

# City of Worcester

## Department of Public Works & Parks

### Resident's Guide to Private Streets

A comprehensive guide for residents that details the history of private streets as well as private street options including conversion and betterment.



#### A MESSAGE FROM COMMISSIONER MOOSEY

*The DPW&P put together this information so you may understand the options that are available for you as a resident or abutter of a private street. Many private streets are unpaved, narrow roads that are difficult to traverse because they are in such disrepair. In most instances, they do not have surface drainage resulting in frequent washouts and damage to abutting properties. These dirt roads are not only a public safety hazard, but some are even environmental hazards when silt-laden runoff enters ponds and streams. When a private street is made public, the abutters are assessed a betterment fee that is billed with their real estate taxes. The cost is determined by the amount of frontage a property owner has on the private road. The city has no legal responsibility to repair private roads, but once it is made public, the city will maintain it in perpetuity. We encourage you read this information carefully and call us if you have any further questions.*

**Paul J. Moosey, P.E., Commissioner of Public Works & Parks**

#### HISTORY OF PRIVATE STREETS

Private streets have a long history in Worcester. The fact that they exist at all is not unique to Worcester; other communities also have private streets. What makes private streets in Worcester so noteworthy is the number of them (about 900 segments), their mileage (about 90 miles), and the number of citizens that live on or travel over them. Most private streets in Worcester are unpaved “dirt roads” that were never constructed to acceptable standards. They often lack basic road requirements like proper drainage or a suitable foundation.

Their origin can be traced to the days before sub-division control laws regulated land development. Before 1925, anyone owning property in Worcester could record a plan dividing their property into new lots and proposed streets. No prior review or approval was required, and there was no requirement to guarantee the proposed streets would in fact be constructed let alone properly engineered. The enactment of the Subdivision Control Law, in conjunction with city regulations, has effectively eliminated the creation of substandard and often times dirt private streets that were commonplace years ago.

In addition to paying their taxes, residents on public streets have paid for their improved streets.

The private streets that remain are a vestige of the past. They represent an ongoing neighborhood and Public Works problem that needs new solutions. The fact that private streets were constructed without meeting acceptable engineering standards is the reason they get potholes, wash out or erode, and cause abutters to seek help from the city. However, the help that DPW&P can offer is limited because the street is **private**, much the same way that a driveway is private. The city has no legal interest in the street and any service provided by the city needs to be in full accordance with state statutes that regulate how Worcester can spend public funds on private roads. By way of contrast, the city has a legal interest in public streets, which were built to city standards.

## OPTIONS

If you are an abutter on a private street and want to have the road surface improved, the city has the following two programs that you can consider:

- **PRIVATE STREET CONVERSION**
- **PRIVATE STREET BETTERMENT**

## PRIVATE STREET CONVERSION

Under this program, roads are built to the city's highest standards. Accordingly, it is the most expensive option. An entire street or just a portion can be considered for conversion to a public street. If a street is voted and approved for conversion, it is engineered, constructed, and paved to satisfy current highway engineering standards. After completion, the road is accepted as a public street and forever maintained by the city.

The construction cost to convert a street is paid entirely by the abutters and generally ranges from \$140 to \$180 per foot of frontage. The cost is charged to each abutter based on the actual cost of construction **or** the estimate that was given to the abutters when the street was initially voted for conversion—whichever cost is **lower**. All other costs associated with the work, including the engineering design and construction inspection, are paid by the city.

The city realizes that the cost of conversion can be a financial burden. For that reason, you are offered the following three different payment options:

1. Pay in full when assessed
2. Finance the total over 10 years at 5%
3. Finance the total over 20 years at 5%

**For example:** A property with 100 feet of frontage with a cost of \$150 per foot would owe \$15,000. Finance options as explained above would result in the following:

1. Pay in full - A one-time payment of \$15,000.
2. Finance for 10 years at 5% - An annual payment of \$1,905 with the total to be paid of \$19,055.
3. Finance for 20 years at 5% - An annual payment of \$1,185.25 with the total of all payments to equal \$23,705.

## PRIVATE STREET BETTERMENT

The Private Street Betterment Program was developed as a less costly option to the Private Street Conversion Program. The betterment program provides a paved street at a cost lower than the conversion program. It is less costly because the road is constructed to a lower standard. The road remains private but the city guarantees its work for a 5-year term.

Conversion to a public street will protect your property as well as increase its value.

Under this program, the city designs improvements that satisfy lower but yet acceptable engineering standards. The city oversees the construction of the road to ensure conformity with its design. The city finances the cost of the work and uses its purchasing power to buy materials at a lower unit cost than would an individual. The result is a paved street that meets basic road design standards. If properly maintained, the road should last well beyond the 5-year guarantee period.

Poor drainage is the cause of many problems on private streets including potholes, ruts, washouts, and flooding.

Generally, the cost for this program is about 75% of the cost of the Private Street Conversion Option. The full cost of construction is paid by the abutters and must be paid back over a 5-year term at 5% interest. No other financing options are available under this program.

There is a great deal of information here and much that has not been included. We welcome your calls or visits to learn more about your rights and choices as private street abutters. Please call our **Engineering Division at 508.799.1454** for more information.

### SUMMARY OF OPTIONS

For your convenience, we have summarized the options, costs, and products in the table below.

OPTIONS	RESULTING IMPROVEMENTS	COST TO PROPERTY OWNER (2014)	FINANCING
<b>Private Street Conversion</b>	Street made public and paved to City standards. City will maintain it in perpetuity.	\$140 to \$180 per linear foot of frontage	5% for 10 years 5% for 20 years
<b>Private Street Betterment</b>	Street paved but not to the same standards as public streets. Pavement is guaranteed for 5 years.	\$100 - \$130 per linear foot of frontage	5% for 5 years
<b>Have the Street Privately Paved</b>	Extent and quality of work is determined by property owners.	Property owners pay entire cost. No city involvement.	N/A