

TOWN OF SCITUATE

Department of Public Works

Albert G. Bangert
Director



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Dear Resident,

The purpose of this note is to acquaint you with the process used by the Town to consider requests for a private way to be accepted by the Town as a public way.

- **What is a public way?** A public way is a street, road, drive, lane, etc. laid-out by the Board of Selectmen and dedicated to public use. The Town, by a vote of Town Meeting, has accepted responsibility and liability for maintenance of these public way in perpetuity.
- **What is a private way?** A private way is a street, road, drive, lane, etc., serving several homes that has not been formally accepted by the public through their legislative body, Town Meeting. As such, the Town is not responsible for maintenance, drainage, snow removal, street sweeping, traffic enforcement, etc. This cost and the liability belongs to the residents along the way or the owner of the way.
- **How do I get my private way converted to a public way?** The Town has a Street Acceptance process that can be initiated by residents living on a private way.
 1. The property owners along the private way submit a petition containing signatures from at least 75% of the owners to the Office of the Board of Selectmen requesting that their street be considered for acceptance. The Selectmen's Office refers the request to the Street Acceptance Committee that is composed of the Chairman of the Board of Selectmen, a Planning Board member, an Advisory Board member, and a Department of Public Works member.
 2. The Street Acceptance Committee conducts a public hearing. If it seems feasible for the street to be brought up to public way standards, the Committee will ask the DPW Engineering Department to develop a preliminary cost estimate for the required work (paving, drainage, line striping, signage, etc.)¹
 3. This preliminary cost estimate will be provided to the abutters for their consideration. If 75% of the abutters reconfirm their desire to pay to have their street upgraded at their cost and converted to a public way, the Street Acceptance Committee will make a recommendation to the Board of Selectmen.
 4. The Selectmen will conduct a public hearing on the recommendation and vote whether or not to accept the recommendation.
 5. If the Selectmen vote to proceed, the Engineering Division will hire the necessary technical resources to prepare the required plans and documentation. The petition for street acceptance and the Betterment to pay for the work will be placed on the warrant for the next Town Meeting.
 6. If Town Meeting votes to accept the street and Betterment, the DPW will complete the specified street and drainage upgrades and file all of the paperwork to make the street a public way. The Tax Collector will place the Betterment charge on each property owners tax bill.

Attached is a sample Petition for your use should you wish to move forward with the Street Acceptance process. Please give me a call (781-545-8731) if you would like to discuss this matter or require further information.

Albert Bangert, Director of Public Works

¹ The cost of these improvements will be charged to the abutters via of a Betterment. The property owners can pay the betterment in a lump sum or spread it out over a number of years.

