

TOWN OF ENFIELD



DEPARTMENT OF PUBLIC WORKS

DRIVEWAY REGULATIONS AND APPLICATION

DRIVEWAYS

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ARTICLE I

General Provisions

1. Authority

These regulations are adopted pursuant to the authority invest in the Enfield Planning Board by Chapter 236, Section 13-14, New Hampshire Revised Statues Annotated, as amended. The Enfield Planning Board hereby adopts the following regulations governing driveway in the Town of Enfield, New Hampshire August 27th, 2003.

2. Title

This chapter shall hereafter be known, cited and referred to as the “Driveway Regulations of the Town of Enfield”, hereafter referred to as “these regulations” .

3. Purpose

The purpose of the regulations is to establish the criteria, standards, application forms and fees charged for the location and design of driveways within the Town of Enfield to gain access onto public and private ways.

4. Adoption of RSA 236:13

In addition to the standards contained herein all driveways shall also conform to the standards found within RSA 236:13, as amended

5. Jurisdiction

These regulations shall apply to the installation of all temporary and permanent access points onto the Town of Enfield roads, including any changes to the existing driveways beyond normal maintainance. All developments located on a state road must obtain a driveway permit from the New Hampshire Department of Transportation prior to the insurance of a certificate of occupancy for new construction or final acceptance for existing construction. Please contact:

NHDOT, Bureau of Highway Maintainance, District #2
8 Eastman Hill Road, Enfield
Tel: 448 - 2654

6. Severability

The invalidity of any section or provision of this chapter shall not invalidate any other section or provision thereof.

ARTICLE II
Word Usage and Definitions

7. Word Usage

For purpose of these regulations, certain numbers, abbreviations, terms and words used herein shall be used, interpreted and defined as set forth in this section.

- A. Unless the context clearly indicates to the contrary, words used in the present tense shall include the future tense; words in the plural number shall include the singular; word used in the singular shall include the plural; the word "herein" shall mean "in these regulations"; the word "regulations" shall mean "these regulations"; the word "shall" or "will" is mandatory; the word "may" is permissive.
- B. A "person" shall include natural persons as well as a corporation, a partnership and/or an incorporated association of persons such as a club; "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied".
- C. The term "drive", "driveway", or "access point" mean a driveway and the terms shall be used interchangeably.
- D. Words not specifically defined herein shall have their common meaning.

8. Terms Defined

The following definitions, in addition to the definitions found within the Town of Enfield's Zoning Ordinance, Subdivision Regulations and Site Plan Review Regulations are hereby adopted for the purpose of this regulation

Application - An application for a driveway permit.

Board - The Planning Board of the Town of Enfield

Driveway - A private roadway providing access to a street or highway.

Point of Tangency - The point at which the curb radius ends and the ramp begins.

Ramp - That portion of a driveway located between the point of tangency and property line.

Resurfaced - The installation of a new layer of asphalt, gravel or any other wearing material. The definition of "resurfacing" shall not include the addition of seal coating to a driveway.

Right-of-Way (ROW) - Town-owned property, easements or other interests therein, dedicated for Municipal highway purposes.

Public Works Director - The Public Works Director of the Town of Enfield.

Temporary Driveway - A driveway, which is only to be used for a period of six (6) months or less.

ARTICLE III General Requirements and Design Standards

9. Permits

No driveway shall be constructed, modified, resurfaced or moved without obtaining a driveway permit from the Public Works Director or his/her authorized agent.

10. Driveway Permit Application

The application for a driveway permit shall be made on the application form as shown in Appendix A. The Public Works Director may require additional information or plans depending on the location and design of the driveway.

11. Driveways

All driveways shall conform to the following requirements:

- A. Driveways shall be placed no closer than forty (40)-feet to a street intersection.
- B. For driveways with a grade in excess of four percent (4%), a twenty-foot-long area approaching the street is required and constructed so as not to discharge runoff onto the public way.
- C. Driveways shall be of a grade in order to allow reasonable access by emergency vehicles. The Town of Enfield Driveway Regulations adopted by the Planning Board addresses the standard and specification for the intersection of a driveway and a road within the limits of a road right-of-way.

The Driveway Regulations do **not** apply to that part of the driveway extending beyond the road right-of-way. However, the Town hereby places all property owners on notice that in designing and constructing a driveway beyond the limits of the road right of way, care and consideration should be given to the fact that emergency vehicles generally are not able to access driveways that exceed a grade of 15% and/or that have curves with an inside radius less than 30 feet. It is solely the property owner's responsibility if emergency or delivery vehicles are not able to access the site.

- D. The driveway must be graded so that water from the lot does not flow onto the street:
 - 1. Commercial lots located above the street may require a grate across the driveway entrance in order to divert the water and prevent it from adversely effecting to road or ROW.
 - 2. Any driveway located over a culvert shall slope to drain into the culvert.
 - 3. All curbed driveways must have catch basins at the back of the sidewalk.
- E. Any culvert within the road right-of-way must be minimum of fifteen (15) inches in diameter and have at least twelve (12) inches of cover.
- F. The driveway pavement shall match the grade at edge of pavement, shall not block street drainage and must have a dip before meeting the street so that the driveway dose not drain onto the street.
- G. The maximum width of a ramp shall be twenty (20) feet.

- H. The number of driveways per lot shall be governed by RSA 236:13, as amended. Only drives which provide safe access to the street shall be permitted by the Director of Public Works.
- I. The driveway shall connect to the street at a right angle, if possible. However in no case shall the driveway intersect the street at less than a sixty (60) degree angle.
- J. Site distances shall be determined in accordance for safety and best construction practices by the Director of Public Works.
- K. Driveways shall be placed a minimum of five (5) feet from any side property line.
- L. Driveways shall be a minimum of twelve (12) feet in width within the right-of-way.
- M. Driveways that abut paved streets shall be constructed with paved aprons that shall be as wide as the driveway. The paved apron shall be constructed in such a way as to protect the edge of the road from deterioration.

12. Temporary Driveways

In addition to the standards in Section 11 (Driveways) all temporary driveways shall conform to the following requirements.

- A. Temporary driveways shall require a permit from the Public Works Director.
- B. No more than one (1) temporary driveway shall be permitted per lot.
- C. Temporary driveway permits are valid for a period of six (6) months. The Public works Director may extend that permit for an additional six (6) months.
- D. Temporary driveways used in conjunction with construction, logging or other activities on Class V and VI roads may be required to post a bond or other surety in order to ensure that any damage done to public streets is covered. The Board of Selectmen has the authority to determine the amount of the financial guarantee required and the form of the surety.

13. Enforcement

The Public Works Director and his/her designated agent are charged with enforcing the provisions of these Regulations.

14. Civil Enforcement

Appropriate actions and proceedings may be taken by law or in equity to prevent illegal occupancy of a building, structure or premises, and these remedies shall be in addition to the penalties as set forth below.

15. Violations and Penalties

The Town adopts the provision of RSA 236:14, as amended, in enforcement of any violation of these regulations. Any person, corporation or other entity that fails to comply with or violates any of these regulations shall be subject to prosecution as a misdemeanor.

16. Waivers

The Public Works Director has the authority to waive or modify the provisions of this chapter except for those required by RSA 236:13, as amended. The Public Works Director shall provide written justification and documentation for all waivers granted. All appeals of any action of the Public Works Director pertaining to driveways and these regulations shall be made in writing to the Planning Board.

17. Appeals

Any person aggrieved by an official action of the Planning Board may appeal to the Superior Court as provided by New Hampshire RSA 677: 15 as amended.

Public Hearing Held: August 27th, 2003

Driveway Regulations Adopted: Dec. 10, 2003

APPENDIX A

DRIVEWAY APPLICATION FORM

Permit# _____

Public Works Director Initials: _____

Applicant: _____ Date: _____

Property Address: _____

Phone: _____

Map _____ Lot _____ Block _____

Check One: New Construction _____
Temporary Driveway _____

Existing Construction _____
Resurface/Modify _____

Please fill out this application to the best of your ability. The Public Works Director will assist you in answering any questions you have regarding the application.

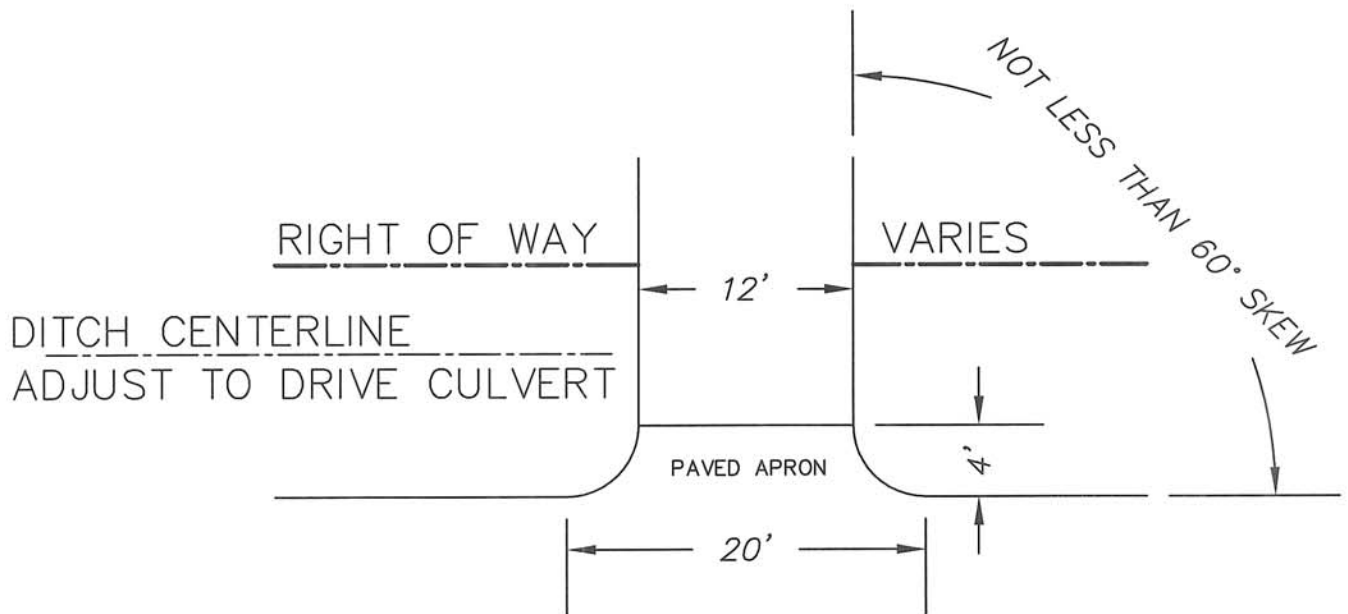
As the land owner(s), We/I hereby agree to the following conditions:

- A.) To bear all cost of construction and materials (including required drainage structures) necessary to complete the driveway to the Town of Enfield's satisfaction.
- B.) To hold harmless the Town of Enfield and its duly appointed agent and employees against and action to personal injury and/or property damage sustained by reason of exercise of this permit: and
- C.) To abide by the provisions of the Driveway Regulations and the specifications below:
 - 1. That the driveway be constructed in the location and with the dimensions as diagrammed on the back of the application.
 - 2. That any change or exceptions to the below specifications have written approval of the Public Works Director and;
 - 3. That the Public Works Director has the right to remove or correct - at the owner's expense - any driveway entrance not built in accordance with the Town of Enfield's Driveway Regulations or as outlined on this application form.
 - 4. Private Driveway connections, including structures such as culverts, remain the continuing responsibility of the landowner, even those located within the Right-of-Way.
 - 5. That the driveway meets all provisions of State Wetlands Regulations and the Enfield Zoning Ordinance section 406.

Applicant(s) Signature _____

Application Fee - \$25.00

PLEASE DIAGRAM THE PROPOSED DRIVEWAY ON THE BACK OF THIS APPLICATION. INCLUDE ALL DIMENSIONS AS REQUIRED IN PARAGRAPH NUMBER 11.



EXISTING ROADWAY

SIGHT DISTANCE TO BE MEASURED FROM THE CENTER OF THE PROPOSED DRIVE
 PLAN VIEW

JOB NO.

SCALE:
 NTS

DATE:
 AUG 03

DWG.

TOWN OF ENFIELD
 DEPARTMENT OF PUBLIC WORKS
 P.O. BOX 373
 ENFIELD, NH 03748
 (603) 632-4605

STANDARD DRIVE
 DETAILS