

2021
TOWN OF RINDGE
NEW HAMPSHIRE

DRIVEWAY ACCESS REGULATION

Adopted: February 24, 1997

Amended:

September	15, 1997
February	28, 2000
November	15, 2005
January	20, 2015
December	5, 2017

RINDGE NEW HAMPSHIRE DRIVEWAY ACCESS REGULATION

SECTION I - 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 II - PURPOSE

This regulation applies to the construction of new residential and commercial driveways on single lots of record on town roads or relocation of an approved driveway in a subdivision. The intent is to ensure safe sightline, drainage, access, public safety and integrity of town roads.

SECTION III - DEFINITIONS

- 1. Apron:** The broadened part of a driveway, where it joins the roadway.
- 2. Driveway:** Any vehicular access point along the frontage of a lot.
- 3. Easement:** An acquired privilege or right of use which one party may have in the land of another; the right or privilege that a person, corporation or other entity may have in another's land for the purpose of access or installing and/or maintaining utilities and drainage ways.
- 4. Public Roadway or Street:** Any highway, street, road, avenue, land, or other right-of-way over which the public has the right to pass and re-pass and which the state, county, or town has a responsibility to maintain. The phrase "public street" shall include the entire right-of-way.

SECTION IV - PERMIT

1. 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. Substantial change includes any change that would substantially affect the use, location, size or grade of any driveway, or increase the flow of water onto any public roadway or street. Substantial change shall be determined by the Planning Board or its designee.
2. 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 Section IV Paragraph 1. Before any construction or alteration work is commenced, said permit application shall have been reviewed, and a construction permit issued by the Planning Board or its designee. Said permits and driveways shall:

- A. Have access along the frontage of any lot, except where there is an easement for right of way recorded at the Cheshire County Registry of Deeds.
- B. Describe the location of the driveway. 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 and to maintain the integrity of stone walls.

3. Driveway Construction Standards:

- A. Commercial driveways are to be no more than 50' in width, except that a driveway 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.
- B. Residential driveways are to be no less than 10' and no more than 20' in width, except that a driveway 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. A maximum of two driveways, entrances, exits, or approaches are allowed from any roadway to any parcel of land.
- D. Access to the highway shall be at an angle of no less than 60 degrees and at a 90 degree angle wherever possible.
- E. The driveway access shall be graded so that storm-water runoff from the driveway does not flow into the roadway. The grade of any driveway 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' or as directed by the Public Works Director.
- F. All season safe sight distance shall be provided in both directions along the highway as per the table below. 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). Sight distance maintenance (grass, brush, etc.) is the responsibility of the driveway property owner. In the event that the required sight distance is not able to be met, for an existing lot of record, the driveway shall be placed in the optimum location to provide the maximum sight distance possible.

ROADWAY SPEED LIMIT:	MINIMUM SIGHT DISTANCE:
25 mph	150 feet
30 mph	175 feet
35 mph	200 feet
40 mph	225 feet
45 mph	275 feet
50 mph	300 feet
55 mph	350 feet
60 mph	400 feet

- G. Driveway culverts as required by the Public Works Director shall be a minimum of fifteen (15) inch diameter. Driveway culverts shall be twenty (20) foot minimum length. Driveway culverts shall be High Density Polyethylene Pipe (HDPE), Reinforced Concrete Pipe (RCP), corrugated steel pipe, or sixteen (16) gauge riveted aluminized pipe. Concrete or rubble masonry headers are required on both ends of culverts where flared end sections are not reasonable to use; to be decided at the discretion of the Public Works Director.
- H. Culverts and driveways shall be maintained by the owner.
- I. Driveways 1,000' or more in length, or containing slopes greater than 12%, may require a drainage plan by a New Hampshire licensed engineer, or other source acceptable to the Public Works Director, to ensure that storm-water and spring melt-water will not result in erosion or endanger the integrity of the roadway.
- J. Paved drainage swales may be allowed within the ditch line at the end of a driveway to provide drainage relief, if determined by the Public Works Director that a culvert was either not appropriate or not possible to install.
- K. Shared Driveways: Due to their complex nature, an easement and maintenance agreement shall be drafted prior to approval and shall be recorded at the registry of deeds. This agreement shall include the following information and may be reviewed by the town attorney at the applicants expense:

1. The Parties involved.

2. Who will be responsible for maintenance (winter plowing, upkeep, etc.)
3. Who will be responsible for improvements (resurfacing, paving, etc.)

Shared driveways shall conform to the recommendations of the E911 numbering system as required by the town E911 liaison. Whenever possible, the following phrase shall be recorded on the final plat: "driveway is not intended for public use but solely for private access for Map #'s Lot #'s. No more than three homes shall be accessed from a single driveway.

4. Bond and Fees:

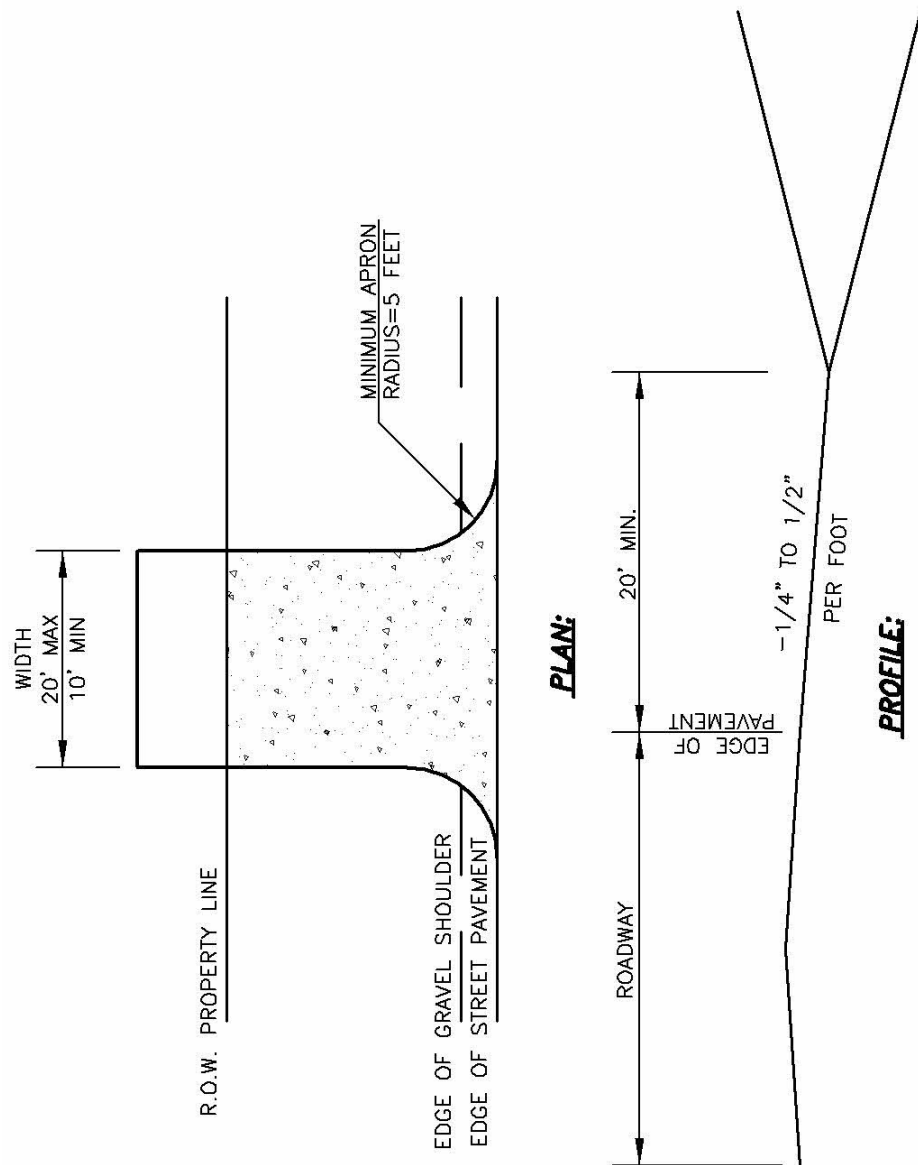
- A. Applicants for a driveway access permit shall submit a \$50.00 application fee. A \$500.00 security bond is required for all driveways which access to a public roadway. The security bond is to be held until it has been determined by the Planning Board, or its designee that the construction of the 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.
- B. If a driveway access is determined not to be in compliance with the Driveway Access Regulation or poses 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. If a driveway access which is connected to a building permit is determined not to be in compliance with the Driveway Access Regulation a certificate of occupancy shall not be issued.
- C. Driveway permits expire two years 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.

5. Waiver Provision:

The requirements of these regulations may be waived by the Planning Board when, in its judgment: (1) strict conformity therewith would pose an unnecessary hardship to the applicant and such waiver would not be contrary to the spirit and intent of these Regulations; and (2) specific circumstances relative to the driveway or conditions of the land indicate that the waiver will properly carry out the spirit and intent of these Regulations. Waiver requests must be submitted in written form with sufficient reasons for why the waiver should be granted.

6. These regulations shall be enforced by the Board of Selectmen acting by and through its duly authorized representative if any.

Figure 1.



- NOTES:
- THE DRIVEWAY ACCESS SHALL BE GRADED SO THAT STORM-WATER RUNOFF FROM THE DRIVEWAY DOES NOT FLOW INTO THE ROADWAY.
 - THE GRADE OF ANY DRIVEWAY SHALL SLOPE 1/4" TO 1/2" PER FOOT DOWNWARD AWAY FROM THE EDGE OF THE TRAVEL SURFACE FOR A MINIMUM OF 20' OR AS DIRECTED BY THE PUBLIC WORKS DIRECTOR.

TYPICAL DRIVEWAY DETAIL:
NOT TO SCALE