

TOWN OF COLEBROOK
17 Bridge Street
Colebrook, New Hampshire 03576

Phone: 603-237-5200
Fax: 603-237-5069
email: Colebrook-nh@myfairpoint.net
Website: <http://www.colebrook-nh.com>

APPLICATION FOR DRIVEWAY / ACCESS ROAD PERMIT

To: Planning Board, Colebrook, New Hampshire

Pursuant to R.S.A. 236:13, permission is requested to Construct or Alter a driveway access road entrance(s) to the following property, the location and construction of same to meet all safety requirements specified in said Statute. (See attached laws.)

Tax Map and Lot No. _____
Location of Property _____

Please attach a photocopy of the tax map for this property with the proposed location of the driveway drawn in. If there is no map attached, this application will not be processed.

The proposed location must be marked with flags or stakes, etc., so the authorized inspector will be able to identify the location correctly.

Are you the owner on record of the property? _____

If not, a letter of permission from the current owner must accompany this application.

Is this driveway application part of a subdivision application? _____

I hereby agree that the said driveway and highway entrance right-of-way shall be used only for the purposes of travel and access; that the entrance shall be constructed only at the specified location, in accordance with specifications as per said permit and with State law; that I will hold harmless the Town of Colebrook against any actions for personal or property damages sustained by reason of exercise of this permit; and I will install drainage structures necessary to maintain existing highway drainage plus any increased run-off that may result from the construction of this driveway.

Date: _____

Signature of Applicant

Applicant (Print or Type)

Mailing Address

Telephone Number

DRIVEWAY INFORMATION TO BE COMPLETED BY AUTHORIZED INSPECTOR

Width of Driveway at entrance: _____

Distance from road to buildings: _____

Length of level area from current road: _____

Is line of sight adequate? _____

Is there a need to relocate driveway access? _____

Recommendation: _____

Is the grade less than 12%? _____ Yes _____ No

Driveway access will be checked by an authorized inspector as to necessity of culvert, etc.

Size of Culvert Needed: _____

Length of Culvert Needed: _____

AUTHORIZED INSPECTOR SIGNATURE

This form to be returned to the Colebrook Planning Board, after the authorized inspector has signed the same before final approval.

NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION

District 1, 641 Main St, Lancaster, NH 03584
District 2, 8 Eastman Hill Road, Enfield, NH 03748
District 3, 2 Sawmill Rd, Gilford, NH 03249

District 4, 19 Base Hill Road, Swanzey, NH 03446
District 5, 16 East Point Drive, Bedford, NH 03110
District 6, PO Box 740, Durham, NH 03824

APPLICATION FOR DRIVEWAY PERMIT

Pursuant to the provisions of Revised Statutes Annotated, Chapter 236, Section 13 (printed on reverse of application) and amendments thereto, and Declaratory Ruling 2000-01, permission is requested to: (select one): Construct / Alter (Indicate quantity of) _____ driveway entrance(s) to my property on the (select): North / South / East / West side of NH Route _____ or Street/Road: _____ In the Town of _____ at a location which will meet the requirements for safety specified in said statutes.

The driveway entrance(s) requested is (are) for access to: _____ Residence, Industry, Business, Subdivision, Other

Describe nature and size of industry, business or subdivision: _____ Feet (select): North / South / East / West of Utility Pole Number: _____ Feet (select Feet or Miles): North / South / East / West of Road or Junction: _____

Town Tax Map # _____ and Lot # _____

As the landowner (or designated applicant) I agree to the following:

- 1. To construct driveway entrance(s) only for the bonafide purpose of securing access to private property such that the highway right-of-way is used for no purpose other than travel.
2. To construct driveway entrance(s) at permitted location(s).
3. To construct driveway entrance(s) in accordance with statutes, rules, standard drawings, and permit specifications as issued by the New Hampshire Department of Transportation.
4. To defend, indemnify and hold harmless the New Hampshire Department of Transportation and its duly appointed agents and employees against any action for personal injury and/or property damage sustained by reason of the exercise of this permit.
5. To furnish and install drainage structures that are necessary to maintain existing highway drainage and adequately handle increased runoff resulting from the land development and obtain all easements thereto.
6. I am the owner or a duly authorized agent of the owner of the parcel upon which the driveway will be constructed. I have provided accurate and complete title and subdivision information concerning the parcel to the Department. I understand that the Department is relying on this information in considering this application and that the Department does not perform independent title research or make judgments about title or access disputes.
• For new driveway(s), include copy of current deed and, if not the same, previous deed dated prior to July 1, 1971 of the parcel. If this parcel is part of a larger tract subdivided after July 1, 1971, then provide complete subdivision plans and deed history dating back to at least July 1, 1971.
• Attach sketch or plan showing existing and proposed driveway(s) and the adjacent highway indicating distance to town road, town line, or other readily identifiable feature or landmark and also to the nearest utility pole (including pole numbers)

Signature of Landowner (Applicant)

Mailing Address

Printed Name of Landowner

Town/City, State, Zip Code

Date:

Telephone Number(s)

Contact /Agent, if not Landowner:

FOR OFFICE USE ONLY:
GPS N = _____ GPS W = _____
Section: _____ Width: _____ Speed: _____
Right of Way: _____ Drainage: _____ SLD: _____
Conditions: _____
Permit Number Assigned: _____

§ 236:13 Driveways and Other Accesses to the Public Way. – I. 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 I or class III highway or the state-maintained portion of a class II highway that does not conform to the terms and specifications of a written permit issued by the Commissioner of transportation.

II. Pursuant to this section, a written construction permit application must be obtained from and filed with the department of transportation by any abutter affected by the provisions of paragraph I. Before any construction or alteration work is commenced, said permit application shall have been reviewed, and a construction permit issued by said department. Said permit shall:

- (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 II.
- (b) Unless all season safe sight distance of 400 feet in both directions along the highway can be obtained, the commissioner shall not permit more than one access to a single parcel of land, and this access shall be at that location which the commissioner determines to be safest. The commissioner shall not give final approval for use of any additional access until it has been proven to him that the 400-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 2 points, each at a height of 3 feet 9 inches above the pavement, and so located as to represent the critical line of sight between the 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 50 feet in width, except that a driveway, entrance, exit, or approach may be flared beyond a width of 50 feet at its junction with the highway to accommodate the turning radius of vehicles expected to use the particular driveway, entrance, exit or approach.
- (b) More than 2 driveways, entrances, exits or approaches from any one highway to any one parcel of land unless the frontage along that highway exceeds 500 feet.

V. The same powers concerning highways under their jurisdiction as are conferred upon the commissioner of transportation by paragraphs I, II, III and IV shall be conferred upon the planning board in cities and towns in which the planning board has been granted the power to regulate the subdivision of land as provided in RSA 674:35, and they shall adopt such regulations as are necessary to carry out the provisions of this section. Such regulations may delegate administrative duties, including actual issuance of permits, to a highway agent, board of selectmen, or other qualified official or body. Such regulations, or any permit issued under them, may contain provisions governing the breach, removal, and reconstruction of stone walls or fences within, or at the boundary of, the public right of way, and any landowner or landowner's agent altering a boundary in accordance with such provisions shall be deemed to be acting under a mutual agreement with the city or town pursuant to RSA 472:6, II (a).

VI. The commissioner of transportation or planning board shall retain continuing jurisdiction over the adequacy and safety of every existing driveway, entrance, exit, and approach to a highway, whether or not such access was constructed or installed pursuant to a permit under this section, and, unless the access is a public highway, the owners of property to which the access is appurtenant shall have continuing responsibility for the adequacy of the access and any grades, culverts, or other structures pertaining to such access, whether or not located within the public right of way. If any such access is or becomes a potential threat to the integrity of the highway or its surface, ditches, embankments, bridges, or other structures, or a hazard to the safety of the traveling public, by reason of siltation, flooding, erosion, frost action, vegetative growth, improper grade, or the failure of any culvert, traffic control device, drainage structure, or any other feature, the commissioner of transportation or planning board or their designee may issue an order to the landowner or other party responsible for such access to repair or remove such hazardous condition and to obtain any and all permits required therefor. The order shall describe the hazard, prescribe what corrective action or alteration in the location or configuration of such access shall be required, and set a reasonable time within which the action shall be completed. Such an order shall be sent by certified mail, and shall be enforceable to the same extent as a permit issued under this section. If the order is not complied with within the time prescribed, the commissioner or planning board or their designee may cause to be taken whatever action is necessary to protect the highway and the traveling public, and the owner or other responsible party shall be civilly liable to the state or municipality for its costs in taking such action.

§ 236:14 Penalty. – Any person who violates any provision of this subdivision or the rules and regulations made under authority thereof shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person; 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.

**COLEBROOK PLANNING BOARD
FEE SCHEDULE**

RESIDENTIAL .05 CENTS PER SQ. FT. -- \$25.00 MINIMUM
PLUS, \$12.25 PER STRUCTURE FOR GPS LOCATION

COMMERCIAL .10 CENTS PER SQ. FT -- \$50.00 MINIMUM
PLUS, \$12.25 PER STRUCTURE FOR GPS LOCATION

SIGNS \$20.00 PER SIGN
EACH SIGN NEEDS A SEPARATE APPLICATION

DRIVEWAYS \$50.00 PER APPLICATION

SUBDIVISION \$100.00 PER APPLICATION, PLUS \$20 PER LOT CREATED
CERTIFIED MAILING PER EACH ABUTTER AT COST
NEWSPAPER AD AT COST
*SEPARATE CHECKS TO COOS COUNTY REGISTRY OF DEEDS

BOUNDARY-LINE \$75.00 PER APPLICATION
ADJUSTMENT CERTIFIED MAILING PER EACH ABUTTER AT COST
NEWSPAPER AD AT COST
*SEPARATE CHECKS TO COOS COUNTY REGISTRY OF DEEDS

SITE PLAN \$75.00 PER APPLICATION
PUBLIC HEARING CERTIFIED MAILING PER EACH ABUTTER AT COST
NEWSPAPER AD AT COST

GREENHOUSE COSTS RESIDENTIAL - \$25.00 – NO SIZE LIMIT
COMMERCIAL - \$50.00 - NO SIZE LIMIT

VOLUNTARY MERGER COOS COUNTY REGISTRY RECORDING FEE

COPY OF REGULATIONS \$5.00 PER SECTION / \$10.00 TO MAIL

ALL INSPECTION SERVICES REQUIRED BY THE BOARD WILL BE BILLED
AT COST IN ADDITION TO THE STANDARD PERMIT FEE

Effective: 07/07/2015

Pertinent Information When Applying for a Driveway Application:

Driveway: Shall mean an area located on a lot, tract, or parcel of land, and built for access to a garage or off-street parking space, serving not more than (2) lots or (2) single family residences.

Driveways exceeding over 600 feet shall provide a cul-de-sac type turnaround or hammerhead at the end. The cul-de-sac shall have a minimum outside curve radius of sixty-five (65) feet.

Owner's Duties & Rights: All private driveway connections, including structures like culverts, remain the continuing responsibility of the landowner, even if located within the highway right-of-way and even if the driveway connection pre-dates the town's permit system. If any driveway connection threatens the integrity of the highway due to plugged culverts, erosion, siltation, etc., the Planning Board or its designee can require the owner to repair it. If the owner fails to make the repairs, the town may perform the work and assess the costs to the owner.

(The Planning Board in NH, Handbook for Local Officials)

Minimum Driveway Standards for All:

1. Driveway connection cannot be more than 50 feet wide; however, it can be flared to accommodate the turning radius of vehicles expected to use the driveway.
2. No parcel of land can have more than one driveway connection unless it is proven there is a 400-foot safe sight distance in both directions at a height of 3 feet, 9 inches above the pavement.
3. No parcel of land can have more than two driveway connections unless the parcel's highway frontage exceeds 500 feet.

Rights-of-Way (R.O.W.): Shall be 50' minimum.

Storm Drains, Culverts, Catch Basins – For specifications, refer to Subdivision Regulations, Section 6.02, as well as the American Association of State Highway Officials (AASHO) specifications.

Erosion Protection Ditches - Paving or stone shall be provided in ditches where soil or velocity conditions warrant protection from erosion as determined by the Board.

Grade - Grades of all driveways shall be a reasonable but shall not be less than 0.5% or more than 12% unless specifically approved by the Board. The Board may modify the maximum and minimum gradient for short lengths of driveways where, in its judgement, existing topographic conditions or the preservation of natural features indicate that such modification will result in the best subdivision of land. All changes in grade exceeding 0.5% shall be connected by vertical curves of sufficient length to afford adequate sight distances.

236:13 DRIVEWAYS AND OTHER ACCESSES TO THE PUBLIC WAY

- I. 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 I or Class III highway or the state-maintained portion of a Class II highway that does not conform to the terms and specifications of a written permit issued by the Commissioner of Transportation.
- II. Pursuant to this section, a written construction permit application must be obtained from and filed with the Department of Transportation by any abutter affected by the provisions of Paragraph I. Before any construction or alteration work is commenced, said permit application shall have been reviewed and a construction permit issued by said department. Said permit shall:
 - 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 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 industry 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 normally by more than one owner:
 - a. Said permit application shall be accompanied by engineering, drawings showing information as set forth in paragraph II.
 - b. Unless all season safe sight distance of four hundred feet in both directions along the highway can be obtained, the commissioner shall not permit more than one access to a single parcel of land, and this access shall be at the location the COMMISSIONER determines to be safest. The commissioner 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 the pavement and so located as to represent the critical line of sight between the 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 fifty 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.
- b. More than two driveways, entrances, exits or approaches from any one highway to any one parcel of land unless the frontage along that highway exceeds five hundred feet.

V. The same powers concerning highways under their jurisdiction as are conferred upon the commissioner of transportation by paragraphs I, II, III, and IV shall be conferred upon the planning board or governing body in cities and towns in which the planning board or governing body has been granted the power to regulate the grading and improvement of streets within a subdivision as provided in RSA 674:35, and they shall adopt such regulations as are necessary to carry out the provisions of this section. Such regulations may delegate administrative duties, including actual issuance of permits, to a highway agent, board of selectmen, or other qualified official or body. Such regulations, or any permit issued under them, may contain provisions governing the breach, removal and reconstruction of stone walls or fences within, or at the boundary of, the public right of way, and any landowner or landowner's agent altering a boundary in accordance with such provisions shall be deemed to be acting under a mutual agreement with the city or town pursuant to RSA 472:6, II(a).

VI. The commissioners of transportation or planning board shall retain continuing jurisdiction over the adequacy and safety of every existing driveway, entrance, exit, and approach to a highway, whether or not such access was constructed or installed pursuant to a permit under this section, and unless the access is a public highway, the owners of property to which the access is appurtenant shall have continuing responsibility for the adequacy of the access and any grades, culverts, or other structures pertaining to such access, whether or not located within the public right of way. If any such access is or becomes a potential threat to the integrity of

the highway or its surface, ditches, embankments, bridges, or other structures, or a hazard to the safety of the traveling public, by reason of siltation, flooding, erosion, frost action, vegetative growth, improper grade, or the failure of any culvert, traffic control device, drainage structure, or any other feature, the commissioner of transportation or planning board or their designee may issue an order to the landowner or other party responsible for such access to repair or remove such hazardous condition and to obtain any and all permits required therefor. The order shall describe the hazard, prescribe what corrective action or alteration in the location or configuration of such access shall be required, and set a reasonable time within which the action shall be completed. Such an order shall be sent by certified mail, and shall be enforceable to the same extent as a permit issued under this section. If the order is not complied with within the time prescribed, the commissioner or planning board or their designee may cause to be taken whatever action is necessary to protect the highway and the traveling public, and the owner or other responsible party shall be civilly liable to the state or municipality for its costs in taking such action.

236:14 Penalty

Any person who violates any provisions of this subdivision or the rules and regulations made under authority thereof shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person; 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.