



## **DRIVEWAY PERMIT RULES AND REGULATIONS**

**PREAMBLE AND LEGAL AUTHORITY.** The following rules for the Emerald Lake Village District are adopted pursuant to the powers granted generally by RSA 52:3 and RSA 41:11 to regulate the use of all public highways, sidewalks and commons; and, RSA 236 authorizing the District to regulate any excavation or disturbance to the shoulders, ditches, embankments or improved surfaces of its roadways. These rules and regulations are made in order to govern the issuance of driveway permits over and to District roadways. All prior rules and regulations governing issuance of driveway permits are hereby superseded.

### **SECTION 1. APPLICATION FOR DRIVEWAY PERMIT**

1.1 Anyone proposing to construct or alter a driveway or passage for motor vehicles from any roadway within the Emerald Lake Village District shall be required to complete an application in the form provided by the District and submit it to the District Office or its representative.

1.2 Any application to construct or alter a driveway or motor vehicle passage from a District roadway shall be not be considered complete until submitted together with the required fee payable to the Emerald Lake Village District in the sum of Fifty Dollars (\$50.00).

1.3 Any application to construct or alter a driveway or motor vehicle passage from a District roadway shall be not be considered complete until submitted together with a copy of plans and construction details as provided below.

1.4 Upon receipt of a completed application with fee, the District representative(s) shall schedule a site visit to the property with the property owner and/or representative applicant, before approval may be considered.

1.5: The District may revoke a driveway permit of a property if the use of the driveway no longer conforms to conditions set in the permit or in conflict of zoning laws. All business/commercial and use that exceeds the septic design of a property must apply for a new permit by the Board of Commissioners within 30 days of the change of use.

1.6: Applications for driveway permits shall conform to District Driveway Rules and Regulations along with all NH State DOT standards and specifications established in DOT

policy pertaining to Driveway and Access in the State Highway system, as nearly as possible, subject to RSA 236:13.

## **SECTION 2. SUBMISSION OF PLANS**

2.1 Plans or details of proposed construction shall include but not be limited to, grade from roadway, type of surface, location and width of new or altered driveway, width and length of proposed culvert(s), placement of culverts, specification of materials, and explanation of steps taken to address any drainage in addition to use of culverts.

2.2 In addition thereto, the Applicant/Owner shall submit a description of the lot to be served with dimensions, length of frontage of lot along District roadway, and location of improvements to be sited on the lot; and, location of any rights of way or easements including public utility easements crossing or touching upon the lot, in the form of a sketch.

## **SECTION 3: OWNER/APPLICANT RESPONSIBILITIES**

3.1 By submission of an application, the landowner agrees to construct the driveway or motor vehicle passage only for the bona fide purpose of securing access to private property and for no other purpose than travel, and not for any commercial use;

3.2 By submission of an application, the landowner agrees to construct the driveway or motor vehicle passage only for the use of the designated lot, and not as access to any other lot;

3.3 By submission of an application, the landowner agrees to furnish and install drainage means that are necessary to maintain the existing roadway drainage and which will adequately handle any increased runoff resulting from land development, and to obtain any required easements;

3.4 By submission of an application, the landowner agrees to construct the driveway or motor vehicle passage in accordance with RSA 236, other rules and regulations pertaining to District roads and right-of-ways, design details, and in accordance with any permit issued, including specifications as conditions of approval;

3.5 By submission of an application, the landowner agrees to construct the driveway or motor vehicle passage only in compliance with the accepted design and only in the approved location.

## **SECTION 4: MINIMUM REQUIREMENTS**

4.1 All culverts shall be at least TWELVE inches in diameter.

4.2 Material for installation such as gravel shall maximize prevention of erosion, subsidence or excess drainage upon the public roadway.

## **SECTION 5: FACTORS CONSIDERED FOR APPROVAL**

- 5.1 Adequacy of site plans and construction details for proposed driveway or passage;
- 5.2 Placement of driveway so as not to obstruct public line of sight on the roadway;
- 5.3 Placement of driveway so as not to intrude upon or interfere with existing property lines, rights of way, or encumbrances;
- 5.4 Whether proposed construction method and/or materials will adequately prevent any increased drainage, erosion, or subsidence affecting the public roadway;
- 5.5 Compliance with any other requirements including but not limited to code enforcement or building requirements of the Town of Hillsborough.

## **SECTION 6: ISSUANCE OF PERMIT AND BOND REQUIREMENT**

- 6.1 A permit will be issued in written form, signed by at least two Commissioners;
- 6.2 A permit may be issued conditionally, subject to specific further requirements and specifications required to meet the general purposes herein;
- 6.3 Posting of a bond may also be required in the discretion of the District to insure compliance herewith and provide security for nonconforming construction, in which case any work shall not proceed until Notice that Bond is Posted from applicant;
- 6.4 Any permit to construct or alter a driveway or motor vehicle passage issued hereunder shall expire within 90 days unless otherwise extended by the District for good cause.
- 6.5 Any permit to construct or alter a driveway or motor vehicle passage issued hereunder shall be nontransferable as to the current owner of record without further approval of the District and applies only to the lot(s) specified in the application and permit.

## **SECTION 7: ADDRESS NUMBERS**

- 7.1 The District reserves the right for assigning or altering address numbers of buildings and other property along any public or private way pursuant of RSA 231.133-a.
- 7.2 ELVD residents are required to display their house number in a conspicuous place in front of their building and/or posted at the end of their driveway. Numbers are to be a minimum of 4 inches in height.

Adopted by the Board of Commissioners on March 24, 2016.

    /S/      
Mark Rodier, Chair

    /S/      
Zane Merva, Commissioner

    /S/      
Wayne Held, Commissioner



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**APPLICATION FOR DRIVEWAY PERMIT**

(To construct or alter driveway or motor vehicle passage with entrance and/or exit to District roadway(s)).

Address of Property: \_\_\_\_\_

Tax Map No: \_\_\_\_\_ Lot No: \_\_\_\_\_

Name of Owner of Record: \_\_\_\_\_

Current Address of Owner of Record: \_\_\_\_\_

Telephone/Email/Fax of Owner: \_\_\_\_\_

Designated Representative if Other Than Owner:

Name: \_\_\_\_\_

Contact Address and Telephone: \_\_\_\_\_

Capacity: \_\_\_\_\_

Lot Sketch Attached: Yes \_\_\_\_ No \_\_\_\_\_

Fee Submitted (\$50.00): Yes \_\_\_\_\_ No \_\_\_\_\_

Date Application Submitted: \_\_\_\_\_ Initials: \_\_\_\_\_

Construction Details and Description (and/or attach separate sheet and/or plans):

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**PERMIT APPROVAL**

Date of Site Visit and Attendees: \_\_\_\_\_

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Permit is Denied: \_\_\_ Approved: \_\_\_ Approved subject to following additional conditions: \_\_\_

Conditions: \_\_\_\_\_

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Date Issued: \_\_\_\_\_

(Permit is valid for up to 90 days and is nontransferable)

Bond Required: No: \_\_\_\_\_ Yes: \_\_\_\_\_ Amount: \_\_\_\_\_

Permit No: \_\_\_\_\_

(Year eg 2016- followed by sequential number)

Name: \_\_\_\_\_

Title:

Name: \_\_\_\_\_

Title:

Name: \_\_\_\_\_

Title: