

CITY OF SOMERVILLE, MASSACHUSETTS
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 MAYOR
 DEPARTMENT of INFRASTRUCTURE & ASSET MANAGEMENT
 ENGINEERING DIVISION



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STREET DESIGN, ACCEPTANCE, USE & MAINTENANCE
Distinctions Between Driveway/Walkways, Private Streets and Public Streets

Date: August 2020

	Driveway/Walkway	Private Street	Public Street
<u>Definition</u>	Pavement on private property providing vehicular and/or pedestrian access to private buildings, garages, parking, etc.	A way owned by abutters providing public access to abutter's private property. Some abutters may not have rights to the private street.*	A public way providing transportation along the way and access to abutters' private property.
<u>Ownership</u>	Private property.	Separate parcel owned by the abutters in common or by easement.*	Owned by the general public.***
<u>Public Access</u>	Controlled by the private property owner.	General public access to abutter's private property.	General public.
<u>Vehicle Access</u>	Controlled by the private property owner.	Determined by abutters. Can be restricted to different vehicle types.*	Determined by City. Can be restricted to different vehicle types.
<u>Utilities</u>	Controlled by the private property owner.	Public & private utilities serving abutter's private property.	Public utilities, and private utilities with a grant of location.**
<u>Snow Removal</u>	Responsibility of the private property owner.	Responsibility of the abutters. City may remove at its discretion.	City removes on the roadway, abutters remove on the sidewalk.
<u>Pavement & Drainage Maintenance</u>	Responsibility of the private property owner.	Responsibility of the abutters (including catchbasins and other surface drainage).	Responsibility of the City.
<u>Public Utility Maintenance (water, sewer & drain)</u>	Laterals are the responsibility of the private property owner.	Laterals are the responsibility of the private property owner; shared mains are the responsibility of the City.	Laterals are the responsibility of the private property owner; shared mains are the responsibility of the City.





<u>Parking</u>	Determined by private property owner.	Determined by abutters. Generally restricted to abutters.*	Determined by Traffic & Parking Commission.
<u>Parking Enforcement</u>	Determined by private property owner.	Owner of the private way. (MGL Ch 266, S120D)	Parking and Police Departments.
<u>Fire Lanes</u>	May be required by Fire Department, typically via zoning/building permits.	May be required by Fire Department via Traffic & Parking Commission.	May be required by Fire Department via Traffic & Parking Commission.
<u>Traffic Management Plan (TMP) & Street Occupancy Permit</u>	Not required.	Required only to show emergency access to all abutters is maintained. Approved by City Traffic Engineer.	Requires a complete TMP. Approved by City Traffic Engineer. All pavement work must be inspected by Engineering Department.
<u>Trench Permit</u>	Required. Work on drain, sewer & water must be conducted by a licensed drain layer.	Required. Work on drain, sewer & water must be conducted by a licensed drain layer.	Required. Work on drain, sewer & water must be conducted by a licensed drain layer.
<u>Construction Permit (new)</u>	Site Construction Permit.	Thoroughfare Permit	Thoroughfare Permit when constructed by a non-City contractor.
<u>Repair & Maintenance Permit</u>	Site Construction Permit.	Site Construction Permit or Thoroughfare Permit?	Thoroughfare Permit when constructed by a non-City contractor.
<u>Curb Cut Permit</u>	N/A	No permit required. Use of private way (e.g. parking) cannot restrict an abutter's access (e.g. curb cut) to their private property from the private way.*	Curb cuts permits determined by City.
<u>Curb Cut Design to Public Street</u>	Only a raised (sidewalk level) curb cut is permitted. Not permitted on some public streets, refer to zoning bylaw.	May be street-level curb cut (with Accessible Curb Ramps & crosswalks). City may require raised curb cut for low anticipated traffic and/or shared roadway.	Typically street-level curb cut. May require raised curb cut for low anticipated traffic and/or shared roadway.
<u>ADA/MAAB</u>	Provide accessible routes as required by ADA/MAAB.	Accessibility on at least one side and connection to all public entrances on abutting properties.	Accessibility on both sides to access all public & private properties.





<u>Street Name</u>	Not Permitted	Determined by owner & approved via Thoroughfare Permit.	Recommended by Memorials Committee, approved by City Council.
<u>Street Acceptance</u>	N/A	Thoroughfare Permit.	Upon completion of construction, surveyed as-built, and Certificate of Completion by City Engineer: Petition for Public Street submitted to City Council for approval.
<u>Street Discontinuance</u>	N/A	Single ownership of the entire length & width via the Derelict Fee Statute, or legal document agreed to by all abutting owners. Formalized by a lot merger plan signed by the Director of Planning and recorded with the Registry of Deeds.	By vote of the City Council.
<u>Notes:</u>	*Legal documents establishing the private way may allow for different conditions.	** Grants of location are for electrical & tel-com (MGL ch166, sect 22). Gas utilities do not require a grant of location.	***Some public streets are owned by abutters with a City easement for public access & use.

