

DRIVEWAY REGULATIONS
For The
TOWN OF LINCOLN, NEW HAMPSHIRE

Adopted March 2005

ARTICLE I – Authority and Purpose

- (A) Pursuant to the authority vested in the Lincoln Planning Board by the legislative body of Lincoln, and in accordance with the provisions of Chapters 236:13 and 674:35 of the New Hampshire Revised Statutes Annotated as amended, the Lincoln Planning Board adopts the following regulations governing all driveway construction in the Town of Lincoln to:
- (1) ensure that emergency services can be reasonably and safely provided to all dwelling units in the Town, including those constructed on or accessed by steep slopes;
 - (2) ensure that driveways entering onto roads do not represent a safety hazard;
 - (3) minimize the amount of terrain alteration and vegetative removal on hillside areas required for driveway construction;
 - (4) ensure that driveways do not disrupt drainage systems or culverts, damage the surface of right-of-ways, or cause erosion or siltation of traveled ways or surface waters; and
 - (5) avoid unreasonable public expenditures.
- (B) These regulations may be amended by the Planning Board following a Site Plan Review hearing on the proposed change.

ARTICLE II -- Definitions

The following definitions contained in the Lincoln Subdivision Regulations shall apply, in addition to the following:

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

CONSTRUCTION: For the purposes of this regulation, means not only the construction of a new driveway, but also any substantial alterations to an existing driveway. This does not include regrading, repaving, repairs or improvements of a similar nature.

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

TURNOUT: An area perpendicular to the driveway that allows a vehicle to back in and out.

TURNAROUND: An area large enough to allow a vehicle to turn fully around on the property without having to back up.

ARTICLE III – General Provisions

- (A) 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.
- (B) Driveways should follow the natural terrain and cuts or fills should be minimized.
- (C) All driveways must be designed, constructed, and maintained so as to ensure that emergency vehicles, including ambulances and fire trucks, can ingress and egress easily during emergency events.

Owner Responsibility; The owner of the property accessed by a driveway shall have continuing responsibility for the adequacy and maintenance of the driveway and any grades, culverts, retention basins and bridges pertaining to such access, whether or not the driveway is located within the public right-of-way. If any driveway 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 other features, the Town may issue an order to the responsible party to repair or remove such

hazardous conditions or take other actions as specified in RSA 236:13. If no response within a reasonable time, the Town will take appropriate action; the costs of such will be charged to the property owner.

ARTICLE IV – DRIVEWAY STANDARDS

The following standards shall, at a minimum, apply to all driveways in the Town of Lincoln, except where the driveway intersects a state-maintained road, and NH DOT places other restrictions on the drive entry. Where applicable or appropriate, the NH DOT Typical Design Standards shall be followed (“Policy for the Permitting of Driveways and Other Accesses to the State Highway System; NH DOT Bureau of Highway Maintenance; March 10, 2000).

A. Drive Entrance.

- (1) All drive entries shall be located as shown on the approved plans or as directed by the Lincoln Planning Board.
- (2) Driveway entrances on residential streets shall be a minimum of ten (10) feet and a maximum of fifteen (15) feet wide at the curb line.

B. Paving. In order to protect the physical integrity of the roads, the street-side edge of all driveways must be paved.

- (1) All driveways for commercial, non-residential and residential use shall be paved for at least ten (10) feet commencing at the edge of the pavement of the intersecting road.

C. Travel Width. Driveways must be designed, constructed and maintained so as to have at least a ten (10) foot travel width. Outside of the traveled way there must be enough width to accommodate snow storage areas, drainage, parking areas, clearance for emergency vehicles, etc.

D. Vertical Clearance. Driveways must be designed, constructed and maintained so as to have at least thirteen and one-half (13 ½) feet of vertical clearance.

E. If gated, the following standards apply:

- a. Gate openings must be at least ten (10) feet wide, except where there are existing stone walls between which the gate will be placed.
- b. Gates must be located at least thirty (30) feet from any public right-of-way and must not open towards the public right-of-way. Need for a location closer to the public right-of-way may be granted at the discretion of the Planning Board at Site Plan Review.

F. Passing Lanes, Vehicle Turnouts and Vehicle Turnarounds

- a. Driveways longer than three hundred (300) feet must include a turnout no farther than fifty (50) feet from the primary residence or building. The turnout must be perpendicular to the driveway and be at least ten (10) feet in width and twenty (20) feet in length as measured from the edge of the driveway. The area of the turnout may not be steeper than twelve (12) percent, and have an outside radius of fifteen (15) feet. Other dimensions may be approved, provided the applicant can demonstrate that vehicles can safely back in and drive out.
- b. Driveways longer than one thousand (1,000) feet must include a passing area at least every eight hundred (800) feet, exclusive of the required turnout in (1) above. This passing area shall be a combined minimum of twenty (20) feet for a length of at least fifty (50) feet, tapered back to the ten (10) foot width on both ends. The grade along the entire length of the passing area must not exceed twelve (12) percent.

G. Bridges.

- a. All bridges must be designed, installed and maintained in accordance with the State of New Hampshire specifications.
- b. All bridges must be designed, installed and maintained so as to convey at least a one hundred (100) year storm event.

H. Culverts.

- a. All culverts shall be a minimum of fifteen (15) inches in diameter and must be designed, installed and maintained so as to support the heaviest vehicle likely to operate on the driveway.
- b. All culverts must be designed so as to convey the full flow of water of existing drainage swales as well as any additional water that may be transmitted by the driveway.

I. Numbering. All residences shall be numbered with a minimum 3" high X 2 ½" wide reflective number. Residences in a back lot or not clearly visible from the street must place their house number on either a solid post or mailbox at the end of their driveway, as well as on their house.

J. Naming. Any driveway or road serving two (2) or more addressable structures will be named using road naming rules outlined by the National Emergency Number Association and recommendations of New Hampshire 911. Said name will require written approval of the Town of Lincoln and Fire Department. Name will be posted on a sign or signs conforming to guidelines and standards of the Town of Lincoln and the following rules;

- (1) Avoid family names or individuals names, especially living persons or politicians.
- (2) If the road is continuous, do not change names at an intersection, curve or some other point.
- (3) Avoid sound-alike names (Bay View Drive or Bayview Drive).
- (4) Do not use names with a different suffix (Smith Rd, Smith Ln).
- (5) Use NENA recommended format for road/street names (e.g. prefix Directional – 2 characters, Street Name – 40 characters, Street Suffix – 4 characters and Post Directional – 2 characters).
- (6) Do not use special characters such as hyphens, apostrophes or dashes.

K. Slopes.

- (1) Driveways with a slope of greater than twelve (12) percent will not be permitted.
- (2) Driveways shall normally not exceed twelve (12) percent grade.
- (3) At the house-side terminus of a driveway, the grade shall not exceed five (5) percent for the last thirty (30) feet.

L. Drainage & Erosion Control.

- (1) Driveways which slope down from a road must be designed so as to avoid the conveyance of stormwater runoff from the road in a way that can cause flooding, erosion or provide other hazard to the driveway itself or any structures on the property.
- (2) No drainage can be discharged onto a public road and must be tied into any roadside drainage in a manner satisfactory to the Town of Lincoln.
- (3) During and after construction, the driveway must not cause erosion or sedimentation of drainage systems or surface waters.

- M. When two (2) driveway entrances on the same side of the road are within fifty (50) feet of each other, a common access may be required, for reasons of safety and topographical considerations.
- N. All-season reasonable, safe sight distance in each direction is required.
- O. Any driveway crossing a wetland or body of water shall have permits required by NH Wetlands Board and/or the Lincoln Board of Adjustment prior to the driveway approval.
- P. There shall be no more than one primary access to a single parcel of land unless a need for multiple accesses can be demonstrated.
- Q. Driveways shall intersect roadways at an angle of ninety (90) degrees.
- R. No structures (including buildings), permanent or portable signs, lights, displays, fences, walls, etc. shall be permitted on, over or under the town right-of-way.
- S. Driveways providing access to multi-unit residential, commercial or industrial uses shall be designed to conform to good engineering practice.

ARTICLE V -- PROCEDURES

APPLICATION

Prior to commencing work a Town of Lincoln Driveway Permit is required. These permits are available at the Lincoln Town Offices. Any application that does not conform to the specifications of these regulations will require a Site Plan Review hearing.

NOTICE

The contractor shall give 48-business hour notice to the Town of Lincoln before starting construction.

MODIFICATIONS AND WAIVERS

The standards of these regulations may be modified or waived by the Planning Board when specific circumstances surrounding a proposal, or a condition of the land, indicate that strict adherence to the standards would create a hardship for the landowner, and such modification will not be in conflict with the purpose and intent of these regulations. If a waiver is requested, the Planning Board may request an opinion from the Lincoln Fire Chief and the Town Manager to determine whether the request is reasonable.

PENALTIES

Any person who violates any provision of this regulation shall be subject to fines and penalties as spelled out in RSA 676: 15 & 17.