



TOWN OF
MIDDLETON
Wisconsin

BUILDING PERMIT PACKET

DRIVEWAY/CULVERT

Updated 5/17/2021

7555 W. OLD SAUK ROAD | VERONA, WI 53593 | Phone: 833-5887 | Fax: 833-8996

www.town.middleton.wi.us | info@town.middleton.wi.us

Driveway/Culvert Permit

Town of Middleton

Last Updated: 05/17/21

7555 W. Old Sauk Road
Verona, WI 53593-9700
Phone: 608-833-5887
Fax: 608-833-8996
info@town.middleton.wi.us

Part A: (To be Completed by Applicant and submitted to Town)

Builder's Name: _____

Builder's Address: _____

Builder's Phone: _____ Builder's Email: _____

Property Owner's Signature: _____ Date / /

Property Owner's Name: _____

Property Owner's Address: _____

Property Owner's Phone: _____ Property Owner's Email: _____

Lot or Parcel Description: Street Address: _____

Plat Name/CSM/Lot Number: _____

Metes and Bounds: _____

Driveway Details:

_____ Sketch Attached (Sketch must include the spot elevations at roadway tie in, low point of driveway, 20' from edge of pavement and proposed garage elevation. Sketch must be in plan view and show the relative location of proposed home and driveway within the property. The sketch must include driveway dimensions or have a proper scale. See example attached.)

Driveway Length (Measured from edge of street pavement to face of residential/commercial structure): _____

Check All That Apply:

_____ Driveway Enhancement (i.e. grade changes, additional pavement)

_____ New Driveway _____ Long and/or Shared Driveway

_____ Asphalt Surface _____ Concrete Surface _____ Gravel Surface

Other Information: _____

Part B: (To be Completed by Town and forwarded to Town Engineer and Town Building Inspector)

Date: _____ / _____ / _____ Fees Collected: _____ Town's Signature: _____

Part C: (To be Completed by Town Engineer)

Required Pipe Size, Slope and Material from Development Drainage Plans (if available)*

Other Comments:

Date: _____ / _____ / _____

Engineer's Signature: _____

*Where the required pipe size, slope and material has been determined as required by Town Land Division Ordinance, this information is provided by the Developer's engineer of record. The Town of Middleton is not responsible for the accuracy of the culvert size computations or issues that may arise due to errors in the information provided.

Required Inspections: (Applicant (Builder or Owner only) to request inspections from Town Engineer. Engineer will complete the inspections within 4 working days.)

- Before culvert is installed – to confirm culvert is being placed at the grades of the established ditch or to the grades and slopes required by the approved development plan; and to confirm that the location of the driveway is consistent with the proposed application. Modifying the existing ditch grades could negatively impact adjacent properties. **Upon completion of the driveway paving, and restoration of the ditch disturbed by construction.**
- **Owner or applicant are to identify the proposed driveway location on the property with a lath or other means before calling for this inspection.**
- Contractor or Homeowner is required to call for a driveway inspection **BEFORE THE CONCRETE IS POURED OR PAVED WITH ASPHALT.**

Notes:

- Contractor to verify if existing street has binder course or final pavement at time of driveway installation. The placement of final pavement typically adds an additional 1.75" of pavement depth at the roadway edge. Driveways installed adjacent to binder course pavement shall **leave the last 5 feet unpaved** abutting the street or construct your driveway with concrete, asphalt, brick, etc., to the edge of pavement and then have the last 5 feet removed and replaced at the owner's expense when final pavement is placed.
- The applicant represents all parties in interest, and that such proposed driveway is for the bona fide purpose of securing access to the applicant's property and not for the purpose of parking or servicing vehicles, advertising, storage or merchandising of goods within the dedicated portion of the Town road or street, or for any other purpose.

I understand work completed without written authorization from the Town Board or their representatives is subject to removal and/or replacement at the Owner's expense. I agree that all work shall be in compliance with Chapter 8.01, of the Town's Ordinances at the time of installation and with the notes listed on the opposite side of this form. I agree to inform any contractors involved with the installation of the driveway and/or culvert of this information and the notes listed.

For lots with Public Recreational Trail easements or stormwater easements, a staff level site plan review is required. These lots are subject to restrictions per Town Code.

Applicants with driveways that meet the long and/or shared driveway ordinance requirements, driveways requiring a variance or lots that require a site plan review will be billed actual review fees in excess of the initial application fee.

In the event that the Town incurs additional fees to obtain compliance with the terms of the driveway permit or site erosion control, the applicant shall be responsible for all such fees.

X _____

Builder's Signature

_____/_____/_____

Date

I understand and agree that I will be responsible for payment of actual review fees if I require a variance, site plan review, or if my driveway is a long and/or shared driveway. I will receive an invoice for those fees, which invoice must be paid within thirty (30) days of the date of invoice. I further understand that, if I dispute any such invoice, I must inform the Town Clerk of the dispute within thirty (30) days of the date of the invoice by submitting a letter to the Town Clerk identifying the disputed fees and the reason for the dispute. In the event no timely dispute is raised and I fail to timely pay the invoice, I agree that the fees may be placed on the tax roll for the tax parcel served by the driveway together with an administrative charge equal to 10% of the outstanding amount due or \$25.00, whichever is greater.

X _____

Owner's Signature

_____/_____/_____

Date

X _____

Owner's Signature

_____/_____/_____

Date

(All owners must sign)

(Over)

Driveway Permit/Culvert Requirements

Town of Middleton

Last Updated: 5/17/2021

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When your personnel, a subcontractor or landscaper is working on a new or replacement driveway, this information will guide personnel or subcontractor(s) in their work:

General Information:

Inspections are required for all driveways **prior** to paving or concrete being poured to ensure that they are in compliance with the Town's Driveway Ordinances and deed restrictions applicable to the property. **Any driveway that is completed before an inspection is done, and not meeting town Ordinance standards and/or deed restrictions applicable to property, will be required to be removed and replaced at the contractor/owner's expense.**

- All driveways will be installed at an elevation matching final edge of road elevations.
- Temporary asphalt ramping on the street pavement may be placed if surface asphalt is not yet installed.
- Construction equipment and vehicles shall be limited to one entrance per lot in the location of the future driveway.
 - Driving through ditches or across utility easements with trucks and equipment will not be permitted.
 - Non-compliance will result in a substantial fine

Driveway permits in the Town of Middleton require:

NOTES:

- Precast concrete end sections or prefabricated metal apron end sections are required on all culverts.
- Concrete, asphalt, timber, boulders or stone shall not be placed at culvert ends or on any down slope or fore slope created by the driveway construction within the public right-of-way unless such materials are placed to conform to allowable slopes from the driveway edge to the grade at the culvert end and do not create any vertical surfaces.
- Maximum driveway width is 22' at right-of-way and 28' at the street pavement edge for residential driveways.
- The surface of the driveway connecting with the street shall slope downward and away from the street, for a minimum of five feet measured from the edge of the roadway, and shall be pitched such that the lowest point of the driveway within the first 10 feet is a minimum of 3" lower in elevation than the lowest elevation along the line formed by the driveway abutting the roadway.
- Maximum grade for the first 20 feet of driveway measured from the street pavement edge is 4%. Maximum grade beyond the first 20 feet is 10%.
- Culvert size indicated is for a circular pipe. In most cases, elliptical equivalent pipes are acceptable.
- Driveway culverts shall be installed prior to any construction activity occurring on the site.
- Construction equipment and vehicles shall be limited to **one entrance** per lot in the location of the future driveway.
- Driveway culvert lengths shall be such as to provide for a maximum slope of 4:1 (or a 4' horizontal run to 1' vertical drop) from the driveway edge to the culvert end when the posted speed limit is less than 45 MPH. When posted speeds are equal to or greater than 45 MPH, culvert lengths shall be such as to provide for a maximum slope of 6:1 (6 feet horizontal to 1 foot vertical) from the driveway edge to the culvert end. In general, culverts serving only one property shall not exceed 50 feet in length unless approved by the Town Engineer.
- Driveways can be constructed with concrete, asphalt, or brick. However, if a driveway is constructed prior to the surface layer of asphalt being placed, a minimum of 5 feet of the driveway (measured from the roadway pavement edge), must be constructed with cold patch asphalt, hot mix asphalt, or crushed stone. Under current Town policy, Developer must install the binder course of asphalt for the public streets and then wait a minimum of one calendar year before installing the surface course of asphalt. Each

Owner who constructs a driveway before the surface course is placed on the public street adjoining the Owner's Lot shall construct the driveway to match the elevation of the surface course except for the last five feet which shall be sloped down to match the binder course elevation. At the time the surface course is placed, the last five (5) feet of asphalt pavement shall be removed and replaced to match the surface asphalt elevation.

- For concrete or brick driveways built after the surface asphalt is placed, the concrete may extend to the edge of the street pavement and must match the surface asphalt elevation. Concrete driveways built at this time and extended to the street pavement edge shall be built with a control joint five feet from the asphalt roadway edge.
- Any Owner who does not comply with these requirements may be required by the Town to remove and correct the Owner's driveway at the Owner's expense. Before the surface course is placed on a public street, the Town's snowplows may damage driveways which have been placed above the elevation of the binder course of asphalt. The Town will not be liable for the repair of any such damage. Any such damage shall be repaired at the sole expense of the Owner.
- Each Owner shall install the Owner's driveway within thirty days after completion of construction of the Owner's house, unless not permitted by weather conditions. If weather conditions delay completion of a driveway, the driveway shall be completed as soon as weather permits.
- Each Owner shall comply with any driveway ordinance of the Town from time to time in effect and shall obtain from the Town any driveway permit required by such an ordinance before any driveway is constructed or any culvert placed.
- It is the responsibility of the Owner to confirm whether the surface course has been placed when the Owner constructs the driveway. The Owner can contact the Town for this information.
- Inspections are required for all driveways prior to paving or concrete being poured to ensure that they are in compliance with the Town's Driveway Ordinances. All driveways will be installed at an elevation that will match final edge of road elevations.

Contractor or Homeowner is required to call for a driveway inspection a minimum of three working days **BEFORE THE CONCRETE IS POURED OR PAVED WITH ASPHALT**. Any driveway that is completed before an inspection is done, and that does not meet Town Ordinance standards, will be required to be removed and replaced at the contractor/owner's expense.

Road right-of-way

- See Typical Town Right-of-way X-section Detail and description below. These items document Town expectations for the placement/non-placement of various items in the Town right-of-way by property owners.
- The Town of Middleton does not permit boulder walls or retaining walls of any sort in the road right of way.
- The Town requires both the builder and property owner to sign the driveway permit to strengthen communication with homeowners and their landscapers.
- To reduce the need for retaining walls, the Town requires the installation of culverts that are long enough so the slope ratio from the end of the culvert to the drive is 4:1.
- Non-compliance will result in the removal and/or modification of the driveway, culvert, and/or culvert end treatment.
- There will be no distinction between driveways/culverts on dead end streets and those on through streets.

Erosion, Sediment and Tracking

Chapter 17 of the Town of Middleton Ordinances includes the following language:

- 17.07: Any person, firm or corporation who causes or permits erosion, sediment deposits tracking or dropping of dirt on adjacent land, public streets or bodies of water from any land.... shall be deemed in violation of this chapter and subject to the penalties provided in Section 17.10.
- 17.05 applies when an area of 4,000 or more square feet is disturbed resulting in the loss or removal of protective ground cover or vegetation. Such activity requires a permit. To obtain a permit an Erosion Control Plan must be submitted, approved and adhered to.
- The town strictly enforces these provisions through the issuance of citations and if necessary, stop work orders and Town correction of the violation at the owner's expense.

Driveway FAQ

- **Who should I call for an inspection?**

Please call Town Engineer to schedule an inspection at (608) 821-3979.

- **What is the turnaround time for a driveway permit?**

Typical turnaround for a regular driveway permit review is 3-4 days. Turnaround times for driveway reviews meeting the long and/or shared driveway requirements vary.

- **When is the culvert inspection by the Town?**

The culvert's diameter, location, and total length are inspected when the driveway forms are in and prior to driveway installation. If you have questions or concerns about proper installation of the culvert, please refer to the Town code or contact the Town.

- **What can I expect of the typical review fee for a long and/or shared driveway?**

The review fees for long & shared driveways typically range between \$800 and \$1500. Higher engineering costs typically are a result of incomplete driveway applications or driveway designs requiring a variance.

- **After the proposed driveway configuration was reviewed and approved by the Town, site conditions or other conditions have required an adjustment to the proposed driveway design. Do I need to submit another application and pay an additional \$400?**

An updated sketch should be submitted and reviewed by the Town. In lieu of submitting an additional \$400 application fee, the applicant will be billed for actual Town review fees up to a maximum of \$800 total for regular driveways.

- **What is the typical Town variance process and are there additional fees involved?**

If the applicant has submitted a driveway application that does not meet Town ordinances, Town Engineer will work with the applicant and the Fire District to provide guidance to the applicant in order that they may design a driveway to accommodate emergency vehicles and meet the Town's requirements as is feasibly practicable. The Town Engineer will draft a letter to the Town Board for variance request as supported by the Fire District to be included as an agenda item at the next Board meeting. Pending approval by the Town Board, the Town Engineer will issue the driveway permit within a day or two after the Board approves the variance (s). Board meetings are typically held on the first and third Mondays of each month. The applicant will be subject to excess Town fees above the initial application fee for time required to complete the variance process.

- **Why is the maximum driveway grade limited to 4% within the first 20 feet from the edge of pavement?**

The maximum driveway grade is limited to 4% to accommodate Town snow plow vehicles and to prevent damage to private property and Town equipment.

- **Why isn't the maximum allowable driveway slope similar to the Dane County requirements of 12%?**

The maximum allowable driveway slope in the Town is 10%. Based on the steep topography and the length of many driveways within the Town of Middleton, the Fire District requests a comprehensive review of any driveway with slopes over 10% to ensure emergency vehicle access is attainable.

- **Should the last 3 feet or the last 5 feet be left unpaved if the driveway is being poured on a road with binder course?**

Current Town Ordinance requires driveways installed adjacent to binder course pavement shall leave the last 5 feet unpaved abutting the street or construct your driveway with concrete, asphalt, brick, etc., to the edge of pavement and then have the last 5 feet removed and replaced at the owner's expense when final pavement is placed.

- **Why is the minimum width of gravel driveway 14' but an asphalt or concrete driveway width 12'?**

A 1' gravel shoulder is required on each side of an asphalt driveway as preferred by the Fire District and standard engineering practice. If a gravel driveway of 12' was previously approved and installed then subsequently the homeowner wished to pave the driveway with asphalt, the gravel portion would need to be widened prior to placing asphalt.

- **What restrictions are placed on a lot that includes a Public Recreational Trail easement or Public Stormwater easement?**

The proposed home layout may not encroach on either a Public Recreational Trail easement or Public Stormwater easement. Buildings, garages, accessory structures, driveways, trees, shrubs and patios/stoops are not permitted in these easements per Town Code. In addition, a site plan review is required to verify stormwater is properly accounted for. No construction that results in changes to the existing improvements, grades or drainage patterns within these easements shall be allowed.

**TOWN OF MIDDLETON
BUILDING PERMIT FEE SCHEDULE
2025-2027**

New Single-Family Completion Deposit: \$2,500

One- & Two-Family Dwellings

- a. New Structure and Additions – All Areas\$ 0.15 per sq. ft. (*\$250.00 min*)
PLUS
 - Mechanicals – All Areas
 - Electrical \$0.08 per sq. ft. (*\$125.00 min*)
 - Plumbing..... \$0.08 per sq. ft. (*\$125.00 min*)
 - HVAC..... \$0.08 per sq. ft. (*\$125.00 min*)
 - State seal..... \$40.00
 - Erosion Control..... \$150.00
- b. Remodels\$15.00 per thousand of estimated cost (*\$200.00 min*) *Plus mechanicals*
- c. Accessory Structures..... \$ 0.15 per sq. ft. all areas (*\$125.00 min*)
- d. Swimming Pools..... \$375.00
- e. Miscellaneous Replacements \$125.00
- f. Electrical Service Upgrade and Temp services \$150.00
- g. Solar Photovoltaic Roof Top Installations..... \$300.00

Commercial Buildings

- a. New Structure and Additions – All Areas \$0.18 per sq. ft. (*\$375.00 min*)
PLUS
 - Mechanicals
 - Electrical \$0.10 per sq. ft. (*\$175.00 min*)
 - Plumbing..... \$0.10 per sq. ft. (*\$175.00 min*)
 - HVAC..... \$0.10 per sq. ft. (*\$175.00 min*)
- b. Remodels\$18.00 per thousand of estimated cost (*\$375.00 min*) *plus mechanicals*
- c. Miscellaneous Replacements \$225.00
- d. Electrical Service Upgrade and Temp Services \$250.00

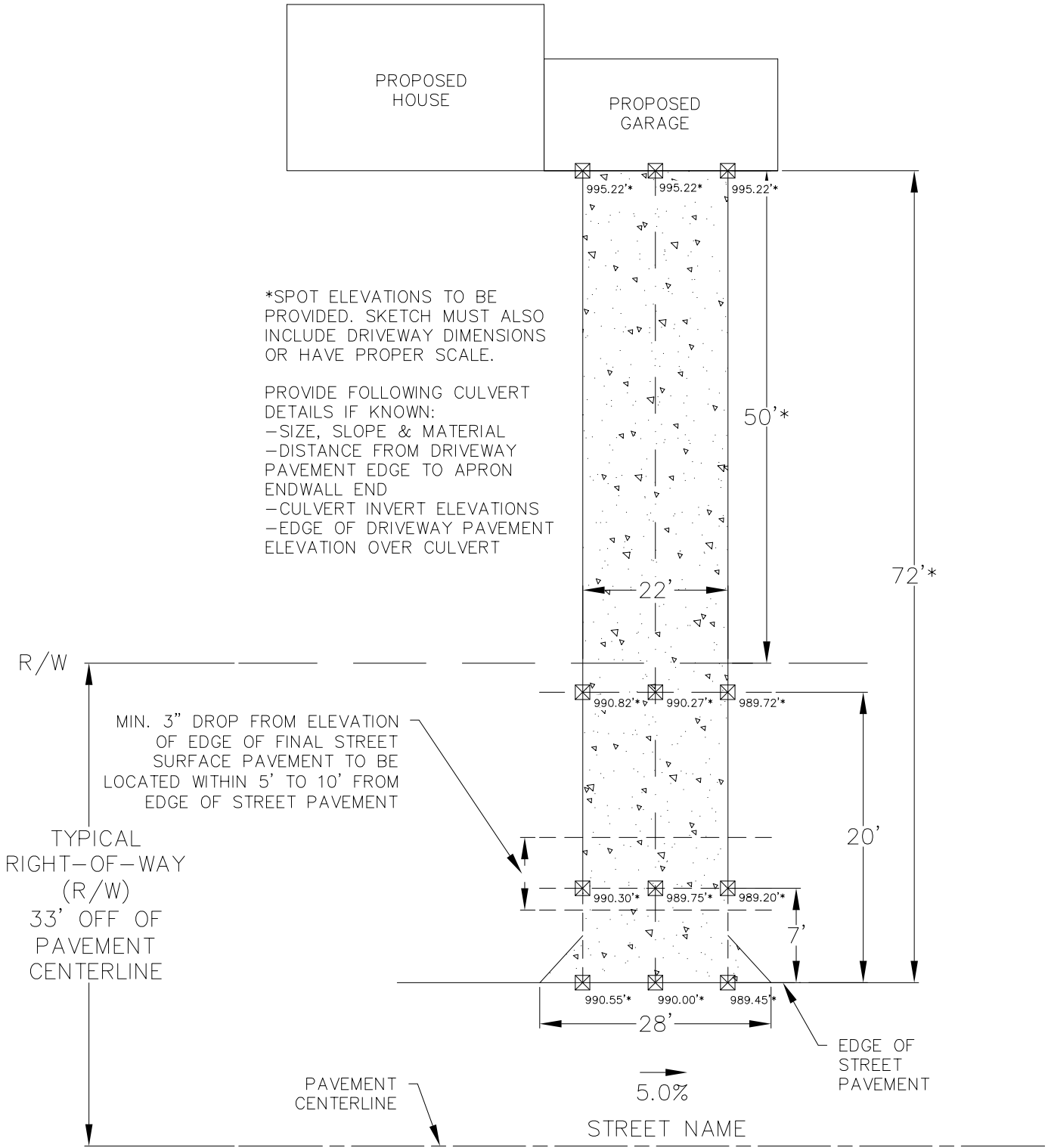
Other

- a. Razing Fee \$250.00
- b. Agricultural Buildings..... \$175.00
- c. Early Start Permit/Residential \$225.00
- d. Early Start Permit/Commercial..... \$375.00
- e. Reinspection fees..... \$100.00

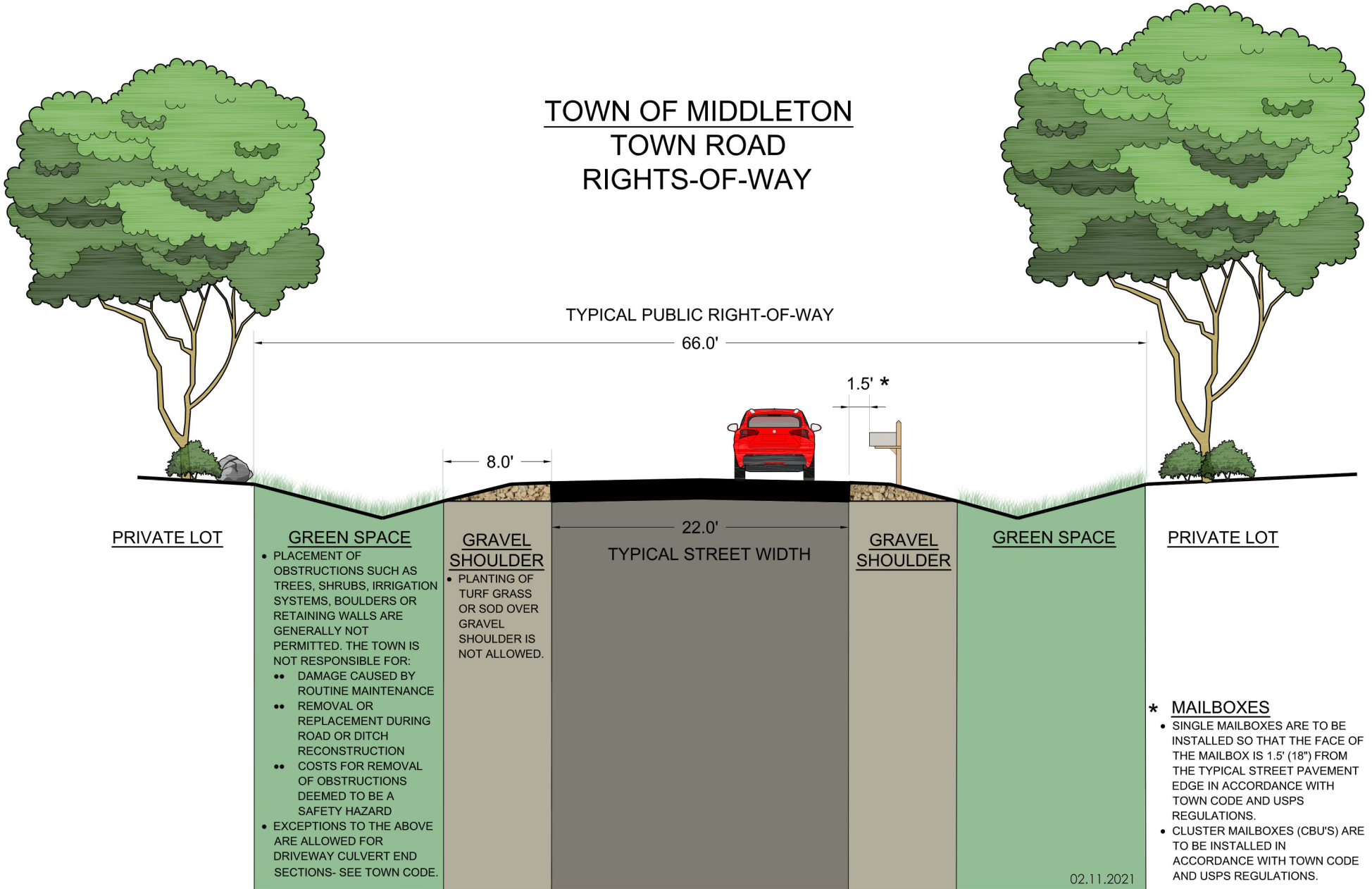
Driveway Permits (effective 5/17/2021)

- All Driveway Permit Applications (not including maintenance or repaving activities)..... \$400.00
- For Applicants wishing to pursue the variance process, the Applicant shall pay for the additional costs incurred in excess of \$400.
- For Applicants with parcels requiring staff level site plan review, the Applicant shall pay for additional review costs incurred in excess of \$400.
- If it is determined that the requirements of the shared and long driveway section of Chapter 8.01 of the Town's ordinances apply, the Applicant shall pay for the additional costs incurred in excess of \$400.
 - a. For applications that are part of a building project, the additional costs incurred by the Town shall be paid before the building Occupancy Permit is granted.
 - b. For applications that are not part of a building project, the additional costs incurred by the Town shall be paid within 30 days of receipt of invoice from the Town.

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TOWN OF MIDDLETON TOWN ROAD RIGHTS-OF-WAY



GREEN SPACE

- PLACEMENT OF OBSTRUCTIONS SUCH AS TREES, SHRUBS, IRRIGATION SYSTEMS, BOULDERS OR RETAINING WALLS ARE GENERALLY NOT PERMITTED. THE TOWN IS NOT RESPONSIBLE FOR:
 - DAMAGE CAUSED BY ROUTINE MAINTENANCE
 - REMOVAL OR REPLACEMENT DURING ROAD OR DITCH RECONSTRUCTION
 - COSTS FOR REMOVAL OF OBSTRUCTIONS DEEMED TO BE A SAFETY HAZARD
- EXCEPTIONS TO THE ABOVE ARE ALLOWED FOR DRIVEWAY CULVERT END SECTIONS- SEE TOWN CODE.

GRAVEL SHOULDER

- PLANTING OF TURF GRASS OR SOD OVER GRAVEL SHOULDER IS NOT ALLOWED.

TYPICAL STREET WIDTH

GRAVEL SHOULDER

GREEN SPACE

PRIVATE LOT

*** MAILBOXES**

- SINGLE MAILBOXES ARE TO BE INSTALLED SO THAT THE FACE OF THE MAILBOX IS 1.5' (18") FROM THE TYPICAL STREET PAVEMENT EDGE IN ACCORDANCE WITH TOWN CODE AND USPS REGULATIONS.
- CLUSTER MAILBOXES (CBU'S) ARE TO BE INSTALLED IN ACCORDANCE WITH TOWN CODE AND USPS REGULATIONS.

02.11.2021

TOWN ROADS AND RIGHT OF WAYS

Town roads consist not only of the surfaced portion of the road but the entire width of the right of way. The Town, by ordinance, has established a width of 66 feet for rights of way dedicated to the Town. Some roads are as old as the Town and became roads simply through use and the width may vary.

Once a road is dedicated to and accepted by the Town, or when a road becomes a public highway by user, The Town is responsible for the improvement, maintenance and general care of road.

Questions sometimes arise regarding the rights and responsibilities of the Town and the rights and responsibilities of adjoining landowners. Here is how some of it works.

Trees, Shrubs and Vegetation

Generally, no form of vegetation can be planted ("cultivated") within highway rights of way without the permission of the Town. It is fairly common for Towns to allow for the planting of certain types of trees within rights of way provided that there is no risk to public safety (for example, there is a prohibition on planting any type of vegetation in vision corners) as attractive street trees can enhance local neighborhoods and thoroughfares.

When trees, shrubs or other vegetation in the right of way create a safety hazard, including overhanging shrubs and tree branches whether the tree or shrub is located in the right of way or on adjoining property, the Town may remove the hazard by either cutting down the shrub or tree or trimming it. When the tree or shrub is located on adjacent private property, towns will typically trim the vegetation back to the property line. Whether vegetation in the right of way is trimmed or removed depends on a number of factors including the likelihood that a problem will recur, the overall health of the vegetation and, at times, the wishes of the adjoining landowner. No one can remove or injure the trees on Town rights of way except for the Town or someone who has the Town's permission to do so.

The Town may order that any tree located on private property that has become diseased and poses a threat to public property be removed by the landowner. Such trees are deemed to be public nuisances both because of the threat to public property and, in some cases, because of the danger of the spread of disease to other trees in the Town.

When removing or trimming trees within public rights of way, the Town may pay the cost of removal or trimming or may assess such cost as a special charge against the adjoining real estate.

Public Utilities and Facilities

Utility poles, lines and cables may be placed in Town rights of way with the consent of the Town. While most of these facilities are now placed underground, telephone, electric, cable TV and similar facilities are frequently placed in highway rights of way as a matter of both convenience to the utility and service to residents. The Town has a permitting process for the location of these types of facilities.

Other Obstructions and Encroachments

Property owners are responsible to keep road rights of way free from obstructions and encroachments. Obstructions and encroachments can include fences, buildings, decorative and landscaping objects such as rocks or trellises and similar structures or objects. When such items are placed in the right of way, the Town

must provide the owner or occupant of the property with a notice to remove the obstruction or encroachment within 30 days. Failure to do so may lead to a court action for a monetary penalty and a court order for removal.

The Town does permit the placement of some landscaping and decorative items within rights of way with the permission of the Town Board. Please see § 8.02(3) of the Town Code for more information.

Mailboxes

The Town regulates the placement of mailboxes in rights of way both to comply with U. S. Postal Service regulations and to ensure that snowplowing and other highway maintenance services can be carried out safely without damage to Town equipment or injury to its operators or damage to the mailboxes themselves. Please see § 8.02(6) of the Town Code for more information.

Temporary Obstructions and Encroachments

From time to time, property owners find it necessary to perform work in Town rights of way whether it is repairing or replacing a driveway or culvert, performing landscaping work or depositing earth or fill within the right of way in connection with a building project. Permits from the Town are required for these activities.

Summary

DO'S

Before doing any work or placing **ANYTHING** within a right of way other than trash, recyclables or brush for pick-up, contact Town Hall and obtain the appropriate permit, if required.

Notify Town Hall of any dangerous conditions in any right of way, including the placement of encroachments, trees or vegetation that may create a safety hazard or pavement or culvert failures.

Mow and trim your lawn, including the portion of the lawn located in the right of way.

DON'TS

Install or place any items, including mailboxes, in the right of way without obtaining a permit or checking with the Town.

Remove any tree from the right of way without permission.

Change the grade of your driveway, remove culverts, or fill ditches without consulting the Town.

Dig in any right of way without consulting the Town and/or Digger's hotline.

Questions?

Section 8.02 of the Town Code contains the regulations for rights of way. Driveway and excavation permit forms are available on the Town website. For further information, please contact Town Hall at (608) 833-5887.