

RUMNEY'S DRIVEWAY AND OTHER ROAD ACCESS REGULATIONS

As amended on May 30, 2000

Pursuant to the grant of authority in RSA 236:13 V the Town of Rumney Planning Board has adopted the following regulations governing driveways (including all other accesses whether called entrances, exits, approaches or private roads, permanent or temporary) to roads under the jurisdiction of the Town of Rumney (Class V and Class VI highways), and to roads in approved subdivisions. (See Section V.E. of the subdivision regulations. Driveways in subdivisions may be subject to additional requirements pertaining to location, design, drainage, etc. agreed to as part of the subdivision approval.) These regulations do not apply to driveways accessing private roads that have not been part of an approved subdivision but it is recommended that such driveways conform to the same standards. Any driveway constructed onto a private road may be obliged to be brought into conformity with the standards applicable at the time of construction should application be made for the town to accept the private road as a class V highway.

- I. It shall be unlawful to: 1. construct a driveway, or 2. significantly alter the size, grade, angle, location, drainage, or usage of any driveway within the limits of a town road or approved subdivision road that does not conform to the terms and specifications of a written **CONSTRUCTION/TEMPORARY USE PERMIT** issued by the Planning Board or its designate.
- II. It shall be unlawful to use a driveway that required a permit under section I. past the date set therein for temporary use to expire without a written **FINAL USE PERMIT** from the Board or its designate certifying that the driveway was constructed or significantly altered in accordance with the construction permit and that it is likely to meet the performance standards of Section III.
- III. **No permit shall be issued** for a driveway that would or would likely in the foreseeable future **perform** in such a way as to pose a **significant threat to public safety** (including those using the town or approved subdivision road and those using the driveway), or a **significant threat to the town or approved subdivision road** (including its shoulders, ditches, culverts, embankments or surfaces).

In addition no permit shall be issued that does not satisfy the following **design standards except** as provided in subsection D.:

- A. The driveway standards of section IV if a residential, small commercial or small subdivision development.
- B. The standards described in the "Driveway and Other Accesses to the State Highway System" published by the New Hampshire Department of Transportation if a larger commercial, industrial or subdivision development, as determined by the Planning Board.
- C. Any additional standards agreed to by a subdivider in receiving approval under the Rumney subdivision regulations including the Appendix A Minimum Road Design Standards where applicable.
- D. A variance to the specific design standards may be granted where the driveway meets the general performance standards of this section and where undue hardship to the applicant would occur.

IV. Driveway Design Standards

1. The maximum width of any driveway shall be thirty five feet measured parallel to the public road centerline at the curb or shoulderline with a desirable width between 20 and 30 feet. Driveways may be flared as they meet the town road.
2. The angle of the driveway with respect to the road edge shall not be less than 60 degrees.

3. No part of any driveway shall be constructed outside the applicant's frontage.
4. An all season safe sight distance of 200 feet in either direction along the town road shall be required for a family residence; 400 feet shall be required for all other developments. For existing lots, when only one possible entry exists, a variance may be requested.
5. The grade of entrances and exits shall be constructed to slope away from the roadway surface for a distance equivalent to the existing ditch line or for one car length, whichever is greater. Where the approaches are paved, the minimum rate of slope shall be 3/8" per foot. For all other surfacing, the slope shall be a minimum of 1/2" per foot. In neither case shall the slope be more than 1" per foot. The drainage of ditches shall not be impeded and the provisions for drainage shall be subject to the approval of the town road agent. The cost of any required drainage structures including culvert pipe, grating, catch basins or paving required to provide access shall be paid for by the property owner. The type, strength and depth of any such culvert pipe, grating, catch basins or paving that is placed under or within 10' of the edge of the travelled way shall be approved by the road agent and stated on the permit.
6. Since drainage is an important factor in the safety and structural stability of the town road, all drainage features in connection with the permitted driveway construction shall be as approved. In no case shall the permitted construction cause water to stand on or within 10' of the edge of the town road. Depressed island areas should be retained between edge of shoulders and private property for storage of snow and snow melt runoff. Flat driveway sideslopes (4:1 to 6:1) are required to minimize hazards to vehicles which leave the town road travelled way for any reason. In those cases where property development increases drainage runoff such that existing town road drainage structures are insufficient to dispose adequately of all drainage, the applicant will be required to provide additional or larger drainage facilities to prevent any ponding on the town road or within 10' of its edge.
7. Any two driveways connected to a single town road shall be separated by an island at least 10 feet wide. In addition, driveways shall be set back at least 10 feet from property lines unless the driveway is serving both lots.
8. Driveways near intersections of two roads, whether state, town or private roads, must be located sufficiently far from the intersection that a vehicle leaving that driveway will be properly oriented in the roadway, in its normal traffic lane and moving with the normal flow of traffic before arriving at the intersection. For this reason, a minimum of 100 feet shall be required from the nearest edge of the driveway and the edge of the crossroad travelled way. If two driveways to the same property access two intersecting roads, a clear and distinct island area shall be created to separate these two driveways. (See sketch 2)
9. The Board may require the construction or installation of a barrier or other obstruction to vehicular access to the town road when appropriate and necessary to prevent unregulated and improper access to the road.
10. No more than two driveways from any one road to any one parcel of land shall be permitted unless frontage along that road exceeds 500 feet. Where frontage exceeds 500 feet, no more than three driveways or approaches will be permitted.
11. Parking, loading, or servicing of vehicles shall not take place on the public road or in the driveway within 10' of the edge of the travelled way of the town road. No structures, including permanent or portable buildings, signs, lights, displays, fences, walls, sanitary facilities, etc. shall be permitted on, over, or under a public road, or in the driveway within 10' of the edge of the travelled way of the town road.

12. It is recommended that a minimum of 25 feet be provided between the edge of the travelled way of any town road and the near edge of any service facility. In any event, this distance should be sufficient so that no vehicles will be served on town property.
13. Any driveway from a commercial establishment shall have turning space provided so that all vehicles can enter the public way moving forward. (i.e. patrons should not "back out".)

V. Procedures

- A. Applications shall be available at the Town Offices. Completed applications may be submitted to the Town Administrative Assistant or directly to the Board or its designate.
- B. Within reasonable time periods, the Board or its designate shall review the application for completeness, notify the applicant if it is incomplete with reasons therefore, decide if a public hearing is needed and then either issue a construction/temporary use permit (providing a copy to the applicant with a notice to be displayed at the site or deny the application (providing the applicant with the reasons therefore in writing).
- C. The Board may require security to assure the Town that the construction or significant alteration does conform with the performance and design standards of the construction permit, including where necessary security to be held for four seasons to help ensure proper performance throughout the year.
- D. The Board may require a reasonable application fee to administer this program, and it may charge the applicant for any engineering or other studies reasonably necessary to evaluate the application, the size bond to be requested, and the completed work.
- E. The applicant shall give reasonable notice to the town Road Agent of the date and time for the installation of a driveway under a Construction Permit to enable the Road Agent to review the installation to ensure compliance with these regulations.

VI. Whenever an existing town road is improved by construction, existing driveways to the road may be altered to conform to the spirit and intent of the section III. standards by the agency doing the construction.

VII. Driveways constructed prior to May 15, 1987 which are causing damage to a town road may be required to conform to these standards. Driveways constructed after May 15, 1987 without a permit as required by the then existing driveway regulations are subject to the penalties shown in section VIII.

VIII. Any person who violates any provisions of these regulations or a written permit issued thereunder shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person; and in addition, shall be liable for the cost of restoration of the highway to a condition satisfactory to the Planning Board or its designated agent.

IX. The issuance of a construction/temporary use and final use permit does not lessen the duty of any driveway, including the maintenance or use thereof, to avoid causing damage to the town road, its culverts, ditches, embankments and surfaces; or posing a significant threat to public safety.

TOWN OF RUMNEY (rev. 10/97)
DRIVEWAY CONSTRUCTION/TEMPORARY USE PERMIT

This is part 1 of the two step driveway permitting process. This permit is for construction purposes only and is limited in time. **Upon completion of construction a Final Use permit must be applied for and issued in order to continue use of the driveway. This permit is good for 6 months only.** If necessary, extensions can be granted after request.

LANDOWNER/APPLICANT: (Please complete the following to apply for the Construction/Temporary Use Permit)

Name(s): _____
Mailing Address: _____
Phone Numbers: Day & Evening _____
Tax Map # of lot seeking permit _____
Street address # of that lot (if it exists) _____

As the landowner/applicant, I hereby agree to the following:

1. To construct the driveway entrances at the permitted location in accordance with town regulations and any agreed upon permit conditions.
2. To hold harmless , the town of Rumney and its duly appointed agents and employees against any action for personal injury and/or property damage sustained by reason of the exercise of this permit; and to avoid causing damage to the town road or approved subdivision road, or creating a significant threat to public safety, at any time.
3. To furnish, install and maintain the drain structures and other improvements necessary to maintain existing highway drainage and adequately handle increased runoff resulting from this driveway, the vehicular barriers and any other structures required by the regulations and permit conditions.

_____ (Signature of landowner/applicant(s)) _____ (Date)

ADDITIONAL INFORMATION to be submitted by the Landowner/Applicant as part of the application:

1. A **diagram**(s) which will show any planned ditches, culverts, or other drainage ways.
2. **Mark** your driveway with stakes so that the designated town officials can check your plan.
3. Three (**3**) applications and diagrams are required. (copies of the original will be accepted)

NOTE: minimum culvert size is 15" in diameter unless otherwise approved in writing by a designated town official.

FEES: Processing Fee: \$25.00. (Costs of special engineering studies, if required, are additional).
Bond Fee: \$_____ to accompany 'permit to construct' (Contact planning board for \$ amount)
(Bond to be refunded one year after issuance of Final Driveway approval to ensure 4 season performance.)

NOTE: No inspections can be completed during snow season; this may delay approvals or bond returns.

CONDITIONS on approval?: . WAIVERS for approval?: . Please list on back of this form.

CONSTRUCTION/ TEMPORARY USE PERMIT APPROVAL requires the following signatures from the Rumney Driveway Unit (RDU) after completion of the approval checklist and on-site inspection.

By _____ (Road Agent with date) By _____ (Selectmen with date)
By _____ (Planning board with date) By _____ (Town Engineer with date if required by RDU)

Approval date _____ (date) Permit expiration date _____ (6 months from approval date)

Conditions on Approval: (If nothing is stated then the §V Design Standards apply)

Culvert required? -yes, -no

If yes, minimum size is 15" unless approved in writing; larger may be required. Size: _____

Signatures if less than 15": _____

Other drainage structures or improvements required? -yes, -no

If yes, state what is required: _____

Width of driveway: _____

Angle of driveway to road: _____

Slope away from road surface: minimum rate of _____ for a distance of _____

Other:

