



Washington Grove Town Office
300 Grove Avenue, P.O. Box 216
Washington Grove, MD 20880
301-926-2256
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**Application for Public Ways and Property Permit:
Residential Aprons (e.g.: Driveway or Entry Walk Construction on Town
Right of Way Adjoining Residential Property)**

TYPE OF WORK: (describe) (attach copy of plans)

LOCATION OF WORK:

Name of Street, Avenue, Road, Lane, Alley or other right of way and Limit of Work

Work Dates: Start: _____ End: _____

ARE THERE TREES OR BUSHES IN, OR PARTIALLY IN, THE TOWN RIGHT-OF-WAY FOR THE PROPERTY? If "yes", the application will be reviewed by a Planning Commissioner to determine if the Maryland Roadside Tree Law applies. If so, further instructions will be provided to the applicant.

YES _____ (attach description/location) NO _____

APPLICANT INFORMATION:

Name of Applicant: _____ Telephone #: _____

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Fee: _____ Date Paid: _____

Application is being made for a permit to undertake work in a public way or on Town property within the corporate limits of the Town of Washington Grove, according to the detailed descriptions and location. Applicant acknowledges receipt of a copy of Article III, Section 14 of the Code of Ordinances of the Town of Washington Grove, and agrees that the proposed work will be performed in accordance with the preceding conditions and said Section 14, which will be made a part of this permit when issued.

APPLICANT ACKNOWLEDGES THE AREA OF TOWN RIGHT OF WAY OTHER THAN THE ACTUAL PERMITTED CONSTRUCTION MUST BE RESTORED TO ITS ORIGINAL CONDITION ONCE WORK IS COMPLETED

Applicant's Signature

Print Name

Date

Approval

Print Name

Date

Information for Applicants for a PW&P Permit for Residential Aprons (as for Driveways and Entry Walk access)

1. Applicants may request an Application for Public Ways and Property Permit for Residential Driveway and Entry Walk Aprons, applicable ordinances and information from the Town Office of the Town of Washington Grove, Maryland, by letter, email, telephone, or in person.
2. The completed application should be delivered to the Town Clerk in person or by mail addressed to the attention of the Town Clerk. Applicant must include the following items in order for the application to be accepted for consideration by the Washington Grove Planning Commission:
 - a) Completed application form including all attachments. Please refer to the Evaluation Criteria for Driveways and Parking Areas attached here for a description of the information required.
 - b) Copy of a boundary survey, house location diagram, plat, or other diagram showing distances from proposed work to property lines and/or corner markers, and showing locations of all trees, and shrubs.
 - c) Copy of work plans and elevations drawn to scale as noted on the plan legend, to include the footprint of proposed work, staging areas, and equipment access ways. Work plans shall include protection and remediation measures for potential disturbance of trees, and shrubs. If historic features are identified by the Historic Preservation Commission, they may require protection/remediation as well.
 - d) Fee payable to the Town of Washington Grove (\$10.00, cash or check).
3. A PW&P permit application must be received in Town Office on or before the second Wednesday of the month prior to the PC meeting at which the permit will be reviewed (this will be in the following month). This timing ensures the Historic Preservation Commission (HPC) will be able to complete their review before the PC meeting.
4. The applicant must post a "Notice to Neighbors" sign within 7 days of receiving it from the Town Clerk. The PC will not act on an application unless the "Notice To Neighbors" sign was posted in a timely manner (at least 7 days before the PC meeting) as confirmed by the PC.
5. After the Town Office receives the application, the Planning Commission and the Historic Preservation Commission or their assigned representatives will determine if the application and supplementary materials are sufficient for their review. If not, the applicant will be informed and the entire application returned to the applicant. If there are trees or shrubs in, or partially in, the public right-of-way a designated PC member will review the plan to see if a Roadside tree permit is needed. If so, the PC member will go over the required additional paperwork with the resident.
6. After receiving the application for a permit, the Planning and Historic Preservation Commissions will review the entire package at their respective scheduled monthly meetings. Assuming all the desired information has been provided. The HPC will provide its Review to the Planning Commission with a copy to the Applicant, and a decision will be rendered by the PC at its next meeting. Once the permit is approved, the application and submitted plans will be stamped and returned to the applicant.
7. While Montgomery County permits are generally not required for driveway or entry walk construction in town, one may be required if any structural work is done as part of the project. In that case, the issuance of a Public Ways and Property Permit by the Town of Washington Grove does not preclude the need to obtain a Montgomery County permit. It is the responsibility of the applicant to

determine if a County permit is required. The Montgomery County Department of Permitting Services can be contacted at 311 or 240-777-0311 for additional information.

8. If the Town denies the permit, the application will be so stamped and returned to the applicant including the grounds for denial.
9. The operation of the Town government is dependent on volunteers and every effort is made to review applications promptly. Questions regarding status of applications should be directed to the Planning Commission Chairman. Please call the Town Office for contact information.
10. This permit is valid for 90 days unless otherwise noted.
11. This permit is **NOT** transferable.

ARTICLE XVI. SCHEDULE OF FEES

Section 11. Public Ways and Property Permit Fees

(a) Application Fee –

1. For proposed work in a public way or on Town property that is adjoining real property owned by the applicant, the public ways and property permit application fee is \$10.00.

ARTICLE III. Section 14. Construction in Public Ways and on Town Property

For purposes of this Section:

1. "person" includes individual, firm, association, partnership, corporation, utility, governmental body, or combination thereof.

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PUBLIC WAYS AND PROPERTY

2. "public way" includes any street, avenue, road, highway, lane, alley or other right of way under the jurisdiction of the Town, including curbs, gutters, sidewalks or storm drainage facilities.
 - a. It shall be unlawful for any person to perform any excavating or other work either in the public ways or on town property not in the public ways without first obtaining a permit from the Town through its Planning Commission at a fee established by Article XVI, Section 10, Public Ways and Property Permit Fee. Prior to its consideration of a permit application, the Planning Commission may require the applicant to provide such information as is necessary for the review. In the case of a utility emergency, a waiver may be obtained from the Mayor.
 - b. A bond based on the nature and extent of the proposed work may be required.
 - c. In addition to any other enforcement available by law, the Mayor may issue a Stop Work Order against any person violating this section. No person shall continue to work in violation of the provisions of a Stop Work Order still in effect and operation. Failure to comply with a Stop Work Order is a violation of this Article.
 - d. This section does not apply to ordinary maintenance and repair to existing residential driveways and parking areas.
 - e. The Planning Commission will review the location, character, and extent of the proposed work for consistency with the Washington Grove Master Plan, and/or with other evaluation criteria contained in the Town Charter, enacted Town ordinances, or adopted Town resolutions.
 - f. The submission to the Planning Commission shall be considered approved if the Planning Commission fails to act on the submission within 60 days after the date it was submitted; except that the Planning Commission, by resolution, may extend this time limit by 30 days.

EVALUATION CRITERIA FOR DRIVEWAYS, PARKING AREAS, AND WALKWAYS USING PUBLIC WAYS AND PROPERTY (per Resolution 2021-04)

1. USE OF EVALUATION CRITERIA – As per the Washington Grove Code of Ordinances, Article III, Section 14, Construction in Public Ways and on Town Property:

- The Planning Commission will review the location, character, and extent of the proposed work for consistency with the Washington Grove Comprehensive Plan, and/or with other evaluation criteria contained in the Town Charter, enacted Town ordinances, or adopted Town resolutions.

2. DEFINITIONS – For the purposes of the evaluation criteria provided below, the following words and phrases have the meanings stated, unless the context clearly indicates otherwise.

- a. Driveway Apron – A paved or graveled area that is placed between the road pavement edge and the lot line for vehicular use. Also referred to as “driveway entrance” and these terms are interchangeable in these criteria. The driveway apron is the entire portion of a driveway or parking area located on the public way and/or on Town-owned property.
- b. Lot – A lot is a developed or undeveloped parcel of land, having frontage on a public right of way and consisting of lots of record or portions thereof, or parcels described by metes and bounds, singly or in combination, in one ownership.
- c. Lot Line – Any boundary line of a lot as herein defined.
- d. Ordinary Maintenance and Repair – The minor routine activities needed to keep a driveway, parking facility, or walkway in, or return it to, working or usable condition. These activities typically involve replacement or renewal with in-kind materials. Major alterations (e.g., increases to square footage coverage, changes in location, or changes to surface material) are not considered ordinary maintenance and repairs.
- e. Permit – A permit obtained from the Town in accordance with Article III, Section 14, Construction in Public Ways and on Town Property.
- f. Public Right of Way – The area on, below, or above property that has been designated for use as or is used for a public roadway, highway, street, sidewalk, walkway, alley or similar purpose, and for purposes of these criteria shall include public utility easements.
- g. Public Utility Easement – Unless otherwise specified or restricted by the terms of the easement, the area on, below, or above a property in which the property owner has dedicated an easement for use by utilities.
- h. Public Way – Any street, avenue, road, highway, lane, alley or other right of way under the jurisdiction of the Town or Montgomery County, including curbs, gutters, sidewalks or storm drainage facilities.
- i. Public Ways and Property – All public ways and Town-owned properties, including all public rights of way within the corporate limits of the Town.
- j. Roadside Tree – A tree or shrub located in or partially in the public right of way.
- k. Street – A public right of way for the use of motor vehicles including Alleys, Roads and Lanes. The terms “street” and “road” are interchangeable in these criteria.
- l. Town – Town of Washington Grove, Maryland.
- m. Walkway Apron – A paved or graveled area that is placed between the road pavement edge and the lot line for pedestrian use. The entry walk apron is the entire portion of a walkway located on the public way and/or on Town-owned property.

3. DRIVEWAY OR ENTRY WALK APRON SPECIFICATIONS – The following items provide evaluation criteria intended for use when reviewing a permit application for a driveway or walkway apron.

- a. Separation from Nearest Intersection – All new driveway aprons must be located more than 20 feet from the nearest intersection of two streets, said intersection being an angular juncture of lot lines adjoining these two streets.
- b. Dimensions – All driveway aprons shall be constructed with a maximum width of 20 feet.
- c. Roadside Tree Protection – A Maryland Roadside Tree permit may be required. If so, details will be sent to the applicant as soon as available. Driveway or walkway apron width may be minimized to limit impacts to a roadside tree. Permit applications may be denied if the proposed work impacts a roadside tree.
- d. Stormwater Drainage/Erosion Control – Permit applications must address any apparent situations where stormwater drainage control may be required to protect public ways and property, or nearby privately-owned property.
- e. Obstructions to Vision – Permit applications must include a diagram to identify any trees, or other obstructions to vision, located in the public right of way of a street within 20 feet of a proposed driveway apron.
- f. Location of Utilities – Permit applications must include a diagram to identify any utilities and any public improvements located in the public right of way of a street within 20 feet of the proposed driveway or walkway apron.
- g. Maintenance – Construction and maintenance of driveway or walkway entrances on public streets is the responsibility of the property owner who uses the entrance.
- h. One Driveway Apron Per Lot – Only one driveway apron per residential lot is allowed unless the applicant submits evidence to the Planning Commission to support the valid need for a circular driveway and/or multiple driveway aprons.