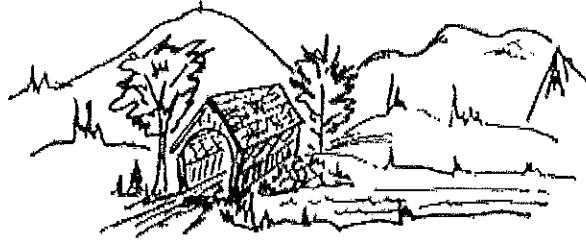


**TOWN of
ANDOVER**

P.O. Box 61
Andover, NH 03216-0061
(603) 735-5332

Incorporated 1779



ACCESS/DRIVEWAY APPLICATION AND PERMIT PROCEDURES

Applicant fills out the application and includes \$50.00 payable to the Town of Andover.

Applicant gives the application and fee to either the Town Hall or the Road Agent.

Road Agent reviews and completes the application.

Road Agent gives the fee to the Town Office/Bookkeeper.

Road Agent draws up the permit.

Road Agent keeps one copy of the three-part permit form and gives a copy to applicant.

Road Agent gives the application and the third copy of the permit to Planning and Zoning Coordinator.

Planning and Zoning Coordinator makes a copy of the application and permit for the Zoning Administrator.

Planning and Zoning Coordinator files the permit and application in the property folder.

APPLICATION FOR ACCESS/DRIVEWAY PERMIT
Town of Andover, New Hampshire

Town of Andover Road Agent
P. O. Box 61
Andover, NH 03216

Date: _____

Permission is requested to construct _____ driveway entrance(s) to my property:
Tax Map _____ Lot _____ Sub-lot _____
on the _____ side of _____ Road/Street in the Town of Andover, NH at a location which
will meet the requirements for safety specified in the Andover Access/Driveway Regulations.

The driveway requested is for access to _____
(Residence/Business/Subdivision, etc.)

If other than single family residential, describe the nature of the above:

As the landowner/applicant, I hereby agree to the following:

1. To construct driveway entrances at permitted locations in accordance with all provisions of the Access/Driveway Regulations and the conditions set out in the Permit.
2. To furnish, install and maintain drainage structures that are necessary to maintain adequate existing street drainage.
3. To ascertain whether the proposed construction of the driveway is subject to state and federal requirements (i.e. wetlands, storm water, shoreland protection) and to secure any applicable permits.
4. To hold harmless the Town of Andover 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.

Provide Location Map on Reverse Side: Include distances in feet to easily recognizable permanent landmarks.

I acknowledge receipt of the Andover Access Driveway Regulations.

Landowner (Please print)

Landowner Mailing Address

Landowner Signature

Landowner Telephone Number

IMPORTANT: Submit this application along with the required construction details, a map of any proposed construction, and a fee of \$50.00 per access to the Andover Planning Board or its authorized representative, the Road Agent (checks made payable to Town of Andover). Pursuant to the Andover Access/Driveway Regulations, the Road Agent at his/her discretion may require a more detailed map and further construction details.

PAID _____ SIGNATURE _____
Town Official

ROAD AGENT ACTION: APPROVED APPROVED WITH CONDITIONS DENIED

ZONING ADMINISTRATOR NOTIFIED: YES _____ NO _____ DATE: _____

Penalty. If no adequate corrective action is taken within thirty (30) days of notification that a violation of the Andover Access/Driveway Regulations has occurred, the property owner may be fined not more than one hundred dollars (\$100.00) per day and, in addition, shall be liable for the cost of restoration of the street to a condition satisfactory to the Road Agent of the Town of Andover.

LOCATION MAP AND DETAILS

OTHER INFORMATION OR COMMENTS

ACCESS/DRIVEWAY REGULATIONS
Town of Andover, New Hampshire

Section 1. AUTHORITY

Pursuant to the authority vested in the Andover Planning Board by the State of New Hampshire, and in accordance with the provisions of Chapter 236, Sections 13 (v) and 14, NH Revised Statutes Annotated, the Andover Planning Board adopts the following regulations governing the construction and alteration of accesses, driveways, entrances, exits, and approaches within the limits of the right-of-way of all streets under the jurisdiction of the Town of Andover

Section II. DEFINITIONS

BOARD shall mean the Planning Board of the Town of Andover.

DRIVEWAY shall mean any access driveway, entrance, exit, or approach (temporary or otherwise) within the limits of the right-of-way of any street under the jurisdiction of the Town of Andover.

ENGINEER shall mean a New Hampshire Professional Engineer.

GRADE shall mean the steepness of a driveway. Grade shall be expressed in percent by dividing the change of elevation along the centerline of the driveway in a given distance by that given distance and multiplying by 100.

ROAD AGENT shall mean the Road Agent of the Town of Andover.

SIGHT DISTANCE shall mean the length of a line which encounters no visual obstruction between two points, each at a height of three feet nine inches (3'9"), above the road surface, and so located so as to represent the critical line of sight between the operator of a vehicle using the driveway and the operator of a vehicle approaching from either direction.

STREET shall mean any town road.

SURVEYOR shall mean a New Hampshire Licensed Surveyor.

WIDTH of a driveway shall be measured parallel to the centerline of the street.

Section III. REQUIREMENT

It shall be unlawful to construct or substantially alter a driveway except in accordance with the terms and specifications of a written permit issued by the Andover Planning Board or its designated representative.

Section IV. PROCEDURE

1. Application. Any person wishing to construct or alter a driveway shall obtain an Access/Driveway Permit application from the Town Office, and shall file that application, required construction details, and a map of the proposed construction with the Board or its designated representative, the Road Agent.

The following information shall be provided with the application:

- a) The name and address of the owner, the tax map and lot number of the property to be served by the driveway
- b) The location of the driveway, with distances to the nearest street intersections, if said distances are less than one hundred feet (100')
- c) The lengths of the street frontages of the property to be served by the driveway
- d) The dimensions of the proposed driveway within the limits of the right-of-way of the street

ACCESS/DRIVEWAY REGULATIONS
Town of Andover, New Hampshire

- e) The dimensions and specifications of the driveway's paved apron
- f) The lengths of the sight distances in both directions along the street
- g) A description, including dimensions, of any culverts, other drainage, structures, and traffic control devices, to be constructed, also the depth of the fill over any culverts
- h) The grade of the driveway
- i) If the application is for the alteration of a driveway, a description of the proposed changes

The following information shall be provided on the map:

- a) The location and dimensions of the proposed driveway and of the street within the minimum sight distance
- b) Property boundaries, if within one hundred feet (100') of the driveway
- c) Distances to the nearest street intersection, if within one hundred feet (100') of the driveway
- d) Locations of other driveways and building if within one hundred feet (100') of the driveway
- e) The location of any existing driveways serving the property
- f) The location of any visual obstructions to the required sight lines
- g) The length of sight distances in both directions along the street
- h) The location of any drainage structures, and traffic control devices, to be installed

Failure of the applicant to supply the information and the map requested shall be sufficient grounds for the denial of the application.

The Planning Board may require the preparation of plans by an engineer or a surveyor, at the expense of the applicant, when deemed necessary.

2. Approval of Application. The Board or its designated agent, the Road Agent, may approve the application subject to the following conditions:

- a) The application shall be properly and legibly completed
- b) The location, design and construction of driveways shall meet the general and geometric requirements stated in these regulations. Necessary provisions for drainage, pavement types and thickness, sight distance requirements, and other general construction details must be acceptable to the Road Agent.
- c) The permit shall require that the applicant assume the following construction responsibilities:

The applicant shall furnish all materials and bear all costs of necessary construction within the limits of the street right-of-way.

The Board reserves the right of inspection by its authorized representatives of any driveway construction within the right-of-way. In the event of faulty workmanship and/or materials, the Board shall have the right to stop work until such time as the objectionable conditions are corrected. All costs incurred in the removal and/or correction of defective workmanship and/or materials shall be borne by the applicant.

If the application is approved, a written construction permit shall be issued to the applicant stating the terms and specifications for the construction or alteration of the driveway. If the application is disapproved, a letter shall be sent to the applicant stating the reasons for the disapproval.

Section V. STANDARDS

1. Number. No more than two driveways shall be constructed from any one street to any one parcel, unless the frontage along the street exceeds five hundred feet. When the frontage exceeds five hundred feet, no more than three driveways shall be constructed. A single driveway serving no more than two lots is an acceptable option.

ACCESS/DRIVEWAY REGULATIONS
Town of Andover, New Hampshire

2. Location. The location shall be selected to most adequately protect the safety of the traveling public. The driveway shall be at least twenty-five feet (25') from the nearest intersection.

3. Sight Distances. The location shall be selected to provide safe sight distances, based on the following standards developed by the American Association of State Highway Officials.

a) The minimum sight distance shall be two hundred feet (200') on streets with speed limits of 30 MPH or lower.

b) The minimum sight distance shall be two hundred and seventy-five feet (275') on streets with speed limits between 31 and 40 MPH inclusive

c) The minimum sight distance shall be three hundred and fifty feet (350') on streets with speed limits between 41 and 50 MPH inclusive.

d) The minimum sight distance shall be four hundred feet (400') on streets with speed limits greater than 50 MPH.

For properties where the minimum sight distance described above cannot be met, the driveway shall be placed at the safest possible location.

4. Intersection. The driveway shall be laid out so as to intersect with the street as nearly as possible to a right angle, but in no case at an angle of less than sixty (60) degrees. The driveway shall be constructed in such a way as to protect the edge of the street pavement from deterioration.

5. Width. The driveway shall be a minimum width of fourteen feet (14') at its junction with the street. The driveway shall have a maximum width of fifty feet (50') at its junction with the street, except that the driveway may be flared beyond a width of fifty feet (50') to accommodate the turning radius of vehicles expected to use the driveway.

6. Grade. The grade of the driveway within fifteen feet (15') of the edge of the right-of-way to the travelled surface shall be no greater than five percent (5%).

7. Commercial Applications. Where safety considerations require that entry onto the highway be limited to the designated driveway location and the premises are so situated that entry onto the highway can be had from other locations, barriers sufficient to prevent that entry shall be constructed.

8. Drainage. The driveway shall not interfere with the street's drainage. Where necessary, culverts, waterbars, ditches, and other drainage structures shall be installed to insure adequate drainage of the street and to prevent excessive drainage from the driveway onto the street. Culverts shall be at least twelve inches (12") in diameter, and larger, if necessary. A minimum of twelve inches (12") of fill shall be placed over culverts.

9. Sidewalk and Road Repair. When construction of a driveway would require the disturbance of a street or a sidewalk, the applicant shall obtain the permission of the Road Agent, before proceeding with the construction. Any street or sidewalk disturbed during the construction of the driveway shall be restored to the satisfaction of the Road Agent.

10. Performance Bond. The applicant may be required by the Board to file a bond or other financial security acceptable to the Board. The selected security shall be in an amount sufficient to cover the cost of the construction of that portion of the driveway within the right-of-way of the street, including the required culverts, ditches, other drainage structures and the paved apron, and to cover the cost of repairing public sidewalks and streets disturbed by the construction. In its determination, the Board will consider factors including the following: the character of the proposed use, the potential drainage or safety problem created by the proposed driveway, etc... The bond shall be approved as to form and sureties by the Board. The amount of the bond shall be based on a contractor's or engineer's cost

ACCESS/DRIVEWAY REGULATIONS

Town of Andover, New Hampshire

estimate of the necessary construction and repair. The estimate shall be approved by the Board prior to the obtaining of the bond. All bonds shall be for one hundred percent (100%) of the estimated cost.

The performance bond shall not be released until the Road Agent has certified completion of the bonded construction and repairs in accordance with the standards stated in these regulations and in accordance with the plan approved by the Board.

In lieu of a performance bond, the applicant shall have the option of depositing with the town, cash or cashier's check properly endorsed to the Town of Andover in an amount approved by the Board, as sufficient to cover the cost of construction and repair.

Section VI. ADMINISTRATION

1. Violation. A violation shall have occurred if the owner has not fulfilled the provisions of these regulations as determined by the Board.
2. Enforcement. Upon determination by the Board that a violation of these regulations has occurred, notice shall be given to the Board of Selectmen recommending appropriate enforcement procedures. The Board of Selectmen is responsible for the enforcement of these regulations.
3. Penalty. If no adequate corrective action is taken within thirty (30) days of notification that violation has occurred, the owner may be fined not more than one hundred dollars (\$100.00) per day, in addition, shall be liable for the cost of restoration of the street to a condition satisfactory to the Road Agent of the Town of Andover.
4. Waiver. Where strict conformity to these regulations would cause undue hardship or injustice to the owner of the land, a driveway plan substantially in conformance with these regulations may be approved by the Board, provided that the spirit of the regulations will be respected, and that the public convenience and safety will not be adversely affected.
5. Validity. If any section, provision, portion, clause, or phrase of these regulations shall be held to be invalid or unconstitutional by any court or competent authority, such holding will not affect, impair, or invalidate any other section, clause, provision, portion, or phrase of these regulations.
6. Amendment. These regulations may be amended or rescinded by the Board following a public hearing on the proposed change.
7. Adoption. These regulations shall become effective after a public hearing, adoption and certification by the Board, and filing with the Board of Selectmen and the Town Clerk.
8. Maintenance. Any driveway constructed or altered after the effective date of these regulations shall be maintained by the landowner so that, at all times, the driveway meets the standards then in effect.
9. Fee. A fee of \$50.00 per access shall be submitted with the application.

ACCESS/DRIVEWAY PERMIT
Town of Andover, New Hampshire

Applicant _____ Permit # _____
Road/Street _____ Date _____
Tax Map & Lot _____

Permission to construct an access/driveway adjoining _____ Road/Street pursuant to the Andover Access/Driveway Regulations and the specifications and conditions set out below, is hereby granted. Facilities constructed in violation of these Regulations, specifications, and conditions shall be corrected immediately upon notification by a town representative or the costs of removing said facility shall be fully borne by the owner. Failure to complete construction of said access/driveway within one calendar year of the date of this permit shall render this instrument null and void.

- _____ 1. This permit requires that the facility be constructed in the location and layout set out in the Applicant's permit (as amended, if at all, by the Road Agent), a copy of which is filed herewith.
- _____ 2. This permit requires that the area adjacent to the street be graded such that the surface will slope from the edge of the roadway to a line _____ feet distant from the center line and parallel to the roadway and _____ inches below the edge of the roadway for a distance of _____ feet to the right of the driveway and a distance of _____ feet to the left of the driveway (standing on the street and looking at the driveway) which line will serve as a drainage gutter.
- _____ 3. All culverts must be of sufficient diameter to carry off water at flood stage. A culvert of at least _____ inches in diameter and _____ gauge must be placed in the center of the ditchline.
- _____ 4. _____ driveway entrance(s) is (are) permissible, each not to exceed _____ feet in width. The driveway entrance(s) may be flared as they approach the road/street.
- _____ 5. The street right-of-way line is located _____ feet from and parallel to the centerline of the roadway.
- _____ 6. The sight distance from such entrance shall be no less than _____ feet.
- _____ 7. The applicant shall comply with all applicable ordinances and regulations of the Town of Andover, and the following further conditions (if any).

OTHER CONDITIONS TO BE MET:

- _____ A. _____
_____ B. _____
_____ C. _____

ROAD AGENT SIGNATURE _____

Copies to: Applicant, Road Agent, Planning and Zoning Coordinator