



City of Keene, NH

Street Access (Driveway) Permit Application

If you have questions about how to complete this form, please contact the Public Works Department at (603) 352-6550.

SECTION 1: PROJECT INFORMATION

PROPERTY ADDRESS: 	PARCEL SIZE:
	ZONING DISTRICT:
TAX MAP PARCEL #(s): ----- -----	PERMIT TYPE: <input type="checkbox"/> RESIDENTIAL STREET ACCESS PERMIT (for single-family & two-family homes) <input type="checkbox"/> COMMERCIAL & MULTI-FAMILY STREET ACCESS PERMIT <input type="checkbox"/> TEMPORARY STREET ACCESS PERMIT

SECTION 2: CONTACT INFORMATION

PROPERTY OWNER	APPLICANT <i>(If different than property owner.)</i>
NAME/COMPANY: 	NAME/COMPANY:
MAILING ADDRESS: 	MAILING ADDRESS:
PHONE: 	PHONE:
EMAIL: 	EMAIL:
SIGNATURE: 	SIGNATURE:
PRINTED NAME: 	PRINTED NAME:

SECTION 3: SUBMITTAL REQUIREMENTS

LOCATION MAP: This map should show the general location of the property. The City of Keene's [GIS Database](http://axisgis.com/keenenh/) (axisgis.com/keenenh/) can be used to generate a map.

DRIVEWAY DIAGRAM: This diagram should show the dimensions and drainage of the proposed driveway.

FEES: There is a \$50 fee for Driveway Permit Applications. Checks should be made payable to the *City of Keene*. Credit card payments are accepted in-person or by calling 603-352-5440.

DESCRIPTION OF PROJECT: The proposed design of a driveway will need to comply with the standards outlined in the [Land Development Code \(LDC\)](#) under **Section 9.3**, **Section 22.5.4**, and **Section 20.9.2** (for commercial/multi-family driveways only). These standards are attached to this application form.

PLEASE PROVIDE A BRIEF DESCRIPTION OF THE PROPOSED DRIVEWAY LOCATION, DIMENSIONS, SURFACE MATERIAL, AND GRADING/DRAINAGE MECHANISM (IF NOT INCLUDED ON THE DRIVEWAY DIAGRAM).

SECTION 4: CITY ENGINEER VERIFICATION

FOR OFFICE USE ONLY

HAS THE ZONING ADMINISTRATOR REVIEWED THE APPLICATION FOR COMPLIANCE WITH THE APPLICABLE ZONING STANDARDS?
(Including but not limited to setbacks, lot coverage, location to the rear of either the front setback or front building line.)

- YES
- NO

DATE OF ZONING ADMINISTRATOR APPROVAL:

DOES THE PROPOSED DRIVEWAY COMPLY WITH ARTICLE 12 OF THE LDC REGARDING HILLSIDE PROTECTION?

(If not, the property owner may need to apply for a Hillside CUP.)

- YES
- NO

APPLICATION STATUS: APPROVED
 DENIED
 APPROVED WITH CONDITIONS

CONDITIONS: NONE
 CULVERT REQUIRED UNDER DRIVEWAY.
 NO DRAINAGE IS TO BE ALLOWED FROM THE DRIVEWAY ONTO THE CITY OF KEENE RIGHT-OF-WAY.
 DRIVEWAY NOT TO BLOCK GUTTER FLOW IN STREET.
 OTHER: _____

EXPIRATION DATE: (Expiration date shall not exceed 2-years from the date of permit issuance.)

FOR RESIDENTIAL STREET ACCESS PERMIT APPLICATIONS:

CITY ENGINEER'S SIGNATURE

DATE

PROPOSED DATE OF DRIVEWAY INSPECTION:

FOR COMMERCIAL STREET ACCESS PERMIT APPLICATIONS:

PLANNING BOARD (PB) CONDITIONAL APPROVAL DATE:

CONDITIONS OF APPROVAL:

PB FINAL APPROVAL DATE:

PB CHAIR'S SIGNATURE:

DATE OF SIGNATURE:

DATE STAMP:

9.3 DRIVEWAY DESIGN STANDARDS

9.3.1 Street Access Permit

Prior to installing a new or modifying an existing curb cut or driveway, a street access permit shall be obtained according to the standards and processes outlined in Section 22.5 of this LDC.

9.3.2 Driveway Dimensions

Dimensional requirements for driveways are included in Section 22.5.4 of this LDC. In addition to these requirements, the following standards shall apply to driveways for single- and two-family dwellings.

1. Each vehicle parking space shall be a minimum dimension of 8-ft by 18-ft and shall be located to the rear of either the front setback or front building line.
2. The driveway and associated parking space(s) shall be a minimum of 3-ft from the side property line.

9.3.3 Surface Material

The surface of the driveway and associated parking space(s) shall be of either concrete; asphalt installed at a minimum thickness of 3-in on top of 4-in compacted subgrade base; crushed stone (installed at a minimum thickness of 4-in on top of a 4-in compacted subgrade); or, semi-pervious materials (e.g. permeable pavers, pervious asphalt or concrete, etc.) that are able to withstand vehicular traffic or other heavy-impact uses.

9.3.4 Grading & Drainage

- A. Driveway and associated parking space(s) shall be graded to prevent drainage across sidewalks, curb cuts, streets or onto adjacent property, except that the portion of a driveway within the public right-of-way may drain towards the street.
- B. Driveways and associated parking space(s) shall not block the flow of drainage in gutters or drainage ditches or pipes.
- C. Driveways and associated parking space(s) shall not have a slope greater than 15%.

9.3.5 Long Driveways

Driveways longer than 300-ft shall meet the following standards.

- A. Shall be limited in width to 10-ft, in order to minimize site disruptions.
- B. Every 300-ft there shall be an improved turnout, which is at least 8-ft wide and 15-ft long.
- C. Shall include at its terminus a vehicular turnaround as described for dead-end streets in Article 22.
- D. If the driveway slope is greater than 10%, the first 20-ft from the public road shall be at a slope of 5% or less.

9.4.6 Driveways Crossing Steep Slopes

For driveways located in or crossing prohibitive and precautionary slopes, as defined in Article 12 Hillside Protection Overlay District, the following standards shall apply.

- A. Driveway route shall follow the natural contours of the existing slope to minimize disturbance of vegetation and soils.
- B. Cutting and filling of slopes to construct a driveway shall comply with applicable grading standards of Article 12.
- C. Shared driveways shall be used to avoid entering into or crossing precautionary slope areas and to reduce grading, paving and site disturbance.

20.9 TRAFFIC & ACCESS MANAGEMENT

20.9.1 Traffic

- A. Any commercial, office or industrial project involving 100 or more vehicle trips per day, or residential projects involving 10 or more units, as determined by the most recent published version of the Institute of Transportation Engineers (ITE) Trip Generation Manual, shall demonstrate that the project will not diminish the capacity or safety of existing city streets, bridges or intersections, prior to the issuance of a building permit.
- B. If improvements to roadways, bridges, signals, or intersections are required for a proposed development to avoid diminishing the existing capacity or safety of these public systems, those improvements shall be made as part of the development, at the developer's expense.
- C. The Planning Board may require that any development along West St from School St to the Bypass, and along Winchester St from Island St to the Bypass, be reviewed by the NH Department of Transportation for traffic impact.

20.9.2 Driveways & Curb Cuts

- A. Entrances and exits onto public streets shall be designed to provide safe and convenient vehicular passage into and out of the site.
- B. Wherever possible, the number of curbcuts or driveways on public streets shall be limited to one per lot.
- C. The use of common driveways and service roads is encouraged, and in some instances may be required.
- D. All driveways shall comply with the standards in Section 9.3 of this LDC.
- E. A State driveway permit is required for any new driveway on a state road outside of the Urban Compact.

20.9.3 Access Management

- A. Interior circulation and parking shall be designed to assure safe passage of all vehicles and pedestrians into, out of, and throughout the site.
- B. On-site queuing areas shall be provided to prevent congestion on City streets.
- C. New development shall provide safe and efficient access from roads and streets to all users, regardless of their mode of transportation.
- D. Where appropriate, connections shall be made for the continuation of sidewalks, walkways and bicycle lanes within the property, between adjoining properties, and site amenities shall be installed such as bicycle racks, benches, shade trees, and bus stop shelters. These connections shall apply:
 - 1. Grade changes, textures, colors or other methods of distinguishing sidewalks, walkways and crosswalks from vehicular travel; and,
 - 2. Appropriate lighting, signage, crosswalks, and other safety devices.
- E. For development other than single-family and two-family dwellings, bicycle parking shall be provided in racks or other similar facility.
- F. Bicycle parking shall not be located within parking areas for motorized vehicles.
- G. Building facades that abut parking areas and contain a public entrance shall include pedestrian walkways.

20.9.4 Accessibility

- A. Pedestrian facilities shall be designed to accommodate persons with disabilities in accordance with the access standards required by the State Building Code.
- B. Sidewalks, shared use paths, street crossings and other infrastructure shall be constructed so that all pedestrians, including persons with disabilities, can travel independently.

22.4 SERVICE CONNECTION PERMIT

- A. A service connection permit shall be obtained from the City prior to connecting, disconnecting or modifying an existing connection to any City-owned utility, including water distribution, wastewater collection, stormwater management or telecommunications systems.
- B. An application for a service connection permit shall be submitted to the Public Works Director on forms provided by the City and shall include payment of an application fee, as set forth in the schedule of fees in Appendix B of the City Code of Ordinances.

22.5 STREET ACCESS PERMIT

22.5.1 Applicability

- A. A street access permit shall be obtained from the City prior to the construction of or alteration that changes grade, length or width of any driveway, entrance, exit or approach within the right-of-way of any City street, including temporary driveways, except when the driveway or its alteration is approved as part of a subdivision or site plan by the Planning Board.
- B. An application for a street access permit to construct or alter street access shall be submitted in accordance with the application and review procedures for a street access permit in Section 25.16 of this LDC.

22.5.2 Purpose

- A. It is the intent of these standards to:
 - 1. Promote the safe passage of bicycles, pedestrians and vehicles;
 - 2. Locate street access so as to ensure adequate sight distances;
 - 3. Avoid disruption of existing drainage systems;
 - 4. Ensure that drainage from new street access is properly channeled;
 - 5. Avoid the creation of hazardous traffic conditions;
 - 6. Ensure that city sidewalks are preserved; and,
 - 7. Ensure that roadways and intersections are not overly burdened by improperly located or excessive numbers of street accesses.

22.5.3 Issuing Authority

A. Administrative Review

- 1. The City Engineer, or their designee, shall have the authority to review, and approve or disapprove street access permit applications for the following.
 - a. Single-family or two-family dwellings.
 - b. Single-family dwelling shared access.

- c. Single-family or two-family dwelling second street access.
 - d. Agricultural street access.
 - e. Temporary street access.
2. The City Engineer may refer a street access permit application to the Planning Board for review if, in their sole discretion, the City Engineer determines that the facts and circumstances warrant such referral.

B. Planning Board Review

1. The Planning Board shall have the authority to review, and approve or disapprove street access permit applications for all uses other than those listed in Section 22.5.3.A.
 2. The Planning Board shall consult with the City Engineer prior to rendering a decision on any street access permit application or prior to acting upon any street access proposals that are included on a subdivision plan or site plan.
- C. The respective issuing authority shall only issue a street access permit when an applicant has demonstrated compliance with all standards listed in Section 22.5.4.

22.5.4 Standards for Review

- A. The following standards shall apply to all street access installed or modified after April 28, 1989, as determined by the City Engineer based on a review of aerial photographs of the City of Keene taken on that date.
1. If the installation of a street access requires disrupting an existing sidewalk, the sidewalk must be restored or replaced in compliance with this Article.
 2. Street access shall be placed so as to ensure that vehicles entering and exiting the street access have an all season safe sight distance in all directions, not only of the road, but also of bicycle and pedestrian traffic on the sidewalk. For purposes of this Section, an all season safe sight distance shall be at least 200-ft in all directions within which there are no visual

obstructions.

3. For commercial and industrial activities, the use of service roads and/or common access is encouraged.
4. There shall be no more than 1 street access point for each residential lot.
5. No more than 2 single-family dwellings can share a common street access.
6. Street access shall not block the flow of drainage in gutters, drainage ditches or pipes.
7. Street access shall be constructed so that surface runoff runs neither from private property onto the City street nor from the City street onto private property.
8. Street access for single-family dwellings and two-family dwellings, including shared drives, shall not be more than 20-ft wide at the property line and 30-ft wide at the curbline.
9. Street access for uses other than single-family dwellings and two-family dwellings or temporary street access shall not be more than 25-ft wide at the property line and 50-ft wide at the curbline, unless additional width or lanes are required as the result of a traffic study and/or geometric analysis prepared by an NH licensed engineer.
10. New street access shall be placed so as not to conflict with existing street access.
11. Street access on opposite sides of the street shall be aligned or offset sufficiently, so as to avoid turning conflicts.
12. All street access shall be constructed to standards approved by the City Engineer.
13. Temporary street access used for earth-disturbing or forestry activities or events shall be constructed with a temporary construction exit complying with the requirements of the NH Stormwater Manual, Volume 3, as may be amended.
14. Temporary street access shall be restored to original condition at the conclusion of the activity or event for which they are

installed.

15. When the installation of a street access requires the cutting of trees or the disturbance of stone walls which are within the public right-of-way, separate permission for such cutting or disturbance must be obtained, in accordance with Sections 82-158 and 82-187 of the City Code of Ordinances, NH RSA 472:6, or other applicable laws.

22.5.5 Access on Class VI Highways

- A. Parcels that have frontage and access only from a Class VI highway shall not be eligible for a street access permit.
- B. Parcels created subsequent to May 1, 2000, which have frontage on both a Class IV or V and a Class VI highway shall be required to access said lot from the Class IV or Class V frontage.
- C. Parcels created on or before May 1, 2000, having the requisite frontage on a Class IV or V highway, and abutting a Class VI highway, may use the Class VI highway abutting that parcel for access provided that:
 1. Said access does not exceed 750-ft in length measured from the intersection of the Class IV or V highway; and,
 2. The Class VI highway and the access meets the City of Keene Street Access Standards in this Article; and,
 3. The owner of such parcel obtains a street access permit in accordance with this Article.
- D. The Issuing Authority may issue a street access permit for access based upon a demonstration that the section of the Class VI highway to be used as a driveway is suitable for emergency vehicles on the date of issuance of the street access permit and further provided that the property owner executes and delivers to the City a document suitable for recording at the County Registry of Deeds which contains the following items:
 1. Property owner name(s), address,

description of the property, and where the owner's deed is recorded at the County Registry of Deeds.

2. Name of the highway, fact that the highway is Class VI, with the details of how it attained that status.
3. Description of the proposed structure to be constructed, including the number of units.
4. An acknowledgement by the owner of the property that the City has no legal duty to maintain the highway, or any intent of doing so, nor any liability for damages resulting from the use of the highway. Further, that the City will provide no winter maintenance, grading or other road repairs, and that, at times, the City may not be able to provide police, fire or other emergency services. That school bus, mail, or other services may be restricted or nonexistent and it is the property owner's responsibility to obtain such services.
5. An acknowledgement by the owner of the property that: the City does not maintain Class VI highways and does not have any intent of doing so; that any maintenance, or expense associated with the repair and maintenance of the Class VI highway in a condition to be used as a driveway is the responsibility of the property owner or their successors or assigns; that the portion of the Class VI highway used for a driveway shall be in conformance with the Driveway Standards in Section 9.3 of this LDC.
6. An acknowledgement by the owner of the property that any work performed by the property owner on the Class VI road must have prior approval from the Public Works Director or their designee.
7. An acknowledgement by the owner of the property that the Class VI highway shall remain a full public highway and that the property owner shall not prohibit or restrict use by the public.
8. An acknowledgement by the owner of the property that the City retains full authority, if it chooses, to regulate the public use of the

highway, pursuant to NH RSA 41:11 and NH RSA 231:21.

22.5.6 Exceptions to Street Access Standards

Requests for exceptions to the street access standards in Section 22.5 shall be made in writing to the appropriate permit issuing authority, as defined in Section 22.5.3, which shall have authority to approve or disapprove a requested exception in accordance with the application and review procedures for street access permits in Section 25.16 and upon evaluation the following criteria.

- A. Issuance of the exception will not adversely affect the safety of pedestrians, bicyclists, and vehicles using adjacent streets and intersections.
- B. Issuance of the exception does not adversely affect the efficiency and capacity of the street or intersection.
- C. There are unique characteristics of the land or property which present a physical hardship to the requestor.
- D. In no case shall financial hardship be used to justify the granting of the exception.

22.6 WAIVERS

- A. Except as provided for in Section 22.5.6 with respect to exceptions to the Street Access Standards, requests for waivers from the requirements of this Article shall be addressed in writing to the City Engineer, who shall make a written recommendation to the City Council.
- B. For waivers to the dead-end street standard, at least one of the following special circumstances shall be met.
 - 1. The request for the waiver must demonstrate that the exemption is de-minimis in nature.
 - 2. The request for the waiver must demonstrate that adequate private and/or public secondary access is provided and will be maintained year-round.
 - 3. The request for the waiver must demonstrate that all 3 of the following criteria are met.
 - a. There are unique physical characteristics of the land, which present a hardship to the requestor.
 - b. The requested waiver is consistent with the intent of this Article and this LDC.
 - c. A recommendation from the Planning Board that the waiver request meets the intent of the Planning Board Site Development and Subdivision Regulations.
- C. In no case shall financial hardship be used to justify the granting of a waiver.
- D. The City Council shall retain final jurisdiction in all such waiver decisions.

25.16 STREET ACCESS PERMIT

25.16.1 Description

A street access permit allows for review of proposed cuts to curbing or pavement within a public right-of-way to provide access to a property.

25.16.2 Initiation

The applicant for a street access permit shall either own the fee simple interest in the property(s) that is the subject of the review or have written permission of the fee simple owner.

25.16.3 Applicability

A street access permit is required prior to the construction or alteration (e.g. changes to grade, length or width) of any driveway, entrance, exit or approach within the right-of-way of any city street, including temporary driveways, except when the driveway or its alteration is approved as part of a subdivision or site plan approved by the Planning Board or Minor Project Review Committee.

25.16.4 Authority

- A. Administrative Review.** The City Engineer, or their designee, shall have the authority to review and decide on street access permit applications for single-family or two-family residential properties, single-family shared access, single-family or two-family residential second street access, agricultural street access, or temporary street access.
- B. Planning Board.** The Planning Board shall have the authority to review, and approve or disapprove all street access applications for multi-family, industrial, and commercial street access.

25.16.5 Submittal Requirements

An applicant for a street access permit shall submit a completed application on the appropriate form to the Community Development Department. A completed street access permit application shall include the following information.

- A.** A written narrative describing the location, purpose, and reason for the proposed cut(s) to

curbing or pavement within the public right-of-way.

- B.** A plot plan drawn to scale depicting the location and dimensions of the proposed cuts to curbs or pavement within the public right-of-way in relation to the lot it provides access to, as well as the adjacent roads and sidewalks, existing or proposed drainage features (e.g. catch basins), visual obstructions (e.g. telephone poles), and other similar site features.
- C.** Application fee as set forth in the LDC Schedule of Fees in Appendix B of the City Code of Ordinances.
- D.** Such other material and information as may be required by the City Engineer or Community Development Director, or their respective designees, to determine conformance with this LDC.

25.16.6 Procedure

A. Administrative Review

- 1. Staff Determination of Application Completeness.** Within 10 business days, the City Engineer, or their designee, shall complete an initial review of the application to evaluate whether the application is complete.
 - a.** Applications that do not have sufficient information to determine compliance with Section 25.16 and the Street Access Standards in Article 22 of this LDC, shall be returned to the applicant.
- 2. Compliance with Zoning.** Applications requiring the granting of a variance, special exception or other approval from the Zoning Board of Adjustment shall not be approved until such approvals have been obtained.
- 3. Notice of Decision.** Within 20 business days of receipt of a completed application for administrative review, the City Engineer, or their designee, shall complete review of the application, in consultation with other City departments as appropriate, and will approve, approve with conditions, or

disapprove the application.

- a. All decisions shall be delivered in writing to the applicant and shall include any conditions for approval or reasons for denial.

B. Planning Board Review

1. Staff Determination of Application

Completeness. Upon receipt of a street access permit application, the Community Development Director, or their designee, shall complete an initial review of the application to evaluate whether the submittal requirements have been met.

- a. If the missing application materials or information are necessary for proper documentation, but are not central to the initial departmental review, the applicant will be permitted to provide the required materials or information by the revision deadline of 14 calendar days prior to the corresponding Planning Board meeting date.
2. Once the Community Development Director, or their designee, has made an initial determination that an application is complete, copies of the application and associated materials shall be sent to the City Engineer and the Planning Board for initial review at least 5 business days prior to the corresponding Planning Board meeting date at which the application will be reviewed.
3. **Site Visits.** At the discretion of the Community Development Director or the Chair of the Planning Board, a formal site visit to the subject property may be scheduled prior to the Planning Board meeting on the application.
4. **Board Determination of Application Completeness.** The Planning Board shall vote to determine whether the application is complete prior to deliberating on the application.
 - a. The Planning Board shall consider advice from the Community

Development Director, or their designee, in reaching a determination as to whether an applicant has provided sufficient information to deem the application complete.

- b. If the Planning Board determines that an application is incomplete, the Committee will either issue a written decision of incompleteness or, with the applicant's consent, table the application until the next regular meeting of the Board.

5. Board Review of Application.

Upon reaching a finding that an application is complete, the Planning Board may review the application.

- a. The Planning Board shall evaluate the application based upon the evidence presented by the applicant and consultation with the City Engineer, pursuant to the Street Access Standards in Article 22 of this LDC.

6. **Decision.** The Planning Board shall finish its review of an application within 65 calendar days of the meeting at which the Board accepted the application as being complete. If the Planning Board feels that more time is needed, or if the applicant requests additional time, the timeframe provided for review can be extended by mutual agreement of the Committee and the applicant, so long as the applicant submits a request for the extension in writing.

25.16.7 Approval Standards

All applications for a street access permit shall be evaluated for compliance with the Street Access Standards in Article 22.

25.16.8 Expiration

A street access permit shall specify the date upon which it expires. Such expiration date shall not exceed 2-years from the date of permit issuance; provided, however, that street access constructed prior to this expiration date, and in conformance with this LDC, shall no longer be subject to the expiration date.

25.16.9 Exceptions to Street Access Standards

A. Requests for exceptions to the Street Access Standards in Article 22, shall be made in writing to the appropriate decision-making authority. The process for review and approval of an exception request shall be as follows.

1. An applicant seeking an exception request to the Street Access Standards in Article 22, shall follow the same submittal requirements for a street access permit, and shall submit:

- a.** A list of abutters and others requiring notification. This list shall include the name, mailing address, street address, and tax map parcel number for: all owners of property that directly abuts and/or is directly across the street or stream from the subject parcel; all owners of property located within 200-ft of the subject parcel; and, any holders of conservation, preservation or agricultural preservation restrictions. The list shall also include the name and mailing address of the applicant.
- b.** 2 sets of mailing labels for each abutter and others requiring notice, including the owner of the subject property and their authorized agent.
- c.** Application fee as set forth in the LDC Schedule of Fees in Appendix B of the City Code of Ordinances, including the costs for published and mailed notice, which shall be Certified Mail.

B. In determining whether to approve or disapprove an exception request, the appropriate decision-making authority shall evaluate the exception request using the criteria in Section 22.5.6 of this LDC.

C. Within 10 business days of the receipt of a written request for an exception as provided above, the appropriate decision-making authority shall mail notice to abutting property owners of the requested exception. Such notice

shall include the address of the request and the standard(s) from which an exception is requested. The notice shall instruct potentially affected property owners to submit comments in writing to the issuing authority.

D. The appropriate decision-making authority shall wait a minimum of 10 business days following the issuance of abutter notification before making a final determination on the requested exception.

E. If, after reviewing all submitted comments, the appropriate decision-making authority finds that the applicant has met all exception criteria the requested exception shall be granted. Otherwise, the requested exception shall be denied.