

# DRIVEWAY REGULATIONS TOWN OF FRANCESTOWN, NEW HAMPSHIRE

## SECTION I AUTHORITY AND PURPOSE

Pursuant to the authority vested in the Frankestown Planning Board by the legislative body of Frankestown, and in accordance with the provisions of Chapters 674:35 and 236:13 of the New Hampshire Revised Statutes Annotated, as amended, the Frankestown 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

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 proposal in accordance with these regulations.

It shall be the responsibility, financial and otherwise, of the applicant to construct the driveway according to these regulations and to the requirements of the Driveway Permit.

## SECTION III DEFINITIONS

The definitions contained in the Frankestown Subdivision Regulations (Section V-C) and Zoning Ordinance (Article VIII) 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, includes not only the construction of a new driveway, but also any improvements to or alterations of an existing driveway.

Driveway: A public or private roadway providing primary access from either a public or private road for vehicles to a dwelling, business, parking area, or other structure or facility that is currently used on a regular basis.

## SECTION IV DESIGN STANDARDS

1. Within the parameters of safety, effort shall be made to consider the scenic quality of Frankestown's highways when designing and constructing driveways.
2. Driveways shall intersect the roadway at a preferred angle of 90 degrees, but in no case shall the intersecting angle be less than 60 degrees.
3. A minimum of a 200-foot all-season safe sight distance in each direction shall be required.
4. No driveway shall be constructed within 50 feet of an intersecting street; 100 feet is preferred.
5. A minimum setback of 10 feet from side property lines is preferred.
6. The driveway shall have a maximum width of 30 feet and a minimum width of 15 feet at the intersection with the roadway.
7. For driveways onto a paved road, a paved apron, which extends the width of the intersection of the roadway and for a minimum distance from the roadway of 20 feet, shall be installed and maintained by the landowner. *In recognition of the economics of paving an area of such size, a certificate of completion may be issued before completion of this requirement, provided that the landowner place \$2,500 in an escrow account with the town. The town shall release the escrow money at the time the work is completed. Work must be completed within 18 months from the date the escrow account is established or all escrowed monies may be forfeited.*
8. For new or existing paved driveways accessed via a gravel road, driveway pavement must end at the edge of the town's right of way. Consult with Road Agent/Director of Public Works for any clarification.
9. The last 20 feet of the driveway, at the edge of the right of way, shall have a slope of between plus 5% and minus 5%.

10. The grade of the driveway shall be constructed to slope away from the road surface for a distance equivalent to the existing ditch line. This slope shall be a minimum of 1/2 inch per foot.
11. Driveways that cross steep slopes between 15% and 24.9% require a sedimentation and erosion control plan approved by the Planning Board. No driveways shall cross slopes of 25% or greater.
12. Driveways shall not interrupt the natural or ditch line flow of drainage water. In some cases 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. In all other cases, driveways shall have sufficiently sized culverts. Culverts shall be installed by the landowner under the supervision and with the approval of the Road Agent/Director of Public Works.
13. If a culvert is required for proper drainage, the culvert shall be a minimum of 15 inches in diameter and shall be HDPE pipe or galvanized, corrugated steel pipe. The culvert shall be long enough to maintain the driveway width dimensions and each end of the culvert shall be marked with a concrete or stone header.
14. Driveway maintenance, culvert maintenance, and paved aprons shall be the sole responsibility of the landowner.
15. Every driveway of more than 300 feet shall include a vehicular turnaround sufficient in size and design to allow Francestown fire equipment to turn.
16. All stumps left by any necessary clearing of vegetation and other construction debris, such as rocks, shall be removed from the highway right of way.
17. Any driveway crossing a wetland as defined in the Zoning Ordinance shall have a Special Exception from the Zoning Board of Adjustment as well as all required state permits.
18. No driveway may be constructed within 100 feet of a great pond (Francestown Zoning Ordinance 2-A.6.2) or within 50 feet of any pond or stream unless such improvements cannot be physically accommodated anywhere else on the lot. In such cases, a Special Exception from the Zoning Board of Adjustment will be required.
19. No paved driveways shall be constructed within 100 feet of any wetland greater than 3000 sq ft or any vernal pool.
20. Applications for Driveway Access or Driveway Construction must be accompanied by a location sketch showing site-specific information as required on the application form.

**Other Types of Access:** Specifications for shared (common) driveways, as well as multi-family, commercial or other non-residential uses shall, at a minimum, meet the design requirements established in VI 1-20. Additional design requirements may be established by the Planning Board in consultation with the DPW and/or other consultants.

**Temporary, Limited Use, or Low Impact Driveways:** Specifications for temporary driveways for purposes such as logging or for driveways for purposes such as incidental agricultural and silvicultural uses, which do not involve the construction of any structure, shall be determined by the Director of Public Works.

#### SECTION V • RULES

1. All driveways on town streets or private roads are to be approved by the Director of Public Works. The location will be suitable, and the use and maintenance of the driveway will not create a hazard or nuisance.
2. No more than one driveway to any lot shall be approved unless a) the frontage along the roadway exceeds 300 feet and b) all season safe sight distance of 200 feet in each direction can be obtained. No more than two driveways shall be allowed unless the frontage exceeds 500 feet and an all season safe sight distance of 200 feet in each direction can be obtained.
3. Any permit shall be conditional upon completion of construction in accordance with the terms and specifications of the permit.
4. All Driveway Permits are conditional upon usage being restricted to the purpose proposed in the application and the granting of a permit does not imply that a driveway approved for one use will be adequate for another use.
5. On any lot where an existing drainage culvert is located or where existing road drainage is ponding, infiltrating, or traveling along the lot's road frontage, no Driveway Permit shall be issued until a drainage easement has been granted to the Town of Francestown.
6. All proposed driveways in excess of 500' shall be engineered and a plat approved by the Planning Board. This restriction may be waived by the Planning Board only after site walk of property.

SECTION VI • PROCEDURES

1. Prior to submitting an application for a Driveway Permit, the applicant shall clearly mark and flag the location of the proposed driveway as well as the location of the property side boundaries. Such markings shall be left in place until a Certificate of Completion has been issued. The Building Inspector/Code Enforcement Officer may also require that the location of the full length of the driveway also be flagged.
2. Prior to commencing work, the applicant will file a completed application, including site sketch and any applicable fees, with the Selectmen on a form provided by that office. No application will be considered without a fully completed *Application for Driveway Access or Driveway Construction*
3. Before the Selectmen act on the application, the Road Agent/Director of Public Works will inspect the site and the Code Enforcement Officer will review the application and approve or disapprove it.
4. The Road Agent/Director of Public Works will make a final inspection to determine that all work has been satisfactorily completed in conformance with these regulations prior to the issuance of a driveway permit or a building permit.
5. Driveways are typically associated with new construction. Applicants may find it helpful to coordinate their driveway application with their building permit application.

SECTION VII • ADMINISTRATION AND ENFORCEMENT

Driveway permits shall not be issued unless all portions of the proposed driveway are in conformity with applicable town ordinances and regulations.

These regulations shall be administered and enforced by the Frankestown Board of Selectmen.

The standards of these regulations may be modified or waived when, in the opinion of the Selectmen upon comment by the Planning Board and Road Agent/Director of Public Works, 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.

Performance Bond: As a condition of approval, the Selectmen 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.

Penalties: Any person who violates any of the provisions of these regulation shall be subject to fines and penalties as spelled out in RSA 676:15 & 17, and as amended.

These regulations may be amended by the Planning Board following a public hearing on the proposed change.

The effective date of these regulations shall be 10/5/2010.

ADOPTED August 25, 1987  
AMENDED March 7, 1989  
AMENDED July 23, 2002  
AMENDED April 8, 2008  
AMENDED October 21, 2008  
AMENDED October 5, 2010

The Frankestown Planning Board

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**TOWN OF FRANCESTOWN**  
**DRIVEWAY REGULATIONS CHECKLIST - For Applicant**

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*Driveway Access & Driveway Permits shall not be issued unless all portions of the proposed driveway access and driveway are in conformity with applicable town ordinances and regulations. Within the parameters of safety, effort shall be made to consider the scenic quality of Frankestown's highways when designing and constructing driveways.*

- Driveways shall intersect the roadway at a preferred angle of 90 degrees, but in no case shall the intersecting angle be less than 60 degrees.*
- A minimum of a 200-foot all-season safe sight distance in each direction shall be required.*
- No driveway shall be constructed within 50 feet of an intersecting street; 100 feet is preferred.*
- A minimum setback of 10 feet from side property lines is preferred.*
- The driveway shall have a maximum width of 30 feet and a minimum width of 15 feet at the intersection with the roadway.*
- For driveways onto a paved road, a paved apron, which extends the width of the intersection of the roadway and for a minimum distance from the roadway of 20 feet, shall be installed and maintained by the landowner. In recognition of the economics of paving an area of such size, a certificate of completion may be issued before completion of this requirement, provided that the landowner place \$2500 in an escrow account with the town. The town shall release the escrow money at the time the work is completed. Work must be completed within 18 months from the date the escrow account is established or all escrowed monies may be forfeited.*
- The last 20 feet of the driveway, at the edge of the right of way, shall have a slope of between plus 5% and minus 5%.*
- The grade of the driveway shall be constructed to slope away from the road surface for a distance equivalent to the existing ditch line. This slope shall be a minimum of 1/2 inch per foot.*
- Driveways which cross steep slopes between 15 and 24.9% slopes require a sedimentation and erosion control plan approved by the Planning Board. No driveways will cross slopes of 25% or greater.*
- Driveways shall not interrupt the natural or ditch line flow of drainage water. In some cases 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. In all other cases, driveways shall have sufficiently sized culverts. Culverts shall be installed by the landowner under the supervision and with the approval of the Director of Public Works.*
- If a culvert is required for proper drainage, the culvert shall be a minimum of 15 inches in diameter and shall be HDPE pipe or galvanized, corrugated steel pipe. The culvert shall be long enough to maintain the driveway width dimensions and each end of the culvert shall be marked with a concrete or stone header.*
- Every driveway of more than 300 feet shall include a vehicular turnaround sufficient in size and design to allow Frankestown fire equipment to turn.*
- All stumps left by any necessary clearing of vegetation and other construction debris, such as rocks, shall be removed from the highway right of way.*
- Any driveway crossing a wetland as defined in the Zoning Ordinance shall have a Special Exception from the Zoning Board of Adjustment as well as all required state permits.*
- Any driveway to be constructed within 100 feet of a great pond (Frankestown Zoning Ordinance section 2.A.6.2) or within 50 feet of any pond or stream shall have a special exception from the Zoning Board of Adjustment as well as all required state permits.*
- Applications for Driveway Access or Driveway Construction must be accompanied by a location sketch showing site-specific information as required on the application form.*

# TOWN OF FRANCESTOWN

Francestown, New Hampshire

## APPLICATION FOR DRIVEWAY ACCESS OR DRIVEWAY CONSTRUCTION

Date of Application \_\_\_\_\_ Map # \_\_\_\_ Lot # \_\_\_\_

Proposed Use: ■ Residential ■ Commercial ■ Other \_\_\_\_\_

*Prior to the construction on any driveway, entrance, or other access-way in Francestown, this application shall be filed and approved. Standards for the construction of driveways are contained in the Francestown Driveway Regulations and are attached to this application, as is a checklist for conformance. These standards apply to ALL driveways in town, whether they are located on state, town, or private roads.*

Name of Owner \_\_\_\_\_

Address \_\_\_\_\_ Telephone \_\_\_\_\_

Name of Applicant, if different from owner \_\_\_\_\_

Contractor \_\_\_\_\_ Telephone \_\_\_\_\_

Name of Road to Driveway \_\_\_\_\_ Road Frontage of Lot \_\_\_\_\_

Estimated Length of Driveway \_\_\_\_\_ Slope of Land \_\_\_\_% Slope of Driveway \_\_\_\_%

Will Driveway cross any Wetlands? ■ Yes ■ No Is Driveway located on a scenic road? ■ Yes ■ No

Will this Driveway provide access to more than one dwelling unit or use? \_\_\_\_\_

Are any state or federal approvals/permits required? \_\_\_\_\_ If yes, please attach.

Subdivision History: Date of Approval \_\_\_\_\_ Is driveway location specified on plat? \_\_\_\_\_

**ATTACH A SKETCH SHOWING:**

- ✓ Side boundaries and distance from drive
- ✓ Utility pole number nearest driveway
- ✓ Location of drives and streets within 100'
- ✓ Tax map and lot number of property
- ✓ Name of side boundary abutters
- ✓ Building Location
- ✓ Location of any wetands, slopes or shorelands
- ✓ Angle of intersection with street
- ✓ Slope of drive
- ✓ Full length of Drive

*“I have read the Driveway Regulations of the Town of Frankestown and understand that failure to comply with these regulations, or failure to complete construction of this driveway within one year of the date of approval of this application shall render the permit null and void. I further understand that if any submission requirements are incomplete, review of my application will be delayed until all required information has been submitted.”*

**Proposed driveway and side property bounds are flagged and ready for inspection**

**All Applications for driveways on paved roads must be accompanied by a check for \$2,500 to be held in escrow.**

**Driveway maintenance, culvert maintenance, and paved aprons shall be the sole responsibility of the landowner.**

Signature of Applicant \_\_\_\_\_

Signature of Owner (if different) \_\_\_\_\_

*By signature, the landowner gives permission for Frankestown officials, their representatives or employees to enter upon the subject property at all reasonable times for the purpose of such examinations, tests, and inspections as may be appropriate.*

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**APPROVALS :**

Road Agent \_\_\_\_\_ Date \_\_\_\_\_

Compliance Officer \_\_\_\_\_ Date \_\_\_\_\_

Board of Selectmen \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

Where applicable:

Planning Board \_\_\_\_\_ Date \_\_\_\_\_

Conservation Commission \_\_\_\_\_ Date \_\_\_\_\_

Fire Department \_\_\_\_\_ Date \_\_\_\_\_