ACCESS MANAGEMENT REGULATIONS
For Multi-Family Dwellings & Commercial Uses

Town of Swanzey, New Hampshire
Adopted: July 5, 2001
Amended: August 25, 2011

Contact Information:

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

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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 access to Class I-V roads for multi-family dwellings and commercial uses. In addition, State regulations apply to access on all state-maintained roads. These regulations are designed to accomplish the purposes of protecting the health, safety, convenience, and general welfare of the citizens. In cases where there is a conflict between state and local regulations, the more stringent shall apply. In the event that the property seeks access from a State road, an access permit if required from both the State and the Town.

SECTION II
General Provisions

It shall be unlawful to construct, alter or relocate any access without a written access permit issued by the Swanzey Public Works Director. All accesses constructed, altered or relocated must conform to the standards set forth in these regulations.

No building permit for new structures shall be issued with respect to any property until the landowner or his authorized agent has obtained an access permit.

No building permit for the construction of a multi-family dwelling unit or commercial structure or building shall be issued if the building derives its access from a private way or Class VI road, unless specifically permitted by the Zoning Board of Adjustment.

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 III
Definitions

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

Access: A public or private point of entry or exit from land adjacent to a public highway used by motor vehicles as defined in RSA Chapter 236, Section 13. An access may be described as a driveway or an entrance depending upon the type of land use and volume of traffic generated by that use.

Access Management: The practice of limiting and consolidating access along major roadways, while promoting a supporting street system and unified access and circulation systems for development resulting in a transportation system that functions safely and efficiently, providing predictability of speed, acceleration, deceleration, entrances and exits to and from developments.

Clear Access Width: The area/width required to be clear of any obstructions, including but not limited to fences, shrubs, light poles, stone walls and buildings.

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

Corner Clearance: The minimum distance, measured parallel to a highway, between the nearest curb, pavement or shoulder line of an intersecting public way and the nearest edge of an access excluding its radii.

Driveway: A type of vehicular access that serves one of the following land uses: residential (1 and 2-family dwelling); home-based occupations; forest management activities; farming; low impact industrial (e.g. substations), unless it is demonstrated, in accordance with the latest edition of the ITE Trip Generation Manual, published by the Institute of Transportation Engineers that the use generates 30 or more vehicle trips per day (see "Entrance"). Driveways may consist of surface material such as mineral soil, gravel, asphalt or other natural or man-made material constructed or created for repeated passage of on-road vehicles.

Entrance: A type of access that serves one of the following land uses: multi-family residential (serving three or more dwelling units); housing developments; retail, office, or service business including department store, strip mall, convenience store, gas station, auto repair shop, restaurant, or similar use unless the applicant demonstrates, in accordance with the latest edition of the ITE Trip Generation Manual, published by the Institute of Transportation Engineers that the use generates less than 30 vehicle trips per day.

Highways (State & State Aid), Classification of: Class I highways in the Town of Swanzey include all of State Route 10 and 12. Class II highways in the Town of Swanzey include all of State Route 32, Sawyer's Crossing Road, Swanzey Lake Road, Flat Roof Mill Road, South Road, Lake Street, Swanzey Factory Road, a portion of Homestead Avenue and a portion of Westport Village Road.

Sight Distance, All Season: The length of unobstructed sight line of motor vehicle drivers, allowing for snow, foliage or other seasonal changes. Sight distance is measured from the perspective of a hypothetical person seated in a vehicle from three vantage points: (1) sitting in the entrance viewing vehicles traveling on the highway (both left and right), (2) traveling on the highway viewing a vehicle sitting in an entrance and (3) traveling on the highway viewing a vehicle turning into the entrance (both ahead and behind). In case of discrepancy between these measurements, the lesser measurement will be used to determine whether the sight distance standard is met. Sight distance is measured to and from the point on the centerline of the proposed entrance that is located 10 feet from the edge of traveled way. The height of the hypothetical person's view is considered to be 3-1/2 feet above the pavement and the height of the object being viewed is considered to be 4-1/4 feet above the pavement.

Sight Distance, Mobility: The sight distance required to allow a vehicle entering the highway to reach 85% of the posted speed without being overtaken by a vehicle traveling at the posted speed and approaching the entering vehicle from behind.

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Throat: The distance from the highway to the first conflict point in an entrance.

Use, Change in: A change in activity occurring on the property accessed by the driveway or entrance that will result in (a) an intermittent or seasonal use becoming permanent or year round, or (b) an increase in daily traffic, or (c) a "significant drainage risk" as determined by the Planning Board or designee. Examples include changes in use (a) from farming or forestry to a single-family dwelling (b) from a single-family dwelling to a residential subdivision or multi-family housing (three or more units), and (c) from residential use to commercial use; (d) an office expansion adding employee, patron or service capacity is a change in use when the daily traffic increases from under 30 trips per day to more than 30 trips per day. A change in ownership alone is not a change in use. An increase in activity from under 30 trips per day to over 30 trips per day is always considered a change in use.

SECTION IV
Design Standards

A. Entrances must be from a Class V road or better.

B. The associated land clearing from the entrance shall not cause excessive erosion.

C. Corner Clearance: Proposed entrances shall be far enough from nearby road intersections so that vehicles using the entrance or new street do not interfere with the function of the intersection. Minimum corner clearance between entrance and intersections shall be as determined by the Planning Board and Public Works Director in accordance with the following table:

Minimum Corner Clearance*

Intersection between Road A & B = Corner Clearance		Road A		
		Class I	Class II	Class V
Road B	Class I	300 feet	200 feet	150 feet
	Class II	200 feet	150 feet	125 feet
	Class V	150 feet	125 feet	100 feet

*Minimum distance shall be measured from the edge of the entrance excluding radii to the edge of the nearest intersecting road excluding radii.

D. The minimum width from the property line to the proposed entrance shall be 10 feet unless it is a shared entrance between the two abutting properties. In cases where access is restricted by the spacing requirements of Section IV, E, a shared entrance may be the only access design allowed. The shared entrance shall be constructed along the midpoint between the two properties unless a written easement is provided which allows traffic to travel across one parcel to access another, and/or access the public street. All shared entrances shall be recorded as an access easement and shall constitute a covenant running with the land. Operating and maintenance agreements for these facilities shall be recorded with the deed. The minimum width of a shared entrance shall be at least 20 feet. Shared entrances shall be signed in accordance with E911 regulations.

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E. Sight distance shall be compatible with the posted speed limit of the highway connecting to the entrance. For entrances that are expected to carry primarily passenger vehicles, the standard in the second column shall apply. For entrances that are estimated to carry more than 30% of their traffic in vehicles larger than standard passenger vehicles, the standards of the third column apply. For entrances entering on Class I highways, the mobility sight distance standards in the fourth column apply.

Sight Distance

Posted Speed Limit	Sight Distance Standard Vehicles	Sight Distance Larger Vehicles	Mobility Sight Distance
20 mph	155 feet	230 feet	230 feet
25 mph	200 feet	300 feet	300 feet
30 mph	250 feet	375 feet	375 feet
35 mph	305 feet	455 feet	455 feet
40 mph	360 feet	540 feet	580 feet
45 mph	425 feet	635 feet	710 feet
50 mph	495 feet	740 feet	840 feet
55 mph	570 feet	855 feet	990 feet
60 mph	645 feet	965 feet	1,105 feet

F. Access width, radius and configuration: The minimum standards for entrance widths and radii shall be as determined by the Planning Board and Public Works Director in accordance with the following table:

	Minimum Entrance Width (2 lanes inclusive)	Minimum Inside Turning Radius
Entrance Standard Vehicles	15 feet	15 feet
Entrance => 30% Larger Vehicles	30 feet	30 feet
Entrance	30 feet	30 feet

The width and radius of the entrance shall safely provide for the possibility of simultaneous entering and exiting traffic. The Planning Board, in conjunction with a recommendation by the Public Works Director, shall determine if one two-way or two one-way grade separated entrances will be required for access. For two one-way grade separated entrances, the Public Works Director shall determine if the physical separation shall include curbing, ditching, grass or other landscaping between the two one-way entrances. Both one-way entrances shall be separated from one another by a minimum of 12 feet.

G. Minimum distance between accesses shall be as determined by the Planning Board and Public Works Director in accordance with the following table:

Minimum Distance Between Entrances*

Posted Speed Limit	Minimum Spacing
35 mph or less	No Requirement
40 mph	175 feet
45 mph	265 feet
50 mph	350 feet
55 mph	525 feet

*Minimum distance shall be measured from the edge of the entrance excluding radii to the edge of the neighboring entrance excluding radii.

H. Culverts: If a culvert is required for proper drainage, the culvert shall be a minimum of 15 inches in diameter and a minimum of 30 feet in length, and shall be new galvanized steel, concrete or HDPE. The culvert shall be long enough to maintain the entrance width dimensions and a stable foreslope. The culvert shall be installed by the landowner or developer under the supervision and with the approval of the Public Works Director. Maintenance of the culvert, including the inlet and outlet, shall be the responsibility of the owner of the entrance.

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

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

K. Entrances shall not interrupt the natural or ditch line flow of drainage water. Where shallow ditch lines or natural drainage courses exist, they may be swaled at a point beyond the shoulder to accommodate the flow of storm water.

L. For entrances with a slope greater than five (5%), the first thirty feet (30') from the public road must be at a slope of two per cent (2%) or less.

M. Entrances having slopes of 8% or greater shall not be permitted. All entrances shall have a minimum grade of not less than one-half per cent (.5%).

N. There shall be no more than one entrance to a single parcel of land unless the Public Works Director approves additional entrances.

O. Entrances 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.

P. Any bridges shall be constructed in accordance with sound engineering practices. Bridges required the stamp of a professional engineer.

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

R. Entrances of 150 feet in length or greater shall provide a proper turnaround for emergency vehicles at their inner termination.

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S. Entrances must be constructed and maintained in suitable condition 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 foot intervals as the topography dictates and shall be constructed of adequate size and load bearing ability to accommodate a 30 foot long fire truck weighing 15 tons.

T. Entrance turn-arounds and throats: An entrance turn-around is required for all entrances with access onto any Class I or Class II highway. The entrance turn-around shall be designed so vehicles using the entrance have no cause to back into the highway. No residential access with average daily traffic greater than 10 trips shall be located or arranged so as to permit or cause any vehicle to be backed out on to any public street or highway. Entrances shall be designed with a throat in order to store vehicles entering and exiting the entrance. The throat shall be of sufficient length to prevent incoming vehicles from queuing back into the highway. Access from the sides of the throat to parking or other areas shall be prohibited.

U. Where a lot has frontage on two or more streets, the access to the lot shall be provided from the street where there is lesser potential for traffic congestion and for hazards to highway traffic and pedestrians. In cases where creating an entrance to a lesser travel way is problematical, the Public Works Director may allow an entrance on the higher volume street if the entrance does not significantly detract from public safety. For entrances on higher volume streets, the Planning Board or Public Works Director shall consider the functional classification of the streets, the length of frontage on the highway, the intensity of the traffic generated by the development receiving access, the topography along the frontage of the public way with lesser potential for traffic, and the distance to the public way with lesser potential for traffic.

V. For any entrance connecting to a Class I or Class II highway, the access including all radii must be paved from the edge of pavement of the Class I or Class II highway for the length of the design vehicle using the entrance.

W. Entrances that also require Site Plan or Subdivision Review: The street giving access to the proposed land use and neighboring streets and intersections which can be expected to carry traffic generated by the land use shall have capacity or be suitably improved to accommodate that traffic and avoid unreasonable congestion. The Planning Board and Public Work Director shall determine if additional on or off-site improvements are required including but not limited to left turn restrictions, dedicated left and right turning lanes, deceleration/acceleration lanes, frontage or other access roads, signage, internal sidewalks and bike lanes, internal roundabouts, signalization and/or medians.

X. Pursuant to RSA 676:4,I(g), it shall be the responsibility of the applicant, if deemed necessary by the Public Works Director and/or the Swanzey Planning Board, to pay reasonable fees for special investigative studies, review of documents and other matters which may be required by the particular application.

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.

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

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).

FEES:

$50.00 per application.

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DRIVEWAY REGULATIONS

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