

ATKINSON ZONING ORDINANCE – PLANNING AND LAND USE REGULATIONS – DATED – March 1999

Application for Driveways onto town roadways or new developments (new and existing) must be made prior to commencement of work. The Road Agent review the application, issue and inspect the completed work. Fee for a Driveway Permit is \$25.00.

Section 440. Driveways and other accesses to the public way/excavations.

440:1 It shall be unlawful to excavate or disturb the shoulders, ditches, embankments or the surface improved for travel of any town highway without written permission from the Selectmen (RSA 236:9). The excavation and restoration within the highway right-of-way shall require that a bond/surety satisfactory to the Selectmen be furnished to the town providing for the satisfactory restoration of the highway (RSA 236:10 and 236:11).

440:2 It shall be unlawful to construct, 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 town highway without a written construction permit or driveway permit which will describe the location drainage and traffic control devices and will 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 and will include any other terms and specifications necessary for the safety of the traveling public (RSA 236:13).

440:3 Driveways shall be constructed in the following manner:

The area adjacent to the highway shall be graded so the surface will slope from the edge of the pavement to a line 5 feet distant from the parallel to the pavement, and be a minimum of 3 inches below the edge of the pavement.

440:4 Driveway culverts within the right-of-way shall be a minimum of 8 inches in diameter, long enough to preclude blockage by erosion, and of a town-approved type. The driveway culverts must be installed so as to have a minimum of 18 inches of gravel on top and be at a depth so as not to dam runoff and must be at a minimum pitch of ¼ inch per foot.

440:5 All driveways will be shown on subdivision plans.

440:6 In all new subdivisions, all driveways shall be graveled and culverted, if necessary, from the pavement a distance of 8 feet from and parallel to the pavement.

440:7 Service roads or private roads serving three or more units will be subject to road specification regulations. If it is to remain private:

the plan will state: "The ways shown on this plan are intended by the subdivider (name) and the Planning Board to remain as private ways. The recording of this plan shall not be construed as an offer of dedication of those ways as public highways under the New Hampshire Law of Dedication and Acceptance."

the ownership and responsibility of the owners as to maintenance, plowing repairing and replacement, if necessary, are specifically stated in all ownership documents.

the owner and/or owners recognize in such documents that they assume all liability for said roads that are normally assumed by the town on roads that have been approved and accepted by the town.

the owner and/or owners recognize that the roadways shall be open and accessible at all times to emergency, police, and town officials and vehicles, in order to promote and maintain health and safety for all the occupants.

APPLICATION FOR DRIVEWAY ENTRANCE PERMIT

Town of Atkinson, New Hampshire

Applicant _____ DATE: _____

Fee:_____Paid_____

Phone:_____ Map_____Lot_____

BP#_____

Dear Sir:

Pursuant to the provisions of Chapter 236:13 and 236:14 of the Revised Status Annotated 1988 and amendments thereto, permission is requested to construct a driveway entrance to property on the _____side of Route/Road_____in the Town of Atkinson, NH, at the location which will meet the requirements for safety specified in said statutes.

The driveway requested is for access to_____

residence, industry, business, subdivision, etc.

As the landowner/applicant, I hereby agree to the following:

To construct driveway, entrance(s) only for bona fide purpose of securing access to private property, such that the highway right-of-way is used for no purpose other than travel.

To construct a driveway entrance(s) at permitted location in accordance with statutes, all provisions of Driveway Permit specifications and standards drawings for driveway entrance(s) issued by the Town of Atkinson Highway Department.

To hold harmless the Town of Atkinson and its duly appointed agents and employees against any action to personal injury and/or property damage sustained by reason of the exercise of this permit.

To furnish and install drainage structures that are necessary to maintain existing highway drainage and adequately handle increased runoff resulting from development.

APPLICANT'S PROPERTY

proposed driveway

Name of abutter-----feet----- -----feet----- -----feet----- Name of abutter

_____ street name & number

fill in all blank spaces on diagram-dimensions shown must total actual street frontage of property.

Signed

***Meeting/Discussion with Road Agent required prior to construction completion.*

DRIVEWAY ENTRANCE PERMIT

Town of Atkinson, New Hampshire

Issued to:_____ Date:_____

Fee:_____Paid_____

Map_____Lot_____

BP#_____

Permission to construct a driveway, entrance, exit, approach adjoining

Route/Road_____pursuant to the location and specifications as described below is hereby granted. Failure to adhere to the standards and engineering drawings previously submitted and failure to complete construction of said facility within one calendar year from the date of this permit shall render this instrument null and void.

Facilities constructed in violation of these conditions shall be corrected immediately upon notification by the Road Agent or his representative or the costs of removing said facility shall be fully borne by the owner.

LOCATION:

This permit requires that the area adjacent to the highway be graded such that the surface will slope from the edge of the pavement to a line_____ feet distance from the parallel to the pavement and _____ inches below the edge of the pavement (for the entire frontage of property) which will serve as a drainage gutter.

_____driveway entrance(s) is (are) permissible, each not to exceed _____ feet in width. The driveway entrance(s) may be flared as they approach the pavement.

Culvert is:_____required_____not required.

Culvert size to be _____ inches in diameter and _____ feet in length.

No structures, including buildings, permanent or portable signs, lights, displays, fences, walls, etc. shall be permitted on, over or under the highway right-of-way.

The highway right-of-way line is located_____ feet from and parallel to the center line of the highway pavement.

No parking, catering or servicing shall be conducted within the highway right-of-way.

_____ Date:_____

Road Agent

CC: Building Department; Applicant; File