DRIVEWAY REGULATIONS

TOWN OF GREENFIELD, NEW HAMPSHIRE

ADOPTED _____, 2008

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DRIVEWAY REGULATIONS

Section I. Authority and Purpose

A. Pursuant to the authority vested in the Greenfield Planning Board by the legislative body of Greenfield, and in accordance with the provisions of Chapters 236:13 and 674:35 of the New Hampshire Revised Statutes Annotated as amended, the Greenfield Planning Board adopts the following regulations governing all driveway construction in the Town of Greenfield to:

(1) ensure that emergency services can be reasonably and safely provided to all dwelling units in the Town, including those constructed on or accessed by steep slopes;

(2) ensure that driveways entering onto roads do not represent a safety hazard;

(3) minimize the amount of terrain alteration and vegetative removal on hillside areas required for driveway construction;

(4) ensure that driveways do not disrupt drainage systems or culverts, damage the surface of right-of-ways, or cause erosion or siltation of traveled ways or surface waters; and

(5) avoid unreasonable public expenditures.

B. These regulations may be amended by the Planning Board following a public hearing on the proposed change.

Section II. Definitions

The definitions contained in the Greenfield Subdivision Regulations shall apply, in addition to the following:

A. ACCESS -- A way or means of approach to provide physical entrance to a property.

B. COMMON DRIVEWAY – A driveway that provides access to multiple dwellings or lots.

C. CONSTRUCTION -- For the purposes of this regulation, means not only the construction of a new driveway, but also any substantial alterations to an existing driveway. This does not include regrading, repaving, repairs or improvements of a similar nature.

D. DRIVEWAY -- A public or private roadway providing primary access from either a public or private road for vehicles to a dwelling, business, parking area, or other structure or facility that is currently used on a regular basis. This does not include entrance onto a property that is primarily used for service or maintenance.

E. RIGHT-OF-WAY – All town, state, and federal highways and the land on either side of the same as covered by statutes regarding the width of the right-of-way, and private roads as approved by the Planning Board pursuant to the Town Subdivision Regulations.

F. TRAVELED WAY – That part of the driveway within a right-of-way, if one exists, that is designated for vehicular travel.

G. TURNOUT -- An area perpendicular to the driveway that allows a vehicle to back in and drive out.

H. TURNAROUND – An area large enough to allow a vehicle to turn fully around on the property without having to back up.

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Section III. General Provisions

A. Prior to the construction or change in use and/or intensity of any driveway entrance, exit, or approach to any private, town or state road, and prior to obtaining any applicable building permits for the property, the landowner or authorized agent shall apply for a permit and secure approval of such proposal in accordance with these regulations.

B. An approval by the Town of Greenfield to construct a driveway does not eliminate the need for the property owner to secure any necessary permits from state agencies, such as the NH Department of Transportation or Environmental Services.

Section IV. Owner Responsibility

The owner of the property accessed by a driveway shall have continuing responsibility for the adequacy and maintenance of the driveway and any grades, culverts, retention basins and bridges pertaining to such access, whether or not the driveway is located within the public right-of-way. If any driveway becomes a potential threat to the integrity of the highway or its surface, ditches, embankments, bridges, or other structures, or a hazard to the safety of the traveling public by reason of siltation, flooding, erosion, frost action, vegetative growth, improper grade, or the failure of any culvert, traffic control device, drainage structure, or other features; the Town may issue an order to the responsible party to repair or remove such hazardous conditions or take other actions as specified in RSA 236:13. If no response within a reasonable time, the Town will take appropriate action; the costs of such action will be charged to the property owner.

Section V. Driveway Standards

The following standards shall, at a minimum, apply to all driveways in the Town of Greenfield, except where the driveway intersects a state-maintained road, and NH DOT places other restrictions on the drive entry.

A. Drive Entrance.

(1) All drive entries shall be located as shown on the approved plans or as directed by Greenfield Road Agent.

(2) Driveway entrances shall be a minimum of twenty-two (22) feet and a maximum of thirty (30) feet wide at the curb line. If the driveway is within a vertical curbed section, the curbs on each side of the drive opening shall be tipped down with a six (6) foot tip down.

B. Paving. In order to protect the physical integrity of roads, the street-side edge of all driveways that intersect with a paved road must be paved according to the requirements below:

(1) All driveways for non-residential use shall have a paved apron thirty (30) feet wide for at least the first twenty-five (25) feet, commencing at the edge of pavement of the intersecting road.

(2) All driveways for residential use shall have a paved apron thirty (30) feet wide for at least the first twenty (20) feet, commencing at the edge of pavement of the intersecting road.

(3) The pavement shall consist of three (3) inches of hot bituminous pavement, with a two (2) inch base course and a one (1) inch wearing course.

C. Travel Width. Driveways must be designed, constructed, and maintained so as to have at least a twelve (12) foot travel width. Outside of the traveled way there must be enough width to accommodate snow storage areas, drainage, parking areas, clearance for emergency vehicles, etc.

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D. Vertical Clearance. Driveways must be designed, constructed, and maintained so as to have at least thirteen and one-half (13 ½) feet of vertical clearance.

E. If gated, the following standards apply:

(1) Gate openings must be at least fourteen (14) feet wide, except where there are existing stone walls between which the gate will be placed.

(2) Gates must not open into the public right-of-way.

F. Passing Lanes, Vehicle Turnouts, and Vehicle Turnarounds .

(1) Driveways longer than 300 feet must include a turnout no farther than fifty (50) feet from the primary residence or building. The turnout must be perpendicular to the driveway and be at least twelve (12) feet in width and twenty (20) feet in length as measured from the edge of the driveway. The area of the turnout may not be steeper than five (5) percent, and have an inside radius of fifteen (15) feet. Other dimensions may be approved, provided the applicant can demonstrate that vehicles can safely back in and drive out.

(2) Driveways longer than one thousand (1,000) feet must include a passing area at least every eight hundred (800) feet, exclusive of the required turnout in (1) above or turnaround in (3) below. This passing area shall be at least twenty-four (24) feet wide for a length of at least fifty (50) feet, tapered back to the twelve (12) foot width on both ends. The grade along the entire length of the passing area must not exceed five (5) percent.

(3) Driveways longer than two thousand (2,000) feet must have a turnaround with at least a ninety (90) foot diameter, no closer than fifty (50) feet and no further than three hundred (300) feet from the primary residence or building.

G. Construction Requirements. All driveways shall be constructed of a minimum of twelve (12) inches of material (e.g., gravel, but may also include fabric).

H. Curves. Horizontal curves with a direction change of more than thirty (30) degrees shall not contain slopes of more than twelve (12) percent.

I. Bridges.

(1) All bridges must be designed, installed, and maintained in accordance with the designs of a New Hampshire-licensed engineer and must be able to support the heaviest vehicle likely to operate on the driveway. For purposes of these regulations, the load capacity shall be at least sixty thousand (60,000) pounds, GVW (Gross Vehicle Weight).

(2) All bridges must be designed, installed, and maintained so as to convey at least a one hundred (100) year storm event and must be reviewed by the Greenfield Road Agent.

J. Culverts.

(1) All culverts shall be a minimum of twelve (12) inches in diameter and must be designed, installed, and maintained so as to support a load capacity of at least 60,000 pounds, GVW.

(2) All culverts must be designed so as to convey the full flow of water of existing drainage swales as well as any additional water that may be transmitted by the driveway.

(3) Culverts shall be placed at the edge of the property line outside of the road right-of-way..

K. Numbering. All driveways providing access to a primary residence or building shall be numbered from both directions, with a letter, number, and symbol height of at least four (4) inches, contrasting with the background of the sign and installed and maintained so as to be easily readable from public ways at night. When a house is within thirty (30) feet of the right-of-way, the number may be placed only on the house, with approval of the Planning Board.

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L. Naming. Common driveways serving addressable structures will be named using road naming rules outlined by the National Emergency Number Association and recommendations of New Hampshire 911. Said name will require written approval of the Selectmen. Name will be posted on a sign or signs as approved by the Planning Board**.**

Naming rules:

(1) Avoid sound-alike names (Bay View Dr or Bayview Dr.)

(2) Do not use names with a different suffix (Smith Rd, Smith La)

(3) Do not use special characters such as hyphens, apostrophes or dashes.

M. Slopes.

(1) Driveways with a slope of greater than nineteen (19) percent will not be permitted.

(2) Driveways shall normally not exceed twelve (12) percent.

(3) Where driveways intersect with a road or other driveway, whether public or not, the slope shall not exceed five (5) percent within thirty (30) feet of the intersection, so as to ensure that vehicles will have adequate distance to stop during icy conditions prior to reaching the intersection. Slopes greater than five (5) percent, up to ten (10) percent maximum are allowed provided the driveway is shorter than two hundred (200) feet and the first twenty-five (25) feet from the intersection are paved.

(4) At the house-side terminus of a driveway, the grade shall not exceed ten (10) percent for the last thirty (30) feet.

(5) No more than twenty-five (25) percent of the total length of a driveway may contain slopes of seventeen (17) percent or more.

(6) Slopes of seventeen (17) percent or more may not exist within one hundred (100) feet of an intersection or within one hundred (100) feet of the house-side terminus.

(7) Slopes of seventeen (17) percent or more may not extend in any section of driveway for a distance of more than one hundred fifty (150) feet, and there must be at least one hundred (100) feet of separation between segments containing grades of seventeen (17) percent or more.

(8) For purposes of these regulations, the degree of slope shall be measured over a distance of twenty (20) feet. These regulations apply to both downward and upward slopes.

N. Drainage & Erosion Control.

(1) Driveways that slope down from a road must be designed so as to avoid the conveyance of stormwater runoff from the road in a way that can cause flooding, erosion, or provide other hazard to the driveway itself or any structures on the property.

(2) No drainage can be discharged onto a public road and must be tied into any roadside drainage in a manner satisfactory to the Greenfield Road Agent or NH DOT.

(3) During and after construction, the driveway must not cause erosion or sedimentation of drainage systems or surface waters.

(4) ~~Cuts or fills greater than four (4) feet in depth shall be compacted to ninety-five (95) percent of standard proctor, as reviewed and approved by the Greenfield Road Agent.~~

(5) For driveways one thousand (1,000) feet or more in length, or containing slopes of fifteen (15) percent or more, the issuance of a driveway permit may require a drainage plan by a New Hampshire licensed engineer to ensure that stormwater and spring meltwater will not result in

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erosion, endanger the integrity of the driveway surface, or cause siltation of drainage systems or surface waters.

O. No driveway entrance may be constructed within fifty (50) feet of an intersecting road, unless the applicant can demonstrate that there would be no safety hazards created.

P. Driveways shall be located a minimum of ten (10) feet from side or rear property lines.

Q. When two (2) driveway entrances on the same side of the road are within fifty (50) feet of each other, a common access may be required, for reasons of safety and topographical considerations.

R. All-season safe sight distance in each direction is required, in accordance with standards recommended by NH DOT and/or American Association of State Highway and Transportation Officials (AASHTO).

S. Any driveway crossing a wetland or body of water shall have all permits required by the NH Wetlands Board and/or the Greenfield Board of Adjustment prior to the driveway approval.

T. There shall be no more than one primary access to a single parcel of land unless a need for multiple accesses can be demonstrated.

U. Driveways shall intersect roadways at an angle of ninety (90) degrees.

V. No structures (including buildings), permanent or portable signs, lights, displays, fences, walls, etc. shall be permitted on, over, or under the town road right-of-way.

W. Driveways providing access to multi-unit residential, commercial, or industrial uses shall be designed to conform to good engineering practice using the most recent version of the NHDOT manual, *Administrative Rules for the Permitting of Driveways and Other Accesses to the State Highway System* as a guide.

X. Common Driveways.

(1) If approved by the Planning Board one driveway may serve two lots. In such a case, the Planning Board may require that the driveway maintain a 50-foot right-of-way.

(2) An independent inspection of the driveway may be required, by an engineer approved by Planning Board and paid for by the applicant. The inspector will certify that these regulations are complied with.

(3) Before any application for a common driveway is approved, the landowner(s) must submit a maintenance agreement and provide a deeded easement that clearly defines each property owner's rights and responsibilities.

(4) The house numbers for all residences are to be placed at the end of the common driveway, and the individual house number is to be placed at the entrance to each private driveway according to Section V, K.

Y. Driveways should follow the natural terrain, and cuts or fills should be minimized.

Z. All driveways must be designed, constructed, and maintained so as to ensure that emergency vehicles, including ambulances and fire trucks, can ingress and egress easily during emergency events.

Section VI. Temporary Driveway Permits

Permission for temporary driveways for such activities as logging, utility maintenance and construction is required. Temporary permits shall have a stipulated time limit.

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Section VII. Modifications and Waivers

The standards of these regulations may be modified or waived when specific circumstances surrounding a proposal, or a condition of the land, indicate that strict adherence to the standards would create a hardship for the landowner, and such modification will not be in conflict with the purpose and intent of these regulations.

Section VIII. Application Procedure

A. Prior to commencing work, the applicant will file an application with the Planning Board or its designated agent, on a form provided by that office. A copy of the application will be forwarded to the Building Inspector.

B. Before the Board acts on the application, there will be an inspection of the site. For any paved driveways or entrances, there shall be an inspection following the laying of the gravel base and prior to the final paving.

C. There shall be 24-hour notice to the Building Inspector before starting construction of the driveway.

D. A final inspection by the Building Inspector will be made to determine that all work has been satisfactorily completed in conformance with these regulations prior to the issuance of a Certificate of Occupancy.

Section IX. Administration and Enforcement

A. These regulations shall be administered by the Greenfield Planning Board. The Planning Board, through the authority granted to it under RSA 236:13 (V) hereby delegates administrative duties and enforcement regarding this regulation to the Greenfield Code Enforcement Officer, who may, in the administration of his/her duties, consult with the Road Agent.

B. In reviewing an application to construct a driveway, the Planning Board shall apply accepted principles of traffic safety engineering. In addition, the Board may, in the exercise of sound discretion, consider the factors including but not limited to the existence of a sprinkler system, the quantity and quality of traffic, the existence of on-street parking, sight distance, adjacent land use, development of access away from arterial streets and onto side streets, anticipated development in the area, and speed limits. After such review, the Building Inspector may issue a building permit.

C. Driveways constructed in violation of these regulations shall be corrected immediately upon notification by the Town, or the costs of removing or construction shall be fully borne by the property owner.

D. Any person who violates any provision of this regulation shall be subject to fines and penalties as spelled out in RSA 676: 15 & 17.

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