

TOWN OF DENNIS

BOARD OF SELECTMEN

ROAD ACCEPTANCE POLICY AND PROCEDURE TIME LINE

Mid June: Public notice of closing date for filing road petitions published and posted.

4:30 p.m. last business
day of June:

Closing time/date for filing road petitions with the Board of Selectmen. Petitions must be received at the Office of the Town Administrator no later than the time/date specified. Petitions received after said time/date or incomplete petitions shall not be considered regardless of the cause for delay in the receipt of said petition.

Petitions may be obtained from the Engineering Department. Petitions shall be completed and signed by sixty percent (60%) of the owners abutting the road petitioned for acceptance and returned to the Office of the Town Administrator together with the following items, the cost of which shall be the responsibility of the petitioner.

1. Two (2) copies of the plan and profile of the existing roadway meeting the requirements of the Town of Dennis Subdivision Rules and Regulations for an “as-built” plan, prepared and certified by a Massachusetts Registered Professional Land Surveyor.
2. Coring and/or test hole logs showing pavement structure performed and certified by a Massachusetts Registered Professional Engineer approved by the Town of Dennis Engineering Department. Said corings and/or test holes shall be taken at the limits of the petitioned road and at points every 300 feet in between.
3. A certified abutter’s list from the Town of Dennis Assessor’s Office indicating property owners abutting the roadway being petitioned. The Town Clerk shall certify such list.

July 1st to
Mid August:

Engineering Department performs preliminary investigation of petitioned road(s) including;

1. Research of construction records and historical information as needed to determine road construction quality.
2. Research extent of development of abutting lots (if necessary).
3. Field inspection of road pavement structure, drainage components, utilities and other pertinent items.
4. Review submitted plans and all researched data and develop list of road conditions not meeting current Planning Board Rules & Regulation Standards and submit to Planning Board.

- Mid August: The Planning Board shall establish and post a public hearing date to discuss the road acceptance and shall notify the petitioner of such date. It shall be the responsibility of the petitioner or his agent to notify all abutters of the hearing date by Certified Mail, a minimum of two weeks prior to the established date. The applicant will supply the Planning Board with proof (Postal return receipt cards) of such notifications.
- Mid September: **Planning Board Hearing** – Planning Board reviews the proposed road betterments as to their compliance with current Subdivision Rules and Regulations Standards and makes recommendations to the Board of Selectmen.
- September: Engineering Department develops preliminary estimates of betterment and legal costs and determines cost per abutter based on appropriate method (i.e. per lot, frontage, etc.)
- Beginning of October: **Board of Selectmen Preliminary Road Meeting** – Board reviews Engineering Department report and Planning Board recommendations and votes whether to continue road acceptance to final hearing.
- October to Mid November: Engineering Department notifies each abutter by Certified Mail of his/her estimated betterment cost and requests abutter return a signed form stating whether he/she agrees or does not agree with having the betterment assessed to them. Notice also includes information regarding betterment payment methods established by the Town of Dennis Board of Assessors, as well as final road hearing date.
- Mid January: Final Road Hearing notice published.
- Beginning of February: **Board of Selectmen Final Road Hearing** – Board reviews “vote” by abutters. If greater than sixty percent (60%) of the abutters of the way agreed to accept the estimate of costs, the Board may vote to place an article on the next Annual Town Meeting Warrant recommending the taking of an Easement or Fee in the Way or Road. The Board shall not recommend acceptance of a road layout by Town Meeting unless sixty percent (60%) of the abutters of the way have agreed to accept the estimate of costs or unless the Selectmen shall determine by a 4/5 vote that a compelling public need exists for acceptance of a particular way.
- If an article is to be placed on the warrant, the Board shall authorize the Engineering Department to prepare Construction Plans and Bid Documents for the recommended betterments and obtain a construction bid in accordance with Mass. G.L. Ch. 30 and 30b for said work.
- Mid April: Final Linen Plans and the Selectmen report are filed with the Town Clerk’s Office. Final estimated betterment costs are calculated using lowest acceptable construction bid.
- May: **ATM Action** either accepts or rejects the Taking of an Easement or Fee in the Way or Road.

Within 30 days

After ATM:

Title examination performed, Order of Taking prepared and signed by Selectmen, Order and Plan recorded at the Registry of Deeds or Land Court.

Upon Completion

Of Betterments:

Each abutting owner shall be billed for the actual total costs of accepting the road, not the estimated costs.

Petition filed by: _____ Tel. No.: _____

Date received: _____

NOTE: Use back of page for additional names if necessary.