

## PLANNING BOARD REGULATION #1

Driveway Regulations

Adopted 1979

Amended March 5, 2008

I. Pursuant to RSA 236:13, V and RSA 236:13 VI, 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 V or Class VI highway or the Town Maintained portion of a class II highway that does not conform to the terms and specifications of a written permit issued by the Planning Board, or its Agent, being the Code Enforcement Officer, in consultation with the Road Agent as needed and required.

II. Pursuant to this section, a written construction permit application must be obtained from and filed with the Code Enforcement Officer by any abutter (property owner) affected by the provisions of paragraph I. Before any construction or alternation work is commenced; said permit application shall have been reviewed, and a construction permit issued by said Code Enforcement Officer.

- (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 I.
- (b) Unless all season safe sight distance of four hundred feet in both directions along the highway can be obtained, the Code Enforcement Officer shall not permit more than one access to a single parcel of land, and this access shall be at that location the Code Enforcement Officer determines to be safest. The Code Enforcement Officer shall not give final approval for use of any additional access until it has been proven to him that the four hundred 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 two points, each at a height of three feet nine inches above pavement, and so located as to represent

the critical line of sight between 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 twenty feet in width, except that a driveway, entrance, exit, or approach may be flared beyond a width of fifty feet at its junction with the highway to accommodate the turning radius of vehicles expected to use the particular driveway, entrance, exit, or approach, no less than twelve feet in width.
- (b) More than two driveway, entrances, exits, or approaches from any highway to any one parcel of land unless the frontage along that highway exceeds five hundred feet.

V. Permit applications shall be accompanied by an application fee of forty dollars (\$40.00) made payable to the Town of Madison.

VI. Whoever violates any provisions of this subdivision or the rules and regulations made under authority thereof shall be fined under the provisions of RSA 676:17, then in effect, and, in addition, shall be liable for the cost of restoration of the highway to a condition satisfactory to the person empowered to give such written permission.

VII. A setback of fifteen feet from abutting property bounds shall be maintained for the entire length of the new, rebuilt, or newly paved driveway.

### **History**

**2008**

Amended Road Agent to Code Enforcement Officer

Clarified that an abutter is a property owner for purposes of application

Clarified that the fine provision is RSA 676:17 in effect at the time of application