Rev. 9/26/05

DRIVEWAY REGULATIONS

Town of Swanzey, New Hampshire
Adopted: July 5, 2001

Contact Information:

DPW Director 603-352-7116

Completed forms may be dropped off at Town Hall or at DPW (Pine Street). Forms will not be accepted without payment – checks may be made payable to "Town of Swanzey."

Adopted by the Swanzey Planning Board on July 5, 2001; filed with the Swanzey Town Clerk on July 6, 2001

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FEES:

$30.00 for single family residences with driveways less than 150’ in length

$50.00 for all other driveways including, but not limited to:

-- driveways to two-family dwellings

-- driveways to multi-family dwellings

-- driveways to development subject to site plan review

-- driveways greater than 150’ in length

-- driveways for logging sites.

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SECTION I
Authority and Purpose

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

It shall be unlawful to construct any driveway which does not conform to the terms and specifications of a written driveway permit issued by the Swanzey Public Works Director in accordance with these regulations.

No building permit shall be issued with respect to any property until the landowner or his authorized agent has obtained a driveway permit in accordance with these regulations.

No building permit for the construction of a dwelling house or structure or building shall be issued if the driveway provides access to the land from a private way or Class VI road.

SECTION III
Definitions

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

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

All-Season Safe Sight Distance: All-season safe sight distance means a line that encounters no visual obstruction between two points, each at a height of 3 feet 9 inches above the road surface, allowing for a snow windrow and/or seasonal changes. The line represents the line of sight between the operator of a vehicle using the driveway (point 1) and the operator of a vehicle approaching from either direction (point 2).

Construction: For purpose of this regulation means not only construction of a new driveway but major reconstruction, relocation or paving or repaving of an existing driveway. It does not include repairs or regrading of an existing driveway.

Driveway: A private roadway for vehicles which provides entrance, exit, access or approach to or from land in Swanzey to a public street (Class V or better)

SECTION IV
Design Standards

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A. Driveway access to dwellings or structures or buildings must be from a Class V road or better.

B. Driveways and associated land clearing shall not cause excessive erosion.

C. No driveway shall be constructed within 100 feet of an intersecting road.

D. For purposes of snow removal, general maintenance, and protection of abutters, no driveway shall be constructed closer than 10 feet from abutting property lines.

E. A minimum of a 325-foot all-season safe sight distance in each direction is required. If the all-season safe sight distance cannot be obtained, and the driveway is not an unreasonable hazard to the traveling public, the driveway shall be located at the safest point as determined by the Public Works Director.

F. The driveway shall have a minimum access width of 15 feet and a minimum length of 30 feet. The driveway entrance may be flared out as it approaches the road.

G. The grade of all driveways will slope away from the roadway surface at a minimum slope of ¼ inch per foot to a point at the center of the existing ditch line. If possible, this slope should continue for 20 feet.

H. If a culvert is required for proper drainage, the culvert shall be a minimum of 15 inches in diameter and a minimum of 25 feet in length, and shall be new galvanized steel, concrete or HDPE. The culvert shall be long enough to maintain the driveway width dimensions and a stable foreslope. The culvert shall be installed by the landowner under the supervision and with the approval of the Public Works Director. Maintenance of driveway culvert inlet and outlet shall be the responsibility of the property owner.

I. The drainage ditch shall be 6 inches below the outlet end of the culvert and drop at least one-quarter inch to the nearest point of drainage relief.

J. Any driveway crossing a wetland or body of water shall have all permits required by the State of New Hampshire Wetlands Board.

K. Driveways shall not interrupt the natural or ditch line flow of drainage water. 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.

L. If the slope of the driveway is at least 10% but less than 15%, an adequate stormwater drainage plan and an erosion control plan that meets the design standards and specifications set forth in the "Erosion and Sedimentation Control Design Handbook for Developing Areas in New Hampshire" (USDA Natural Resources Conservation Service [formerly the USDA Soil Conservation Service]) shall be submitted.

M. For driveways with a slope greater than ten per cent (10%), the first twenty feet (20') from the public road must be at a slope of five per cent (5%) or less.

N. Driveways having slopes of 15% or greater shall not be permitted.

O. There shall be no more than one driveway to a single parcel of land unless the Public Works Director approves additional driveways.

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P. Driveways shall intersect roadways at an angle as close as is practicable to 90 degrees, but in no case shall the angle be less than 75 degrees.

Q. Any bridges shall be constructed in accordance with sound engineering practices and as approved by the Public Works Director. (See also Item J., supra.)

R. Driveways over 150 feet in length may be required to be surveyed for existing and proposed topography.

S. Driveways of 150 feet in length or greater shall provide a proper turnaround for emergency vehicles at their inner termination subject to approval of the Swanzey Fire Chief.

T. Driveways must be constructed and maintained in suitable condition for emergency vehicles. Driveways longer than 300 feet must provide suitable turnouts that will allow two emergency vehicles to pass. Such turnouts should be located at approximately 300 foot intervals as the topography dictates and shall be constructed of adequate size and load bearing ability to accommodate a 27 foot long fire truck weighing 15 tons.

U. Access off of a Class VI road for the purpose of logging, excavation or other site work not in conjunction with the construction of a dwelling house or structure or building may be permitted at the discretion of the Public Works Director.

SECTION V
Procedures

A. Prior to commencing work, the applicant will file an application with the Public Works Director on a form provided by that office. The application must be accompanied by the current application fee; said fee to be established by the Swanzey Planning Board.

B. Prior to the issuance of the driveway permit, the Public Works Director shall conduct a site visit. The Applicant is responsible for clearly marking the location of the proposed driveway. The location of the proposed driveway is to be marked on or before the time the application for driveway permit is submitted.

C. The contractor shall give 24-hour notice to the Public Works Director before starting the construction.

D. The Public Works Director will make a final inspection to determine all work has been satisfactorily completed in conformance with these regulations **prior to the issuance of a certificate of occupancy.**

SECTION VI
Administration and Enforcement

A. These regulations shall be administered by the Swanzey Public Works Director. The enforcement of these regulations is vested with the Swanzey Board of Selectmen and/or its designee.

B. The standards of these regulations may be waived when, in the opinion of the Public Works Director, specific circumstances surrounding a proposal, or a condition of the land, indicate that strict adherence to the standards would not be possible or create an unnecessary burden for the landowner, and such waiver will not be in conflict with the purpose and intent of these regulations.

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C. Penalties: Any person who violates any of the provisions of these regulations shall be subject to fines and penalties as spelled out in RSA 676:17.

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

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