

## Repairs to Private Ways

As described in the Town Bylaw 29.10, the Department of Public Works is authorized to make temporary minor repairs if the necessary requirements have been fulfilled. Private way abutters may obtain a petition form by contacting the Engineering Division by visiting our website:

<https://wellesleyma.gov/291engineering-division>

Please note that the majority of abutters along the portion of the way which has the same type of surface must sign the petition for the repairs to be considered. Completed petition forms should be mailed to:

Board of Public Works  
20 Municipal Way  
Wellesley, MA 02481

Once the petition has been submitted the exact type, timing, and extent of repairs will be determined by the Department of Public Works Engineering Division and will depend on the availability of funding, the scheduling, and the availability of the DPW.

However, all restorative measures other than temporary minor repairs are not included in the Town Bylaw and must be implemented and paid for by the abutters to the private way. Generally, this limits the Town to filling potholes and other deformities with asphalt or gravel, depending on the existing construction of the road.



## Town of Wellesley

### DEPARTMENT OF PUBLIC WORKS

**20 Municipal Way  
Wellesley, MA 02481**

**781-235-7600**

**Engineering Ext. #3314**

**Highway Ext. #3325**

**E-mail:**

**[dpw@wellesleyma.gov](mailto:dpw@wellesleyma.gov)**

#### **Engineering Division**

The Engineering Division provides the Town of Wellesley with professional engineering, landscape architecture and technical services required to plan, coordinate, develop, design, construct, operate, and maintain Town facilities and infrastructure.

#### **HIGHWAY PROGRAM**

The Highway Division is responsible for the maintenance, repair and upkeep of all Town roads and streets, street signs, sidewalks, and all surface and subsurface drainage systems to provide for safe vehicular and pedestrian traffic. Activities performed include: cleaning streets, drains, catch basins, brooks, and culverts; street and sidewalk crack sealing, resurfacing, and repair; installation and repair of curbing; winter maintenance (snow removal, salting and sanding); replacement of worn or damaged guardrail and wide range of construction and maintenance services as needed.

## TOWN OF WELLESLEY

# Guide to Private Ways

Department of Public Works



**Tel: 781-235-7600 x 3314**

## Services

### Private Ways

A private way is defined as a way that has not been accepted by the specific action of a public body. Therefore, the abutting property owners assume or are deemed by title the authority, responsibility and liability for the care, custody, control, and maintenance of the way, with certain legislated exceptions such as snow plowing and limited repairs done under and in accordance with Massachusetts General Laws Chapter 40 Section 6N.

In the Town of Wellesley, there are approximately fourteen miles of private ways, comprising about 110 streets.



A newly constructed or otherwise unaccepted road is considered a private way until accepted by the town as

a public way. To be accepted the way must meet the street standards of the Town of Wellesley, outlined by the Planning Board in the "Rules and Regulations Governing the Subdivision of Land in Wellesley, Massachusetts." These standards regulate design criteria such as street width, grade, utilities, and standard roadway cross-section. Thus, to change the designation of a private way to a public way, it is often necessary for the abutters to pay (betterment) for the street to be upgraded, both above and below the ground, to meet the current standards.

#### Services Provided by the Department of Public Works

- Snow Plowing and Sanding (only if designated for such service by Selectmen)
- Sidewalk Plowing (school routes, business districts & commuter walking routes)
- Private Way Sign (installed at entrance to private way)
- Street Sweeping (only if private way is not detrimental to equipment)
- Temporary Minor Repairs (in accordance with the requirements of Town Bylaw 29.10)

#### Services Not Provided by the Department of Public Works

- Reconstruction, Resurfacing, Rebuilding, Repair, Grading Surface Alteration, Chip Sealing, and Crack Sealing
- Sidewalk Installation, Replacement, and Maintenance
- Drainage
- Tree Trimming and Removal (except for maintaining clearance of overhead electrical lines)
- Street Opening Permits (not required)
- Water (system maintained by DPW)
- Electric
- Sewer (system maintained by DPW, but no requirement to provide where it does not exist; connections in Water Supply Protection Districts are encouraged)
- Utility Easements (required for all town utilities including water, sewer, electric, and drainage)

## Town of Wellesley Bylaw

### 29.10. Temporary Minor Repairs to Private Ways

*"The Town may make temporary minor repairs to private ways which have been opened to public use for two years or more and provided that such repairs are required by public necessity as shall be determined solely by the Board of Public Works. Such repairs shall be made only if petitioned for by the majority of the abutters, except in the case of special emergency involving the health or safety of people or their property as determined by said Board in its sole discretion. Cash deposits or payments shall not be required and betterment charges shall not be assessed for said repairs. The extent and type of repairs shall be determined by the Board of Public Works and shall only include the filling in of holes or depressions with material to be the same as, or similar to, those materials existing on such ways; but shall not include drainage. The Town shall not incur any liability whatsoever on account of action or inaction resulting pursuant to this Bylaw."*

