

AMHERST SUBDIVISION REGULATIONS

Section 5-2d Driveway Regulations

PURPOSE: In as much as driveways are, in effect, intersections, they require certain controls in order to provide safe and efficient access to and exits from property, as well as to provide for proper and suitable discharge and control of surface drainage in and around the entrance (within the Town Right of Way) to said driveway, this regulation is enacted. (See RSA 236:13)

PERMITS: Anyone desiring to construct, , repave, **pave**, or relocate a driveway **within the Town Right of Way** shall first apply for a permit from the Town of Amherst Director of Public Works (hereafter 'Director'), who is hereby delegated the authority to administer these regulations on the part of the Planning Board. The Director shall prescribe the application form for such a permit and shall have the authority, in appropriate cases, to require the applicant to require suitable surety to guarantee the performance of conditions of the issuance of the permit. In addition to the foregoing the Director is empowered to act on behalf of the Planning Board with regard to any and all of the duties and prerogatives set forth in RSA 236:13, (V) and (VI), in order to implement these regulations and the foregoing statutes.

GENERAL REQUIREMENTS: These requirements are intended to be used by the Amherst Planning Board for **new or relocated** driveways shown on new Subdivision and Site Plans.

1. A plan showing the location and proposed grading and drainage of the driveway and including sight distance requirements.
2. Wherever practicable, one common driveway shall be constructed to serve adjacent lots. Driveways shall not intersect a public road within fifty feet (50') of the nearest sideline of an other public road. ***Whenever such a common driveway is either proposed or required, the applicant shall provide documents, subject to the approval of the Board and counsel for the Town, which adequately establishes the perpetual joint easements and maintenance responsibility for the common driveway which will govern the relationship between the owners of the lots that are contemplated to benefit from the driveway.***
3. The maximum width of any residential driveway , at the **Town** Right of Way line, shall not exceed eighteen feet (18'). Industrial and commercial driveways shall be designed for their proposed use. Driveways should

intersect the street at a ninety degree (90) angle and shall not be less than sixty degrees (60) from the **Town** Right of Way line.

4. The grade of the driveway shall slope $\frac{1}{4}$ " to $\frac{1}{2}$ " per foot downward away from the edge of the traveled surface of the Town roadway to the center of the roadway ditch line. A driveway grade greater than four percent (4 %) shall include a platform or parking area on the applicants land large enough to park two (2) cars when weather conditions prohibit use of the driveway. No parking shall be allowed within the Town Right of Way.
5. If it is determined during consultation with the Town of Amherst Director of Public Works that a culvert is required, the minimum shall be fifteen inches (15") in diameter, sixteen gauge (16) riveted aluminum, corrugated steel, reinforced concrete, or polypropylene. The culvert shall be a minimum of twenty feet (20') long and with all headers mortared or securely fastened to avoid end damage by vehicles. A paved swale may be allowed within the ditch line to provide drainage relief if the applicant can show that installation of a culvert is neither appropriate nor possible to install.
6. The minimum all-season sight distance shall be the posted speed limit times ten (10). Unposted roads shall be assumed to be thirty mph (30). The sight triangle shall begin at a point three feet nine inches (3'-9") above the driveway surface and be located in the proposed driveway at least ten feet (10') back from the edge of the traveled way. The other ends of the triangle shall also be measured three feet nine inches (3'-9") above the Town roadway at a point ten (10) times the posted speed limit of the Town road and be applicable in both directions from the proposed driveway. In addition any blind spots within the triangle shall be noted on the plan.
7. A sixteen foot (16') paved apron, or to the edge of the Town Right of Way if less than sixteen feet (16'), shall be constructed from the edge of the Town road's traveled way. This is not required if the Town road is not paved.
8. The Amherst Planning Board, subject to consultation with the Director of Public Works, may waive any of the foregoing requirements when it is shown that strict compliance would cause undue hardship and is not in the Public interest.

DEFINITIONS: Town Right of Way – The term 'Town Right of Way' shall mean the full width of the legal right of way of a public road, which width generally is understood to extend beyond the limits of the paved or traveled portion of the road.