

**Town of Albany, New Hampshire
Planning Board**

Driveway Permit Regulations

1. Authority

These regulations are adopted by the Town of Albany Planning Board under the authority of RSA 236:13 and 236:14.

2. Purpose

The purpose of these regulations is to:

1. Provide maximum safety and protection to the traveling public on Town roads.
2. To ensure that the Town roads are not damaged or adversely affected in any way by new driveway construction or modifications to existing driveways.
3. To provide a uniform practice for the issuance of driveway permits in the Town of Albany.

3. Permit Required

No person shall construct or establish any new driveway, or shall modify, reconfigure or relocate an existing driveway in any manner which affects the area within the public right-of-way with respect to location, width, grade, entrance, exit, approach, drainage or associated structures without first obtaining a driveway permit from the Town.

At the time of enactment of these regulations, the Planning Board delegates the issuance of driveway permits to the Board of Selectmen or their designee. The Board of Selectmen will only issue driveway permits that are in compliance with these regulations. Application shall be made on a standard form available from the Selectmen's office. Approval of a permit application may be conditioned upon such factors as are deemed necessary or appropriate and any such conditions shall be noted on the permit. The application shall be considered and approved or denied in writing.

4. DRIVEWAY STANDARDS

All driveways shall be constructed in accordance with the New Hampshire Department of Transportation Rules and Standards for Rural Driveways in effect in 2008 and as may be subsequently amended.

The following standards shall also apply to all driveways:

- a. No driveway entrance shall be less than 12 feet or more than 20 feet in width.
- b. No property shall have more than one driveway unless the road frontage is a minimum of 400 feet and the all season line of sight distance is at least 400' in both directions.
- c. No driveway shall be closer than 20 feet to a side, or back property line or 25

- feet to a street corner.
- d. Driveways shall be designed to intersect with the roadway at 90 degrees +/- 15 degrees, whenever possible.
 - e. Driveways shall have a negative grade to the traveled way. Within the right-of-way the grade shall not exceed 8%.
 - f. Culverts shall be a minimum of 15 inches in diameter and installed according to NH Department of Transportation standards.
 - g. No water, snow or ice melt or driveway materials shall wash into the road.
 - h. The permit shall be valid for one year.

5. Waivers

The provisions of these regulations may be waived by the Board of Selectmen after consultation with the Planning Board, for good cause and if consistent with public safety and highway function and maintenance.

6. Maintenance

The property owner shall be responsible for the maintenance of the driveway to ensure it does not affect the safe functioning and maintenance of the Town road. In the event the driveway impacts the safe functioning and maintenance of the Town road, the Board of Selectmen shall issue an order in writing to the owner with a time limit for corrective action. If the order is not complied with then the Board of Selectmen may arrange for the corrective action to take place with costs charged to the owner.

7. Appeals

Any decision by the Board of Selectmen may be appealed to the Planning Board by any person directly affected. Any person aggrieved by the decision of the Planning Board may appeal to the Superior Court under RSA 677:15.

8. Enforcement

Any person who violates these regulations shall be guilty of a violation and shall be subject to penalties according to RSA 236:14. The person responsible for any damages shall be liable for any costs incurred restoring the Town road to a condition satisfactory to the Board of Selectmen.

9. Adoption

These regulations were revised by the Planning Board following a Public Hearing on January 12, 2011.

