

Town of Moultonborough Driveway Permit Application

Public Works Department
P.O. Box 139, 68 Highway Garage Rd
Moultonborough, NH 03254
603-253-7445- Office



Pursuant to the provisions of Revised Statutes Annotated, Title 20, Chapter 236, Section 13 and amendments thereto, and the Town of Moultonborough Driveway Construction Conditions, Ordinances, and Regulations, permission is requested to (construct) (alter) one (1) Driveway Entrance to my property adjoining _____ (Road/Street) in the Town of Moultonborough, at a location that will meet the requirements for safety as specified in said statutes.

This Parcel is shown as Tax Map: _____, Lot: _____

The driveway requested is for access to: () Residential, () Commercial, () Subdivision, () Other: _____

Type of Construction: () Gravel () Paved Length: _____, Width (12' min.): _____
Size of Culvert (12" min.) _____ (to be approved by Public Works Department)

As the Owner/Applicant, I hereby agree to the following:

1. To construct driveway entrance only for the bona fide purpose of securing access to private property, such that the road right-of-way is used for no purpose other than travel.
2. To construct driveway entrance only at the permitted location and in accordance with the provisions as stated herein.
3. To defend, indemnify, and hold harmless, the Town of Moultonborough and its duly appointed agents and employees against any action for personal injury and/or property damage sustained by reason of the exercise of this permit.
4. To furnish and install drainage structures that are necessary to maintain existing roadway drainage and adequately handle increased runoff resulting from the land development and obtain all easements thereto.
5. Dig-Safe shall be notified at least 72 hours in advance of any excavation (*Call 811*)

Attach sketch or plan showing existing and/or proposed driveway location and the adjacent road, indicating distance to Lot Lines, Length of Driveway, Culvert size and location, and nearest utility pole (indicate pole number).

Driveway location shall be marked out on-site with grade stakes.

Landowner Information:

Name: _____
Address: _____
Phone: _____
E-mail: _____

Signature: _____
Date: _____

Applicant Information:

Name: _____
Address: _____
Phone: _____
E-mail: _____

Signature: _____
Date: _____

Application Received By: _____

Date: _____

Public Works Director: _____

Date: _____

Fire Chief: _____

Date: _____

Property Address Designation (911): _____

Select Board (or Designee) Approval: _____

Date: _____

Expiration Date: 1-Year from Approval

Revised: December 2019

RIGHT OF WAY
DITCH CENTERLINE
ADJUST TO DRIVE CULVERT

12'

VARIES

PAVED APRON

4'

20'

NOT LESS THAN 60° SKEW

EXISTING ROADWAY

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

JOB NO.		DEPARTMENT OF PUBLIC WORKS	
SCALE:			
NTS			
DATE:			
AUG 03			
DWG.			
			STANDARD DRIVE DETAILS

TITLE XX

TRANSPORTATION

CHAPTER 236

HIGHWAY REGULATION, PROTECTION AND CONTROL REGULATIONS

Excavations and Driveways

Section 236:13

236:13 Driveways and Other Accesses to the Public Way. –

I. It shall be unlawful to construct, or alter in any way that substantially affects the size or grade of, any driveway, entrance, exit, or approach within the limits of the right-of-way of any class I or class III highway or the state-maintained portion of a class II highway that does not conform to the terms and specifications of a written permit issued by the commissioner of transportation.

II. Pursuant to this section, a written construction permit application must be obtained from and filed with the department of transportation by any abutter affected by the provisions of paragraph I. Before any construction or alteration work is commenced, said permit application shall have been reviewed, and a construction permit issued by said department. Said permit shall:

- (a) Describe the location of the driveway, entrance, exit, or approach. The location shall be selected to most adequately protect the safety of the traveling public.
- (b) Describe any drainage structures, traffic control devices, and channelization islands to be installed by the abutter.
- (c) Establish grades that adequately protect and promote highway drainage and permit a safe and controlled approach to the highway in all seasons of the year.
- (d) Include any other terms and specifications necessary for the safety of the traveling public.

III. For access to a proposed commercial or industrial enterprise, or to a subdivision, all of which for the purposes of this section shall be considered a single parcel of land, even though acquired by more than one conveyance or held nominally by more than one owner:

- (a) Said permit application shall be accompanied by engineering drawings showing information as set forth in paragraph II.
- (b) Unless all season safe sight distance of 400 feet in both directions along the highway can be obtained, the commissioner shall not permit more than one access to a single parcel of land, and this access shall be at that location which the commissioner determines to be safest. The commissioner shall not give final approval for use of any additional access until it has been proven to him that the 400-foot all season safe sight distance has been provided.
- (c) For the purposes of this section, all season safe sight distance is defined as a line which encounters no visual obstruction between 2 points, each at a height of 3 feet 9 inches above the pavement, and so located as to represent the critical line of sight between the operator of a vehicle using the access and the operator of a vehicle approaching from either direction.

IV. No construction permit shall allow:

- (a) A driveway, entrance, exit, or approach to be constructed more than 50 feet in width, except that a driveway, entrance, exit, or approach may be flared beyond a width of 50 feet at its junction with the highway to accommodate the turning radius of vehicles expected to use the particular driveway,

entrance, exit or approach.

(b) More than 2 driveways, entrances, exits or approaches from any one highway to any one parcel of land unless the frontage along that highway exceeds 500 feet.

V. The same powers concerning highways under their jurisdiction as are conferred upon the commissioner of transportation by paragraphs I, II, III, and IV shall be conferred upon the planning board or governing body in cities and towns in which the planning board or governing body has been granted the power to regulate the grading and improvement of streets within a subdivision as provided in RSA 674:35, and they shall adopt such regulations as are necessary to carry out the provisions of this section. Such regulations may delegate administrative duties, including actual issuance of permits, to a highway agent, board of selectmen, or other qualified official or body. Such regulations, or any permit issued under them, may contain provisions governing the breach, removal, and reconstruction of stone walls or fences within, or at the boundary of, the public right of way, and any landowner or landowner's agent altering a boundary in accordance with such provisions shall be deemed to be acting under a mutual agreement with the city or town pursuant to RSA 472:6, II(a).

VI. The commissioner of transportation or planning board shall retain continuing jurisdiction over the adequacy and safety of every existing driveway, entrance, exit, and approach to a highway, whether or not such access was constructed or installed pursuant to a permit under this section, and, unless the access is a public highway, the owners of property to which the access is appurtenant shall have continuing responsibility for the adequacy of the access and any grades, culverts, or other structures pertaining to such access, whether or not located within the public right of way. If any such access is or becomes a potential threat to the integrity of the highway or its surface, ditches, embankments, bridges, or other structures, or a hazard to the safety of the traveling public, by reason of siltation, flooding, erosion, frost action, vegetative growth, improper grade, or the failure of any culvert, traffic control device, drainage structure, or any other feature, the commissioner of transportation or planning board or their designee may issue an order to the landowner or other party responsible for such access to repair or remove such hazardous condition and to obtain any and all permits required therefor. The order shall describe the hazard, prescribe what corrective action or alteration in the location or configuration of such access shall be required, and set a reasonable time within which the action shall be completed. Such an order shall be sent by certified mail, and shall be enforceable to the same extent as a permit issued under this section. If the order is not complied with within the time prescribed, the commissioner or planning board or their designee may cause to be taken whatever action is necessary to protect the highway and the traveling public, and the owner or other responsible party shall be civilly liable to the state or municipality for its costs in taking such action.

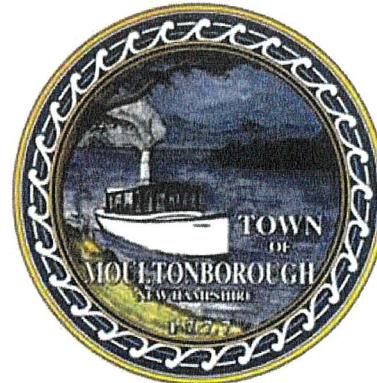
Source. 1939, 109:1. RL 107:4. 1945, 188:1, part 19:12. 1950, 5:1, part 9:1, par. 2. RSA 249:17. 1969, 254:1. 1971, 302:1. 1981, 87:1. 1985, 103:4; 402:6, I(a)(7), (b)(7). 1997, 52:1, 2, eff. July 18, 1997. 2014, 125:1, eff. Aug. 15, 2014.

Town of Moultonborough

Public Works

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603-253-7445
e-mail: dpw@moultonboroughnh.gov

Chris Theriault
Director of Public Works



Driveway Construction Conditions:

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 Moultonborough 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 Twelve (12) inches in diameter and have at least twelve (12) inches of cover. Placement and requirement to be determined by Highway Agent/Director of Public Works.
- 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 Highway Agent/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.

Dated: 7/16/18