

Town of Deerfield

Driveway/ Road Cut Regulations

1. **Title:** These regulations may be cited as the “Driveway/Road Cut Regulations” of the Town of Deerfield.
2. **Authority:** These regulations are adopted by the Deerfield Planning Board pursuant to the authority granted by New Hampshire RSA 236:13 as amended. Consistent with New Hampshire RSA 236: 13 V the Deerfield Planning Board delegates the Administrative duties associated with driveway/road cut regulations to the Towns Road Agent.
3. **Purposes:** The purpose of these regulations are to:
 - A. Minimize highway access points into the flow of traffic:
 - B. Minimize impact of new driveways on existing highways:
 - C. Promote public safety:
 - D. Provide for the smooth flow of traffic:
 - E. Provide for the proper drainage of surface water:
 - F. Provide for the harmonious development of the Town and its environs:
4. **Permit Required:** No driveway giving access to a Class V or Class VI highway, the Town-maintained portion of a Class II highway or a road shown on an approved subdivision plan shall be constructed or altered in any way that substantially affects the size or grade of the driveway within the highway or road right-of-way without a written permit issued by the Town’s Road Agent, nor shall the use of land served by the existing driveway be changed without a driveway permit issued for the proposed new use. A change in use or expansion of use will cause the applicant to apply for a new driveway permit.
5. **Criteria:** All application for driveways shall be reviewed with respect to the following criteria:
 - a. All-weather sight distance at the point of access:
 - b. Surface water flow and drainage:
 - c. Topography or slope:
 - d. Existing property access:
 - e. Vegetation:
 - f. Land use, both proposed and existing and on adjacent properties:
 - g. Speed Limit and volume on the roadway providing access.
6. **Administration:** These regulations shall be administered by the Road Agent. The Road Agent shall administer the permit application process, perform site inspections, issue enforcement directives, and other duties appropriate for this position.
7. **Permit Applications:** Permit applications on a form adopted by the Planning Board shall be available at the Selectman’s office and from the Driveway inspector.

8. Application Fee: There shall be an application fee established by the Road Agent to defray the costs of administration.

9. Design Standards: In addition to the general criteria of Section 5, the following design standards shall apply:

A. All driveways located on slopes shall have the adjusted sight distances per the following table:

	Up-grade	Down-grade
3%	200 ft.	210 ft.
6%	190 ft.	220 ft.
9%	180 ft.	230 ft.

B. Where more than one driveway per lot is requested, the requirements of RSA 236:13 III(b) shall apply to all driveways giving access to the lot.

C. Sight distance shall be determined at a point ten(10) feet from the edge of pavement and three (3) feet, six (6) inches above proposed finished grade of the driveway.

D. Driveways shall be designed and constructed so as to prevent surface water flow from the driveway to the adjacent road. The applicant will be responsible for installing necessary drainage facilities on the applicant's property and within the Town right-of- way. All culverts shall be reinforced concrete with a minimum strength of Class III. Design of such culverts and drainage facilities shall be in accordance with the Town of Deerfield subdivision regulations.

10. Scope of Review: The Road agent may approve, approve with conditions or disapprove driveway permit applications on the basis of the criteria of these regulations. Conditional approval improvements, grading specifications, and traffic control devices. The applicant may be required to bear the cost of implementing such conditions of approval.

11. Procedure After Issuance of Permit:

A. Driveways must be completed and approved by the Road Agent within twelve (12) months from the date of issuance of the driveway permit or the permit shall be deemed void.

B. The Road Agent shall be notified prior to any change in the design of an approved driveway.

C. Any change in the surface or configuration of an approved driveway must conform to the requirements in the original permit.

12. State Permits: No driveway permit shall be issued until all applicable State of New Hampshire environmental or other land use permit have been issued.

13. Other Local Permits.

- A.** No building permit for a new dwelling or commercial or industrial building shall be issued until a driveway permit has been issued by the Road Agent.
- B.** No certificate of Occupancy shall be issued until the driveway has been inspected and approved by the Road Agent.
- C.** No earth excavation permit required under RSA 155-E for an operation involving creation of a driveway shall be granted until the driveway permit has been issued.
- D.** No conditional use permit under the Town of Deerfield Zoning Ordinance Section 210.6 involving a driveway shall be issued until the driveway permit has been issued by the Road Agent.

14. Responsibility for Damage: The applicant shall be responsible for any damage to the pavement or roadway surface of an adjacent highway caused by construction or use of the driveway. The Town may repair any such damage and assess the applicant for the cost of such repairs.

15. The penalties set forth in RSA 236:14 shall be applicable to violations of RSA 236:13 and these regulations.

16. Upon written request the Road Agent may waive any of the foregoing regulations where strict conformity would pose an unnecessary hardship and waiver would not be contrary to the spirit and intent of the regulations, nor pose a danger to public health, safety or welfare.