

# TOWN OF FITZWILLIAM, NEW HAMPSHIRE

## DRIVEWAY ENTRANCE REGULATIONS

Adopted by Planning Board April 1, 2008

- 1.) **Purpose.** These regulations are designed to accomplish the purpose of protecting the health, safety, convenience, and general welfare of the citizens. Since driveways are, in effect, intersections, they require certain controls to ensure safe and efficient access and egress, and proper and suitable discharge and control of surface drainage. These regulations establish policies and procedures for permitting driveways within the town of Fitzwilliam.
- 2.) **Authority,** Pursuant to subdivision authority vested in the Fitzwilliam Planning Board by the legislative body of Fitzwilliam, in accordance with the provisions of Chapters 674:35 and 236:13 of the New Hampshire Revised Statutes Annotated, the Fitzwilliam Planning Board adopts the following regulations governing all driveway construction and access to private, Class V and Class VI roads. State regulations apply to driveway access onto state roads.
- 3.) **Permits,** An application to construct, add, alter, repair, or relocate a driveway entrance to a Town road will be made to and approved by the Fitzwilliam Board of Selectmen, or their designated agent, prior to construction of said driveway.
- 4.) **Procedures,**
  - A.) All driveway entrances require a permit. Where a building permit will be required, the application to construct a driveway entrance will accompany the building permit application.
  - B.) A driveway permit will be issued only after an on-site inspection of the area by the Fitzwilliam DPW Director, accompanied by the Landowner or the Landowner's designated agent.
  - C.) During the course of the on-site inspection the following items will be addressed and determinations made that are mutually agreeable to both parties:
    - a.) Location of proposed driveway improvement, type of construction, culvert placement, drainage grades, as well as the type of surfacing materials required.
    - b.) The driveway entrance will be constructed in such a manner that there will be a safe sight distance of two hundred (200) feet (100 feet in each direction from the centerline of the driveway at 3 ¼ feet above the road surface).
    - c.) Grade of entrance will slope away from the road at one (1) inch/foot for the first twenty (20) feet or as necessary, to be determined by the DPW Director. The first twenty feet of driveway is to be paved when abutting up to a town paved road.
    - d.) Whether a culvert is needed.

- e.) Headwalls made of stone or concrete shall be erected on both the inlets and outlets of each culvert.
  - f.) Any driveway crossing a wetland or body of water shall have all permits required by the State of New Hampshire Wetlands Board also reviewed and approved by both, the planning board and conservation committee.
  - g.) The driveway shall be a minimum of 12 feet in width with 15 feet of clear access to accommodate emergency vehicles.
  - h.) Entrance surfacing will consist of the same or better materials as that of the Town road surfaces as determined by the Town DPW Director. Entrances of 150 feet or greater shall provide a proper turnaround for emergency vehicles at their inner termination.
  - i.) Entrances of 150 feet or greater shall provide a proper turnaround for emergency vehicles at their inner termination.
  - j.) Entrances must be constructed and maintained for emergency vehicles. Entrances longer than 300 feet must provide suitable turnouts that will allow two emergency vehicles to pass. Such turnouts should be located at approximately 300 ft intervals as the topography dictates and shall be constructed of adequate size and load bearing ability to accommodate a 30 ft long fire truck weighing 15 tons.
- D.) After construction approval has been granted and a permit issued, construction may proceed. During construction, NO logs, stumps, rocks, or other refuse will be placed in the town's Right-Of-Way.
- E.) **After the driveway has been constructed, the DPW Director or a designee shall be notified to do a final inspection to ensure requirements were met.** Failure to complete a driveway entrance to the agreed upon Town specifications, after reasonable length of time, may disqualify the applicant from any further permits of any sort to be issued by the Town until the terms of this permit are met by the applicant. Additionally, construction in violation of the above conditions shall be corrected immediately upon notification by the Town Official or the cost of removing the non-conforming issue will be fully borne by the Landowner.
- 5.) **Severability,** The invalidity of any section or provision of this chapter shall not invalidate any other section or provision thereof.
- 6.) **Appeals,** Any person aggrieved by an official action of the Town may appeal to the Board of Adjustment.