

PLANNING/ZONING



## DRIVEWAY REGULATIONS

Amended: August 6, 2014

## **ARTICLE I**

### **Authority and Purpose**

Pursuant to the authority vested in the Sullivan Planning Board by the legislative body of Sullivan, and in accordance with the provisions of Chapters 674:35 and 236:13 of the New Hampshire Revised Statutes Annotated, as amended, the Sullivan Planning Board adopts the following regulations governing all driveway construction and driveway access to town roads. These regulations are designed to accomplish the purposes of protecting the health, safety, convenience, and general welfare of the citizens.

## **ARTICLE II**

### **General Provisions**

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 secure approval of such proposed construction or change in accordance with these regulations. Any new or modified driveway requiring a driveway permit from the Town of Sullivan and that enters on to a State highway must also have a State driveway permit. Two examples of such highways in Sullivan are Centre St. from Rt. 9 to Rt. 10 and the section of Valley Road from Centre St. to Rt. 9.

## **ARTICLE III**

**Definitions:** The definitions contained in the Sullivan Subdivision Regulations shall apply, in addition to the following:

**Access:** A way or means of approach to provide physical entrance to a property.

**All-Season Safe Sight Distance:** A line that encounters no visual obstruction between two points, each at a height of 3 feet 9 inches above the pavement, allowing for a snow windrow and /or seasonal changes, and so located as to represent the line of sight between the operator of a vehicle using the driveway and the operator of a vehicle approaching from either direction.

**Construction:** For the purpose of this regulation, means not only the construction of a new driveway, but also any improvements to or alterations of an existing driveway (excluding surface maintenance).

**Driveway:** A public or private roadway providing primary access from a public 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 an access that is primarily used for service or maintenance, such as fuel oil delivery.

**Driveway Cut:** For the purposes of these regulations, the driveway cut refers to the first 20 feet of the driveway, measured from the edge of the traveled way.

#### **ARTICLE IV**

##### **Design Standards**

1. No driveway cut shall be constructed within 100 feet of the nearest edge of an intersecting road, measured between nearest edges.
2. A minimum of a 200-foot all season safe sight distance in each direction is required.
3. Driveway cuts shall not interrupt the natural or ditch lines flow of drainage water. Where shallow ditch lines or natural drainage courses exist, driveways may be swaled at a point beyond the shoulder to accommodate the flow of storm water.
4. When two proposed driveway cuts on the same side of the road are within 50 feet of each other, the Planning Board may require a common access to be used, for the reasons of safety and topographical considerations.
5. There shall be no more than one primary access to a single parcel of land unless a need for multiple accesses can be demonstrated.
6. Driveway cuts shall intersect roadways at an angle of 90 degrees.
7. For purposes of snow removal, general maintenance, and protection of abutters, no driveway shall be constructed closer than 20 feet from abutting property lines and easements.
8. The driveway shall have a minimum width of 20 feet at the intersection of the road and for a distance of 20 feet from the road. In all cases the driveway shall be wide enough to accommodate emergency vehicles. The driveway entrance may be flared out as it approaches the road.
9. The driveway entrance shall drop 6 inches from the edge of the road to a point at least 6 feet back without a culvert. If a culvert is required, the drop shall be one-quarter inch per foot.
10. If a culvert is required for proper drainage, it shall be a minimum of 15" in diameter and long enough to accommodate a 3:1 side slope and to maintain the driveway width dimensions and a stable fore slope. It shall be of new galvanized steel or HDPE.
11. Culvert design shall conform to the most recent NH DOT specifications. The culvert may be required to have a catch basin with a cover at the inlet end and a concrete or stone header at the outlet end. The culverts shall be installed by the landowner under the supervision and with the approval of the Road Agent.
12. The drainage ditch shall be 6 inches below the outlet end of the culvert and drop at least one quarter inch per foot to the nearest point of drainage relief.
13. Any driveway crossing a wetland or body of water shall have all permits required by the State of New Hampshire Department of Environmental Services.

14. Driveways intersecting paved roads must have a paved apron of 20 feet wide and 14 feet deep.
15. Driveway cuts providing access for multi-unit residential, commercial, or industrial uses shall be designed to conform with good engineering practice using the NHDOT manual, *Administrative Rules for the Permitting of Driveways and Other Accesses to the State Highway System* as a guide.

## **ARTICLE V**

### **Procedures**

Prior to commencing work, the applicant will file an application with the Planning Board on a form provided by that office.

Before the Planning Board acts on the application, the Road Agent and the Planning Board Driveway Committee will inspect the site.

The Planning Board shall notify the Conservation Commission of all applications it receives, and if the Conservation Committee deems it necessary, a member of the Conservation Commission will also inspect the site and provide advice.

The Planning Board shall be asked to review and approve all applications.

The Road Agent will make a final inspection to determine that all work has been satisfactorily completed in conformance with these regulations.

Driveway permits are valid for one year from the date of approval. At the request of the owner, an extension may be granted by the Planning Board prior to the expiration date of the permit.

Where paved driveway aprons are required, the applicant will submit a check to the Planning Board made payable to the "Town of Sullivan" in an amount sufficient to cover the cost of installing the apron. The amount of the check will be determined by the Town Road Agent and will be based on current construction costs.

The funds will be held in escrow by the Town until the completion of the paved apron and inspection by the driveway committee and Town Road Agent. In no case will the funds be held for greater than 1 year unless an extension has been granted. Upon completion of the apron, the escrowed funds, plus accrued interest will be returned to the applicant.

If the driveway permit has expired or an extension has not been approved by the Planning Board, then the escrowed funds held by the Town will be used for paving said apron. In the event the cost of the apron exceeds the amount held in escrow, the applicant will be billed. In the event the cost of the apron is less than the amount held in escrow, the funds will be returned to the applicant.

In the event an extension is granted by the Planning Board, it may be necessary to re-examine the amount of funds held in escrow and to collect additional funds if the current cost is greater than the amount previously collected. (updated by Planning Board 8/6/14)

## **ARTICLE VI**

### **Administration and Enforcement**

- A. These regulations shall be administered by the Sullivan Planning Board or their designee. The enforcement of these regulations is, as well, vested with the Planning Board.
- B. Waivers: The standards of these regulations may be modified or waived when, in the opinion of the Planning Board, 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.
- C. Performance Bond: As a condition of approval, the Planning Board may require the posting of a performance bond commensurate with the size and complexity of the project to guarantee the proper completion of any work specified as a condition of the approval.
- D. Penalties: Any person who violates any of the provisions of this regulation shall be subject to fines and penalties as spelled out in RSA 676:15 & 17.
- E. These regulations may be amended by the Planning Board following a public hearing on the proposed change.

Adopted by the Sullivan Planning Board on April 4, 2007

Article IV, Article VI Amended December 19, 2013

Article V Amended August 6, 2014