

**TOWN OF JAFFREY
NEW HAMPSHIRE**

**DRIVEWAY REGULATIONS
12/14/2010**

SECTION 1: AUTHORITY

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

SECTION 2: PURPOSE

The purpose of these regulations is to provide the framework for safe and efficient access to properties, to ensure public safety, preservation of the environment, and protection of Town roads and other Town property. It is the intent to apply appropriate access regulations to land development that will incorporate the needs of the users of the site as well as those using the nearby roadways. It is also the intent to incorporate provisions for safe access opportunities for other modes of transportation such as pedestrian and bicycle.

SECTION 3: PROCEDURE

- A. It shall be unlawful to construct or alter any driveway on any town road or construct a driveway as part of any site plan or subdivision review on any town or state-maintained road, 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 Director of Public Works or designee (Department). 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 Director of Public Works at the same time as the Notice of Intent to Cut.
- B. A New Hampshire Department of Transportation driveway permit is also required for any Class I, II or III roads in the Town of Jaffrey. These roads include U.S. Route 202, State Routes 137 and 124, as well as Dublin Road and Troy Road. In cases where there is a conflict of standards with the Town of Jaffrey, the more restrictive standard shall apply.
- C. A written construction permit application must be obtained from, and filed with, the Director of Public Works by any owner, or authorized agent affected by the provisions of Section 3.A. Before any construction or alteration work is commenced, said permit application shall have been reviewed, and a construction permit issued by the Department. Said Permit shall meet the following specifications:

Driveway Specifications

- 1. No driveway shall be constructed within fifty (50) feet of the intersection of two or more public roads.

2. When two proposed driveways on the same side of the road are within fifty (50) feet of each other, the Planning Board or Department may, for reasons of safety and topographical considerations, require that a common access be used.
3. Per subdivision regulations Section III (H): No more than two lots suitable for building may be served by any one driveway.
4. The intersection of driveways with a public road shall be as nearly perpendicular to the road as conditions of the terrain permit. Driveways should be slightly flared at the point of intersection.
5. The width of driveways shall be proposed by the applicant and approved by the Department. Driveways shall be of sufficient width and construction as to permit access and use by emergency vehicles. The Department reserves the right to approve a width different than proposed.
6. If a driveway intersects a paved Town road, the applicant shall pay for pavement of the Town right-of-way between his/her property line and the traveled way. This pavement to be constructed of at least 2 inches (compacted) bituminous concrete and finish grades such as to preclude runoff from the driveway from entering onto or crossing the road. This may be accomplished by having the elevation of the driveway at the intersection lower than the elevation of the side of the road or by construction of a swale or by other means necessary to preclude runoff onto the road. The Department reserves the right to require additional paving outside the right-of-way. The purpose of this provision is to ensure that vehicles leaving the intersection and entering onto the Town road do not damage the Town road.
7. Unless conditions or terrain preclude, a driveway shall be flat or gently sloping (at least 1% but not greater than 2%) away from the road for a distance of at least 20 feet (two standard car lengths). The Department may request that at least the first 4 feet of the driveway be constructed to prevent surface water from the roadway draining onto the property.
8. A driveway shall be so positioned as to permit a minimum of 200' safe sight distance in either direction. Minimum sight distances are as follows:

Vehicle speed	Sight Distance (Minimum) (ft)
30	200
35	250
40	305
45	360
50	425

Sight distances are to be measured as follows: Measured at the height of 3.5 feet to represent the height of the driver's eye in the vehicle stopped in the driveway at a distance of 12 feet back from the intersection of the driveway with the roadway; measured at the height of 3.5 feet to represent the object height of a vehicle on the street approaching the driveway.

9. No driveway is to have a slope greater than 10%.

10. Driveways shall be constructed as not to impede the natural lateral flow of water. If a culvert is required, the culvert shall be at least as long as the driveway is wide, of sufficient strength so as not to be crushed by the heaviest vehicle expected to use the driveway, and of sufficient diameter to accommodate the largest expected lateral flow of water. Maintenance of this culvert shall remain the responsibility of the property or driveway owner.
11. Driveways constructed in areas of sidewalks or granite curbing- Applicants desiring a new, altered, abandonment, or reconstructed driveway shall apply for a permit. The material of construction of the driveway to be the same as the sidewalk, unless approved by the Department. For concrete, the driveway apron shall consist of no less than 6" of 4000 psi, 7% entrained air concrete, finished with light broom finish, or as approved by the Department. The driveway apron to be constructed to comply with the American with Disabilities Act. Removed granite curbing shall remain the property of the Town. The driveway shall be constructed as approved by the Department.
12. If a proposed driveway crosses a wetland or a body of water, permits from the NH Wetlands Board shall be submitted with the driveway application as well as a copy of the Board of Adjustment approval of Special Exception as required by the Wetlands District.
13. Any bridges that may be required shall be constructed in accordance with New Hampshire State Standards and as approved by the Director of Public Works.
14. Driveways providing access for multi-unit residential, commercial, or industrial uses shall be designed to conform with good engineering practice using the New Hampshire Department of Transportation's (NHDOT) manual *Policy and Procedures for Driveways and Other Accesses to the State Highway System* as a guide.
15. The applicant or his/her agent shall provide 24-hour notice to the Director of Public Works before commencing construction. Final approval to use the driveway shall be granted upon inspection and determination that all work has been satisfactorily completed. Any surety will be released upon final inspection and approval of construction.

SECTION 4: BONDS & FEES

- A. **Residential Driveways.** Applicants for a residential driveway access permit shall submit a \$50.00 application fee and a \$1500.00 security bond to be held until it has been determined by the Director of Public Works, or his designee, that the construction of the driveway is in compliance with this regulation or poses no liability to Town Roads. Upon such determination, the security bond will be returned to the applicant.
- B. **Multi-Unit Residential, Commercial or Industrial Driveways.** Applicants for all Multi-Unit Residential, Commercial or Industrial driveway access permit shall submit a \$50.00 application fee and a \$1500.00 security bond to be held until it has been determined by the Director of Public Works, or his designee, that the construction of the driveway is in compliance with this regulation or poses no liability to Town Roads. Upon such determination, the security bond will be returned to the applicant.
- C. **Improperly Constructed Driveways.** If the access is determined to be not properly constructed or poses a liability to Town Roads, the bond will not be returned and the Town shall place a lien on the property in order to recover any additional costs incurred to protect Town Roads.

- D. **Permit Expiration and Fees.** Driveway access permits expire one year from the initial date of construction permission. Permits may be renewed prior to the expiration without additional fees, provided substantial construction of the driveway has occurred (substantial construction shall be determined by the Director of Public Works or his designee). If not qualified for renewal, the applicant must apply for a new permit and shall pay the additional permit fee of \$50.00.

SECTION 5: ADMINISTRATION & ENFORCEMENT

- A. These regulations shall be administered by the Jaffrey Planning Board and Director of Public Works. The enforcement of these regulations is vested with the Jaffrey Board of Selectmen and the Code Enforcement Officer.
- B. The standards of these regulations may be modified or waived by the Director of Public Works, when specific circumstances surrounding the proposal, or the condition of the land, indicate that strict adherence to the standards would not be possible or create an unnecessary burden for the landowner, and such modification or waiver will not be in conflict with the purpose and intent of these regulations. The Planning Board or Director of Public Works 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.