TOWN OF BENNETT USE ONLY

FEE / DEPOSIT

Received: \$ _____ Date: _____

Returned: \$ _____ Date: _____

PERMIT APPROVAL

Permit No. _____

(Town Chairman or Approved Representative Date)

Required Drainage Structure:

Inspector Instructions / Comments: _____

FINAL INSPECTION

Date Installation Approved: _____ By: _____

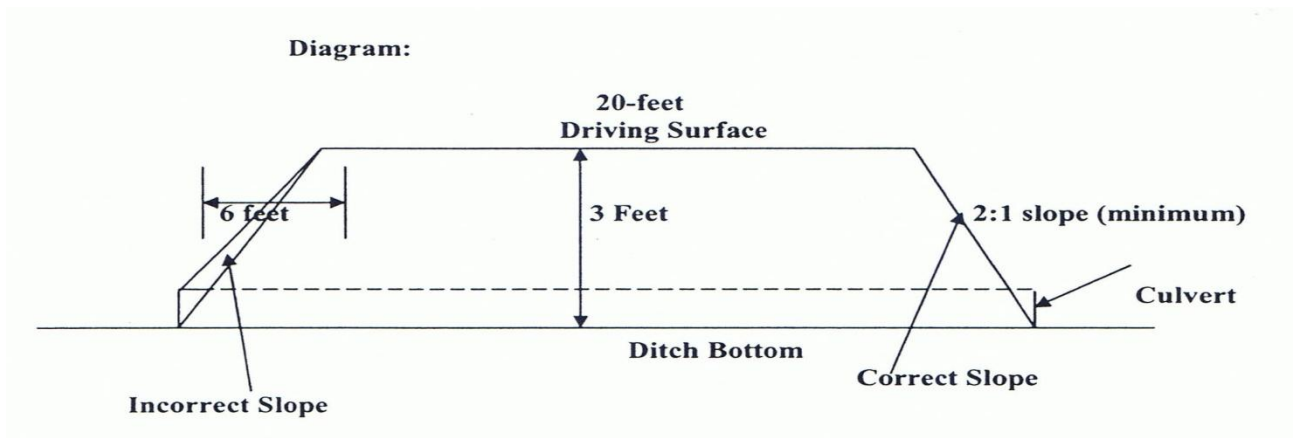
EXAMPLE

CALCULATION TO DETERMINE LENGTH OF CULVERT PIPE FOR ACCESS DRIVEWAYS

Assume: 20-foot wide driving surface
Ditch depth of 3-feet
Maximum driveway side slope is 2-feet horizontal for each foot of depth

Calculation: 20-feet of culvert for width of driving surface
3-feet of ditch depth multiplied by 2-feet horizontal equals 6-feet per end

20-feet + (3-feet X 2-feet) 2 sides = 32-feet



Final Inspection Checklist:

Driveway Width: Is driveway width correct and in accordance with the permit?

Has gravel (crushed aggregate) been placed on new driveway?

Is driveway higher than shoulder of roadway? Where driveway intersects or meets the shoulder of the roadway the driveway should not be built higher than the shoulder elevation for at least 3 feet. (from shoulder of driveway)

Is driveway slope correct? Driveway slope should end at bottom of culvert pipe, fill should not be placed all the way out to top and end of culvert pipe (see diagram above)

Please call the Town of Bennett at (715) 375-2394 when driveway installation has been completed.