

TOWN OF SHARON, NEW HAMPSHIRE

DRIVEWAY REGULATIONS

A. Authority and Purpose:

Pursuant to the authority vested in the Sharon Select Board by the legislative body of Sharon, and in accordance with the provisions of Chapters 472:6, 674:35 and 236:13 of the New Hampshire Revised Statutes Annotated, as amended, the Sharon Planning Board adopts the following regulations governing all driveway construction and driveway access (curb cut) to town roads. State regulations apply to driveway access (curb cut) onto state roads. These regulations are designed to accomplish the purposes of protecting the health, safety and general welfare of the citizens. Any Driveway Permit (State or Town) must clearly identify the location of the driveway, including the Map and Lot Number.

B. General Provisions:

Prior to the construction or change in use and/or intensity of any driveway, entrance, exit, or approach to any private, town or state road, and prior to obtaining any applicable building permits for the property, the landowner or authorized agent shall secure approval of such proposal in accordance with these regulations.

C. Definitions:

The definitions contained in the Sharon Zoning and Building Ordinance shall apply, in addition to the following:

AASHTO - "Roadside Design Guide, 4th Edition." American Association of State Highway and Transportation Officials, Washington D.C.: 2011.

ACCESS – A way or means of approach to provide physical entrance to a property.

BACKLOT – For the purposes of this regulation, means a lot that does not border on any public and is subject to "ARTICLE IV: Provisions Applicable to All Districts A. Land Requirements 4. Construction on a Back Lot."

CONSTRUCTION -- For the purposes of this regulation, means not only the construction of a new driveway, but also any improvements to or alterations of an existing driveway.

CURB-CUT- The access area wherein a driveway or access road is connected to a public or private road, crossing over the boundary line between the road and the lot.

DRIVEWAY -- A public or private road providing primary access from a public or private road for vehicles to a dwelling, business, parking area, or other structure or facility that is currently used on a regular basis.

RIGHT-OF-WAY – For the purpose of this regulation, means the roadway and the ditches, drainage swales, embankments and stone walls bordering the travel way.

ROAD-CENTER – For those roads with stone walls on each side, the Center is a measured center from the outsides of the stone wall. For those roads having stone walls on one side or no stone walls, the width of the Right-of-Way shall be determined by a measurement elsewhere on the same roadway where stone-walls exist. Should no evidence of stone walls exist on the full extent of the road, the Road Agent would estimate the width of the right of way as either a three-rod or four-rod road. (A rod is approximately 16½ feet.)

SIGHT-DISTANCE – An all-season safe sight distance is defined as a line which encounters no visual obstruction between two points, 1) at a height of three feet nine inches (3'9") above the road center and 2) ten feet (10') from the edge of road in the middle of the width of the proposed driveway, which represents the critical line of sight between the operator of a vehicle using the access and the operator of a vehicle approaching from either direction.

D. Curb-Cuts:

1. For any properties abutting a State-Maintained roadway, the Driveway Permit is granted by the New Hampshire State Department of Transportation (NHDOT), in accordance with their rules and regulations. Their responsibilities cover the area from the travel-way to the edge of the property. The property edge is considered to be the center of any existing stone wall, or the boundary of the existing property. The Rules and/or Regulations of NHDOT will supersede any of the Design Standards listed below (E. Design Standards) when there is a conflict.
2. For properties abutting a Town Maintained roadway in according with the Design Standards the Driveway Permit is granted by the Sharon Board of Selectmen or their duly appointed agent according to the design standards in section E.

#### **E. Design Standards:**

1. In keeping with the recommendations for the all-season sight distance for driveways recommended by AASHTO, and considering weather and lighting conditions, such as snow, ice, fog, leaves and similar distractions, a minimum of a two-hundred and fifty foot (250') safe sight distance in each direction is required.
2. No driveway shall be constructed within fifty (50) feet of an intersecting road.
3. For purposes of snow removal, general maintenance, and protection of abutters, no driveway shall be constructed closer than ten (10) feet from abutting property lines.
4. When two proposed driveways on the same side of the road are within fifty (50) feet of each other, the Select Board may require a common access to be used, for reasons of safety and topographical considerations.
5. The driveway shall have a minimum width of twenty (20) feet at the intersection of the road and for a distance of fourteen (14) feet from the road and intersect the roadway at an angle of ninety degrees (+/- 5 degrees). In all cases the driveway shall be wide enough to accommodate emergency vehicles. The driveway entrance may be flared out as it approaches the road but shall not exceed thirty (30) feet at its widest point.
6. Removal or replacement of any or all stone walls to provide for the proposed driveway is subject to provisions of "*ARTICLE IV: Provisions Applicable to All Districts H. Stone Walls.*"
7. The driveway entrance shall drop six (6) inches from the center of the road to a point at least six (6) feet in back of the ditch line without a culvert; if a culvert is required, the drop shall be one-quarter (1/4) inch per foot.
8. If a culvert is required for proper drainage, it shall be a minimum of fifteen inches (15") in diameter and long enough to accommodate a three-to-one (3:1) side slope and to maintain the driveway width dimensions and a stable fore slope. It shall be of new galvanized steel, concrete or HDPE.
9. The culvert may be required by the Road Agent to have a catch basin with a cover at the inlet end and a concrete or stone header at the outlet end. The culverts shall be installed by the landowner under the supervision and with the approval of the Road Agent.
10. 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.
11. The drainage ditch shall be six (6) inches below the outlet end of the culvert and drop at least one-quarter (1/4) inch per foot to the nearest point of drainage relief.
12. In any case where the driveway to be constructed has a slope of ten percent (10%) or greater, or the land on which a driveway is to be constructed has a slope of fifteen percent (15%) or greater, all measurements and requirements may be increased as recommended by the Sharon Road Agent and approved by the Select Board.
13. Any driveway crossing a wetland or body of water shall have all permits required by the State of New Hampshire and the town of Sharon.
14. There shall be no more than one (1) primary access to a single parcel of land unless a need for multiple access can be demonstrated.
15. The grade of the driveway away from the roadway surface shall be constructed to slope away from the surface for a distance equivalent to the existing ditch line; water cannot go onto the road. This slope shall be a minimum of one-quarter inch (1/4") per foot.
16. A paved apron shall be required after completion of the driveway, except for temporary driveways (logging or similar temporary operations) where gravel will be required to protect the road travel surface and edge and approved by the Road Agent. A catch basin and/or culvert may be required.
17. No tracked vehicles shall be off-loaded on town maintained public roadways.
18. Any bridges shall be constructed in accordance with sound engineering practices as per State Regulations and RSA's and as approved by the Select Board.
19. No structures (including buildings), permanent or portable signs, lights, displays, fences, walls, etc. shall be permitted on, over, or under the road right-of-way.
20. Driveways providing access for multi-unit residential, commercial, or industrial uses shall be designed to conform with good engineering practices using the most recent NHDOT rules, currently "*Declaratory Ruling No. 2000-01 Driveway Permits.*"
21. The Select Board may require engineered plans that include topography, wetlands, grading, erosion control or other such details as considered by the Board to be necessary for the specific site, especially for driveways with grades over ten percent (10%), slopes greater than fifteen percent (15%), or that are longer than one hundred (100) feet.

**F. Driveways to Backlots:**

Driveways to backlots shall be subject to the following standards, in addition to any other applicable standards of the Sharon Building and Zoning Ordinance and the Sharon Land Subdivision Regulations:

1. Unless a special showing is made that existing conditions prevent it, only one curb cut will be allowed for both the front and back lot.
2. All curb cuts on town streets or private roads shall be approved by the Road Agent.
3. The location will be suitable, and the use and maintenance of the driveway will not create a hazard or nuisance.
4. The edge of the traveled way shall be at least ten (10) feet away from any property lines.
5. Appropriate buffering shall be provided to protect the privacy of neighbors and shield them from dust, noise, lighting, etc.
6. There shall be a proper turnaround for emergency vehicles, subject to approval by the Sharon Select Board.

**G. Procedures:**

1. Prior to commencing any work other than engineering and design preparation, the applicant will provide the Select Board or the Town administrator with a State approved Driveway Permit if the property abuts a State Maintained roadway or file a Sharon Driveway Permit Application with the Select Board or the Town Administrator and receive written notice of Select Board approval.
2. The Select Board shall make a good-faith effort to act upon an application within 30 days from the date of filing.
3. Before the Select Board approves or disapproves the application the site will be inspected by the Road Agent, to determine if the application is accurate and whether there are any conditions or further information that needs to be brought to the Board's attention.
4. The Select Board may request input from the Road Agent, Planning Board, Fire Chief, Conservation Commission, or any other town boards and/or official if the Board feels such input would be useful in making its decision on an application.
5. A final inspection by either the Select Board or the Road Agent must determine that all work has been satisfactorily completed in conformance with these regulations prior to the issuance of a building permit.
6. **Other information:** The Select Board reserves the right to request any other information it deems necessary to make an informed decision, or to have plans reviewed by an outside agency. Any expense incurred for such information or reviews shall be borne by the applicant.

**H. Administration and Enforcement:**

1. These regulations shall be administered by the Select Board and the enforcement of these regulations is vested with the Town of Sharon Board of Selectmen.
2. A Waiver of any of the above regulations may be granted by the Select Board, by majority vote, and the reason(s) shall be endorsed and attached to the file copy of the Permit, that:
  - a. Strict conformity would pose an unnecessary hardship to the applicant and a waiver would not be contrary to the spirit and intent of the regulations, or
  - b. Specific circumstances relative to the site plan or conditions of the land in such location, indicate that the waiver will properly carry out the spirit and intent of the regulation.
3. **Performance Bond:** As a condition of approval, the Select Board may require the posting of a performance bond commensurate with the size and complexity of the project to guarantee the proper completion of any work specified as a condition of the approval.
4. **Penalties:** Any person who violates any of the provisions of this regulation shall be subject to fines and penalties as spelled out in RSA 676:15 & 17.
5. These regulations may be amended by the Planning Board following a public hearing on the proposed change.

Revised December 14, 2021