

## **CHAPTER 127**

### **DRIVEWAYS**

[**HISTORY:** Adopted by the Board of Selectmen of the Town of Hillsborough 5-24-1976.  
Amendments noted where applicable.]

#### **GENERAL REFERENCES**

Excavations — See Ch. 132.

Site plan review — See Ch. 185.

Streets and sidewalks — See Ch. 197.

Subdivision of land — See Ch. 201.

Zoning — See Ch. 229.

#### **§ 127-1 Permit required.**

It shall be unlawful to construct or alter, in any way that substantially affects the size or grade, any driveway, entrance, exit or approach within the limits of the right-of-way of any Town road within the Town of Hillsborough without first obtaining a permit issued by the Town of Hillsborough in accordance with the provisions herein.

##### **§ 127-1.1 Maintenance.**

[Added 12-3-2003]

Maintenance for all driveway improvements, such as pavement or culverts, installed within the town right-of-way shall be the responsibility of the property owner(s) gaining access from the driveway.

#### **§ 127-2 Application information.**

Application for a permit to construct or alter a driveway, entrance, exit or approach within the limits of a Town road shall be made upon forms as prescribed by the Town and shall contain the following information:

- A. The name and address of the applicant.
- B. The name and address of the owner of the land.
- C. A description of the lot or area to be serviced by the proposed construction, including the length of frontage and the location of the proposed construction within said frontage.
- D. Construction details, including grade from the highway, type of surface, location, size, width and length of proposed culverts.
- E. The location of any known surface water.

F. The approximate distance of clear sight in both directions from the center of the proposed construction as it intersects with the Town road to be entered.

G. Such other information as may be specifically requested by the Superintendent of Public Works and as may be necessary for the safety of the traveling public.

### **§ 127-3 Application procedure.**

*[Note: See now RSA 236:13 and any rules and regulations of the New Hampshire State Highway Department and shall render his decision based on the public safety of the traveling public and the effect of any proposed construction on the Town roads and road system of the Town of Hillsborough.]*

Application shall be made to the Superintendent of Public Works for the Town of Hillsborough, who shall approve or deny said application within 20 days from the receipt thereof, and, in the event of denial, give his reasons thereof. In determining the action, the Superintendent of Public Works may consider the requirements and guidelines as set forth in the New Hampshire RSA 249:17

### **§ 127-4 Appeal.**

Any applicant who is aggrieved by a decision of the Superintendent of Public Works shall have a right of appeal to the Board of Adjustment for the Town of Hillsborough as set forth in New Hampshire RSA 30.

### **§ 127-5 Penalties for offenses.**

Any person who shall be found guilty of violating this chapter shall be guilty of a violation as defined in the New Hampshire Criminal Code, and in addition shall be liable for cost of any restoration of the highway to a condition satisfactory to the Superintendent of Public Works of the Town of Hillsborough.

### **§ 127-6 When effective.**

This chapter shall take effect as of the first day of June 1976 and upon a publication of the same in the Hillsborough Messenger.