

Driveway Replacement Policy

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Town of Middleton

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This policy applies to driveways impacted during road reconstruction in the Town of Middleton. For the purposes of this policy, road reconstruction refers to road reconstruction, reconditioning or pulverize and overlay processes. This policy is intended to compliment to Town Ordinance Section 8.01.

During these Town projects it is necessary to work with property owners to reconstruct portions of their driveways affected by construction. This policy is intended to provide guidance on how the Town will work with these residents to complete this component of Town projects.

A. Notifications

1. The Town will notify residents affected by road reconstruction efforts by mail and outline options per Town Ordinances and this policy. The Alternative to Driveway Replacement Form will be available upon request from the Town and will not be included in the mailer.

B. Properties with a Singular Asphalt Driveway

1. The Town will reconstruct the end of the asphalt driveway per Town Ordinances at Town expense.

C. Properties with a Singular Concrete or Brick Driveway

1. The Town will reconstruct the end of the concrete or brick driveway with asphalt per Town Ordinances at Town expense.
2. Alternatively, the Town will consider replacing concrete or brick driveways in kind. In these cases, the Town will facilitate the reconstruction and pay for a portion of the work per Town Ordinances.

D. Alternatives for Concrete Driveway Apron Replacement

1. If a property owner elects to privately contract for their driveway apron replacement to match new pavement elevations, they must complete the Alternative to Driveway Replacement Form. The form must be submitted to the Town a minimum of two weeks prior to the road reconstruction project commencing.
2. The Alternative to Driveway Replacement Form must include the following:
 - a. A description of how the driveway will be adjusted prior to the Town's contractor commencing roadwork.
 - b. Acknowledgement that the Town and the Town's contractor are not liable for damages caused to the apron during the reconstruction project.

- c. Acknowledgement that the Town has the right to remove the apron if the work was incorrectly performed by the property owner, and complete the work per the Town Ordinances and this policy.
- d. Acknowledgement that if the homeowner is not able to complete the work prior to the contractor commencing work, the Town will proceed with the replacement of the driveway apron per the Town Ordinances and this policy.

E. Decorative Pavement Driveways

1. Where a property owner has installed a decorative concrete or asphalt driveway (eg. stamped, patterned, colored, troweled or textured) the Town will reconstruct the end of the driveway per Town Ordinances at Town expense.
2. The Town will not create special contract provisions or seek pricing from Town Contractors to replace driveway aprons with matching or similar decorative driveway features. Rather, the Town will provide the property owner with the same options for apron replacement as properties without decorative elements.
3. If a property owner elects to privately contract for their driveway apron replacement to match pavement elevations and incorporate decorative pavement, they must complete the Alternative to Driveway Replacement Form. The form must be submitted to the Town a minimum of two weeks prior to the road reconstruction project commencing.

F. Multiple Driveways

1. Current Town ordinances allow for one driveway per parcel. It is the Town's preference to eliminate situations where multiple driveways serve a singular parcel during the road reconstruction projects. This is more important for driveways located on arterials and collectors as defined in the Town Ordinances.
 - a. While planning road reconstruction projects the Town will contact property owners with multiple driveways to discuss having one of them removed. If they agree to such removal, the Town will remove the driveway from the pavement edge to the right-of-way during the project at no cost to the owner.
 - b. Should the owner of a residential property elect to maintain the second driveway, all driveway replacement costs for the second driveway shall be the responsibility of the owner. Should the owner of a commercial property elect to maintain a second driveway, the replacement cost for the second driveway may be the responsibility of the owner at the discretion of the Town Board.