



# Town of Dorchester DRIVEWAY REGULATIONS

## **Section I: AUTHORITY AND PURPOSE**

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

## **Section II: GENERAL PROVISIONS**

Anyone desiring to construct, alter, repair, or relocate a driveway in order to obtain access to an existing or proposed street or roadway, shall first apply for and obtain a permit from the Planning Board or its authorized representatives.

## **Section III: DEFINITIONS**

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

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

**Construction:** For the purposes of this regulation, means not only the construction of a new driveway, but also any improvements to or alterations of an existing driveway.

**Driveway:** Any improved or unimproved area serving as an area of access, entrance, exit, or approach from any street to any parcel of land, regardless of public or private ownership.

**Street/Roadway:** Any existing Class V & VI highways/town roads and highways proposed or created as part of a subdivision.

**Town Maintained Highway Right-Of-Way:** That portion of the highway right-of-way which the town maintains for the purposes of drainage, mowing, and the placement of snow removed from said highway.

#### Section IV: DRIVEWAY STANDARDS

- (a). No more than two (2) driveway entrances shall be constructed from any one street to any one property unless frontage along that street exceeds 500 feet. When frontage exceeds 500 feet, no more than three (3) driveway entrances shall be constructed from any one street.
- (b). Driveways should intersect the road at an angle of 90 degrees and shall not be less than 45 degrees to the road.
- (c). For the purposes of snow removal, general maintenance, and protection of abutters, no driveway, including the area to which snow will be removed, shall be constructed closer than 10 feet from abutting property lines, except when a shared driveway is deemed necessary by the Planning Board for safe access to adjacent lots in a subdivision.
- (d). No driveway shall be constructed unless sufficient area is provided for the piling of snow off the town maintained highway right-of-way on the driveway side of the street.
- (e). No driveway shall be constructed in an area that there is less than a 150 foot clear line of sight 4 feet above the surface of the road to the entrance of the driveway. If no location exists within the frontage of an existing lot of record which allows said site distance from both directions, a single driveway shall be allowed so as to provide the greatest possible site distance from each direction.
- (f). No driveway shall be constructed within 50 feet of any intersection of two or more roads and then only if the 150 foot clear line of sight can be maintained from each intersecting road in accordance with the requirement of **IV(e)** above.
- (g). The traveled way of a driveway shall be a minimum width of 12 feet with a sufficient flare at the roadside to allow the safe entrance of emergency vehicles.
- (h). Driveways will be constructed in a manner that drains all run off water away from the road. The grade of the driveway away from the roadway surface shall be constructed to slope away from the surface for a distance equivalent to the existing ditch line; water cannot go onto the road. This slope shall be a minimum of one-quarter inch per foot.

- (i). The driveway shall not interfere with the drainage of the town road. Where necessary, culverts, water bars, ditches and other drainage structures shall be installed to insure adequate drainage of the road and to prevent excessive drainage from the driveway onto the road.
- (j). Culverts shall be at least 15 inches in diameter and 30 feet in length, and larger if considered necessary by the Town Road Agent or the reviewing engineer. A minimum of 12 inches of fill shall be placed over the culvert. 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.
- (k). Any proposed driveways in a Historic District will be reviewed by the Historic District Commission. A copy of the Commission's findings will be submitted with the permit application and their recommendations will be satisfied at the completion of the driveway.
- (l). All proposed driveway sites will be reviewed by the Town Road Agent or Engineer and all recommendations will be written on the permit and performed to the Road Agent's satisfaction upon completion of the driveway.
- (m) The standards of this regulation shall be applicable, at the landowners expense, to all driveways accessing any private road accepted by the Town as a Class V highway. All portions of the driveways located within the right-of-way of the newly accepted highway shall be upgraded to these standards by the Highway Agent and the costs billed as a special assessment to each landowner. Driveways which do not meet the site distance and setback requirements shall be brought into compliance by the landowner within a time period established by the Planning Board

**Section V: PERMIT AND PENALTY**

Any driveway constructed in Dorchester, whether temporary or permanent, will have an approved driveway permit. If any driveway is constructed without a permit, a civil penalty, not to exceed one hundred dollars per day pursuant to the provisions RSA 676:17(b), will be assessed until the proper permit is issued or the driveway is removed. If a driveway is constructed without a permit and deemed a hazard to safety or a drainage problem by the Road Agent, said driveway will be removed immediately by the Town at the land owner's expense.

**Section VI: AMENDMENTS**

These regulations may be amended or rescinded by the Planning Board but only following a public hearing on the proposed change. The Chairman or Secretary of the Board shall record any changes so authorized at the Registry of Deeds of Grafton County. Certified copies signed by a majority of the Board members shall be filed with the Town Clerk and Selectmen.

**Section VII: EFFECTIVE DATE**

The effective date of these regulations shall be November 10, 2005. These Driveway Regulations were adopted by the Dorchester Planning Board on November 9, 2005 at the conclusion of a duly noticed public hearing.