

**TOWN OF RINDGE
NEW HAMPSHIRE**

DRIVEWAY ACCESS REGULATION

ADOPTED FEBRUARY 24, 1997

AMENDED SEPTEMBER 15, 1997

AMENDED FEBRUARY 28, 2000

AMENDED NOVEMBER 15, 2005

**RINDGE NEW HAMPSHIRE
DRIVEWAY ACCESS REGULATION**

SECTION 1 AUTHORITY

Pursuant to the authority granted under the New Hampshire Revised Statutes Annotated 236:13 the Town of Rindge Planning Board hereby adopts the following regulation for driveway access to Town Roads, public and private.

SECTION 2 PERMIT

- I. It shall be unlawful to construct, or alter, any new or existing driveway, entrance, exit, forestry cut or approach, except when paving an existing driveway and no substantial change is proposed that would in any way substantially affect the size or grade of any driveway, entrance, exit, or approach within the limits of the right-of-way of any highway that does not conform to the terms, and specifications of a written permit issued by the Planning Board or the Director of Planning. Substantial change includes change of location, grade or layout and temporary access for Forest Cuts. Temporary access driveway permit applications shall be obtained from, and filed with the Planning Office at the same time as the Notice of Intent to Cut.

- II. A written construction permit application must be obtained from and filed with the Planning Board by any owner, or authorized agent, affected by the provisions of Paragraph I. Before any construction or alteration work is commenced, said permit application shall have been reviewed, and a construction permit issued by the Planning Board. Said Permit shall:
 - (a) Access along the frontage of any lot, except where there is an easement for right of way recorded at the Cheshire County Register of Deeds.
 - (b) Describe the location of the driveway, major entrance, exit, or approach. The location shall be selected to most adequately protect the safety of the traveling public.
 - (c) Every effort shall be made to minimize the potential impact to neighboring properties.
 - (d) Describe any drainage structures, traffic control devices, and channelization islands to be installed by the owner or authorized agent.
 - (e) Establish grades that adequately protect and promote highway drainage and permit a safe and controlled approach to the highway in all seasons of the year.
 - (f) Include any other terms and specifications necessary for the safety of the traveling public.

- (g) Proposals requiring major entrances shall review and address the following:
 1. The layout of all proposed and existing modifications within the parcel;
 2. The location of all proposed and existing major entrances on both sides of the highway to a distance sufficient to allow analysis for safety;
 3. A description of all proposed barrier islands;
 4. Site plans with contour and elevation drawings of the unmodified land, and the land as proposed to be modified.

III. For access to a proposed commercial or industrial enterprise or to a subdivision, all of which for the purpose of this section shall be considered a single parcel of land, even though acquired by more than one conveyance or held nominally by more than one owner, said permit application shall be accompanied by engineering drawings showing information as set forth in Paragraph II.

IV. No construction permit shall allow:

- (a) A major entrance, exit, or approach to be constructed more than 50' in width, except that a driveway, entrance, exit, or approach may be flared beyond a width of 50' at its junction with the highway to accommodate the turning radius of vehicles expected to use the particular driveway, entrance, exit, or approach. (Note: A Major Driveway Entrance is any driveway which would be subject to Rindge Site Plan Review Regulations.)
- (b) A driveway, exit, or approach, to be constructed more than 20' in width, except that a driveway, entrance, exit, or approach may be flared beyond width of the driveway at its junction with the highway to accommodate the turning radius of vehicles expected to use the particular driveway, entrance, exit, or approach.
- (c) More than two driveways, entrances, exits, or approaches from any roadway to any parcel of land.

V. A driveway, entrance, exit, or approach shall meet the following design standards:

- (a) Access to the highway shall be at an angle of no less than 60 degrees and at a 90 degree angle wherever possible.
- (b) Driveways shall not exceed (12) percent grade except as provided in Section V (g).
- (c) The grade of any driveway, entrance, exit, or approach shall conform to the standards shown on the applicable street cross section included as part of this regulation. Grade of access shall slope 1/4" to 1/2" per foot downward away from the edge of the travel surface for a minimum distance of 20'.

- (d) All season safe site distance of 100' in both directions along the highway shall be obtained. All season safe distance means a line which encounters no visual obstruction between two points, each at a height of 3' 6" above the pavement allowing for a snow /wind row and/or seasonal changes, and so located to represent the line of sight between the operator of a vehicle using the driveway, entrance, exit, or approach (operator's eye assumed to be 10' from the edge of travel surface and the operator of a vehicle approaching from either direction.
- (e) A driveway, major entrance, exit or approach shall not be located within 150' from any intersection of highway.
- (f) Driveway culverts, when required, unless otherwise recommended by the Public Works Director, will be fifteen (15) inch minimum diameter, sixteen (16) gauge riveted aluminized, corrugated steel pipe, polypropylene or aluminum, of twenty (20) foot minimum length with concrete or mortared stone headers at both ends. Culverts and headers shall be maintained by the owner. If the distance between the driveway edge and culvert end is greater than ten feet, commercial made metal or plastic flared end pieces may be used. Drainage shall be directed away from roadways public and private and shall maintain natural flow path.
- (g) " For driveways one thousand feet or more in length, or containing slopes greater than 12%, the issuance of a driveway permit will require a drainage plan by a New Hampshire licensed engineer, or other source acceptable to the Public Works Director, to ensure that stormwater and spring meltwater will not result in erosion, endanger the integrity of the driveway surface, or cause siltation of drainage systems or surface waters."
- (h) Paved drainage swales may be allowed within the ditch line at the end of a driveway to provide drainage relief, if determined by the inspecting official that a culvert was either not appropriate or not possible to install.
- (i) An applicant for a new subdivision shall show acceptable proposed driveway, entrance, exit or approach access locations on the subdivision plans submitted to the Planning Board before any subdivision approval is granted.

VI. Bond and Fees. Applicants for a residential driveway access permit shall submit a \$50.00 application fee and a \$500.00 security bond to be held until it has been determined by the Planning Board, or its, designee that the construction of the driveway is in compliance with this regulation or poses no liability to Town roads. Upon such determination, the \$500.00 security bond will be returned to the applicant.

Applicants for a commercial driveway access permit shall submit a \$50.00 application fee and a \$1000.00 security bond to be held until it has been determined by the Planning Board, or its, Designee that the construction of the driveway is in compliance with this regulation or poses no liability to Town roads. Upon such determination, the \$1000.00 security bond will be returned to the applicant.

However, if the access is determined not properly constructed or does pose a liability to town roads, the Bond will not be returned and the Town shall take additional steps toward recovering any additional costs incurred to protect Town roads.

Driveway permits expire one year from the initial date of construction permission. Permits may be renewed prior to expiration without additional fees provided substantial construction of the driveway has occurred. (Substantial construction shall be determined by the Planning Board or its designee.) If not qualified for renewal the applicant must apply for a new permit and shall pay the additional permit fee of \$50.

VII. Waiver. Upon application by the owner or authorized agent, the Planning Board may waive any of the standards as set forth in this regulation upon the Planning Board making a finding that strict compliance with the standard to be waived is not required to protect the safety of the traveling public. The Planning Board may require the owner or authorized agent to engage the services of a professional engineer or other qualified professionals in order to adequately assess the potential results of granting a waiver to the regulation. All costs incurred shall be the responsibility of the owner.

VIII. Enforcement of this regulation shall be the duty of the Board of Selectmen, or their designee.