



Victoria F. Sheehan  
Commissioner

**THE STATE OF NEW HAMPSHIRE**  
**DEPARTMENT OF TRANSPORTATION**

District 6 Office, PO Box 740, Durham, NH 03824



William Cass, P.E.  
Assistant Commissioner

**DRIVEWAY PERMIT**

<b>To:</b> Barrington Village Place 7B Emery Lane Stratham, NH 03855	<b>City/Town:</b> Barrington <b>Route/Road:</b> NH 9 (S0000009) <b>Patrol Section:</b> 606 <b>Tax Map:</b> 238 <b>Lot:</b> 9.1 <b>Development:</b> trailhead parking	<b>Permit #:</b> 06-027-525 <b>District:</b> 06 <b>Permit Date:</b> 3/29/2016
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06-027-

Permission is hereby granted to construct (alter) a driveway, entrance, exit or approach adjoining NH 9 (S0000009), pursuant to the location and specifications as described below. Failure to adhere to the standards and engineering drawings previously approved shall render this instrument null and void. Failure to start or complete construction of said facility within one calendar year of the date of this permit shall require application for permit extension or renewal in accordance with the Driveway Access Rules. Facilities constructed in violation of the permit specifications or the rules, shall be corrected immediately upon notification by a Department representative. Any cost by the State to correct deficiencies shall be fully borne by the landowner. The landowner shall defend, indemnify and hold harmless the Department 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.

**Drive 1**

**Location:** Approximately 0.2 miles east of Junction of Route 125 and Route 9 on the north side of NH 9 (S0000009).

GPS: 43.211414 N 70.992368 W.

**Specifications:** This permit authorizes a gravel access to be used as a recreational drive. Any change in use, increase in use or reconstruction of the driveway requires reapplication.

The right-of-way line is located 33 feet from and parallel to the centerline of the highway. The driveway shall not exceed 20 feet in width. The entrance of the drive may be flared; typically the flare radius is one half the driveway width.

400 foot sightlines must be maintained by cutting trees and vegetation

**Other Conditions:**

No structures, including buildings, permanent or portable signs, lights, displays, fences, walls, etc. shall be permitted on, over or under the Highway Right of Way.

No parking, catering or servicing shall be conducted within the Highway Right of Way.

The applicant shall comply with all applicable ordinances and regulations of the municipality or other State Agencies.

The Department has relied on the title and subdivision information provided by the landowner. The Department has not performed additional title research and makes no warranty or representation concerning landowner's legal right to access. In the event of a dispute about the landowner's legal right to the access provided herein, the landowner will defend and indemnify the Department.

Approved   
 District Engineer  
 For Director of Administration  
 Assistant

Copies: District, Town, Patrolman

17

06-29-13 ✓600  
-620

# NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION

District 1, 641 Main St, Lancaster, NH 03584  
District 2, 8 Eastman Hill Road, Enfield, NH 03748  
District 3, 2 Sawmill Rd, Gilford, NH 03249

District 4, 19 Base Hill Road, Swanzey, NH 03446  
District 5, PO Box 16476, Hooksett, NH 03106  
District 6, PO Box 740, Durham, NH 03824

## APPLICATION FOR DRIVEWAY PERMIT

Pursuant to the provisions of Revised Statutes Annotated, Chapter 236, Section 13 (printed on reverse of application) and amendments thereto, and Declaratory Ruling 2000-01, permission is requested to: (circle one): Construct Alter (Indicate quantity of) One driveway entrance(s) to my property on the (circle one) North South / East / West side of NH Route 9 or Street/Road: \_\_\_\_\_ In the Town of Barrington at a location which will meet the requirements for safety specified in said statutes.

The driveway entrance(s) requested is (are) for access to: Other 5 vehicle parking area  
*Residence, Industry, Business, Subdivision, Other*

Describe nature and size of industry, business or subdivision Existing residential driveway no longer being utilized to be used to access a 5 vehicle gravel parking for pedestrian use of Conservation Trails  
80 Feet (circle one): North / South / East / West of Utility Pole Number: PSC3/254, NETT 1064  
1021 Feet (circle one): North / South / East / West of Road or Junction: Route 125

Town Tax Map # 238 and Lot # 9.1

As the landowner (or designated applicant) I agree to the following:

- To construct driveway entrance(s) only for the bonafide purpose of securing access to private property such that the highway right-of-way is used for no purpose other than travel.
- To construct driveway entrance(s) at permitted location(s).
- To construct driveway entrance(s) in accordance with statutes, rules, standard drawings, and permit specifications as issued by the New Hampshire Department of Transportation.
- To defend, indemnify and hold harmless the New Hampshire Department of Transportation 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.
- To furnish and install drainage structures that are necessary to maintain existing highway drainage and adequately handle increased runoff resulting from the land development and obtain all easements thereto.
- I am the owner or a duly authorized agent of the owner of the parcel upon which the driveway will be constructed. I have provided accurate and complete title and subdivision information concerning the parcel to the Department. I understand that the Department is relying on this information in considering this application and that the Department does not perform independent title research or make judgments about title or access disputes.

- For new driveway(s), include copy of current deed and, if not the same, previous deed dated prior to July 1, 1971 of the parcel. If this parcel is part of a larger tract subdivided after July 1, 1971, then provide complete subdivision plans and deed history dating back to at least July 1, 1971.
- Attach sketch or plan showing existing and proposed driveway(s) and the adjacent highway indicating distance to town road, town line, or other readily identifiable feature or landmark and also to the nearest utility pole (including pole numbers)

RECEIVED  
FEB 16 2016  
DISTRICT SIX

[Signature]  
Signature of Landowner (Applicant)

7B Emery Lane  
Mailing Address

Barrington Village Place, LLC  
Printed Name of Landowner

Stratham, NH 03885  
Town/City, State, Zip Code

Date: January 29, 2016

Telephone Number(s) \_\_\_\_\_

Contact /Agent, if not Landowner: Wayne Morrill, Jones & Beach Engineers, Inc., PO Box 219, Stratham, NH 03885

FOR OFFICE USE ONLY:			
GPS N =	<u>43,211414</u>	GPS W =	<u>-70,992368</u>
Section:	<u>603W 606S</u>	Width:	<u>1</u>
Right of Way:	_____	Drainage:	_____
Conditions:	_____		
Permit Number Assigned:	_____		

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§ 236:13 Driveways and Other Accesses to the Public Way. – I. It shall be unlawful to construct, or alter in any way that substantially affects the size or grade of, any driveway, entrance, exit, or approach within the limits of the right-of-way of any class I or class III highway or the state-maintained portion of a class II highway that does not conform to the terms and specifications of a written permit issued by the Commissioner of transportation.

II. Pursuant to this section, a written construction permit application must be obtained from and filed with the department of transportation by any abutter affected by the provisions of paragraph I. Before any construction or alteration work is commenced, said permit application shall have been reviewed, and a construction permit issued by said department. Said permit shall:

- (a) Describe the location of the driveway, entrance, exit, or approach. The location shall be selected to most adequately protect the safety of the traveling public.
- (b) Describe any drainage structures, traffic control devices, and channelization islands to be installed by the abutter.
- (c) Establish grades that adequately protect and promote highway drainage and permit a safe and controlled approach to the highway in all seasons of the year.
- (d) Include any other terms and specifications necessary for the safety of the traveling public.

III. For access to a proposed commercial or industrial enterprise, or to a subdivision, all of which for the purposes of this section shall be considered a single parcel of land, even though acquired by more than one conveyance or held nominally by more than one owner:

- (a) Said permit application shall be accompanied by engineering drawings showing information as set forth in paragraph II.
- (b) Unless all season safe sight distance of 400 feet in both directions along the highway can be obtained, the commissioner shall not permit more than one access to a single parcel of land, and this access shall be at that location which the commissioner determines to be safest. The commissioner shall not give final approval for use of any additional access until it has been proven to him that the 400-foot all season safe sight distance has been provided.
- (c) For the purposes of this section, all season safe sight distance is defined as a line which encounters no visual obstruction between 2 points, each at a height of 3 feet 9 inches above the pavement, and so located as to represent the critical line of sight between the operator of a vehicle using the access and the operator of a vehicle approaching from either direction.

IV. No construction permit shall allow:

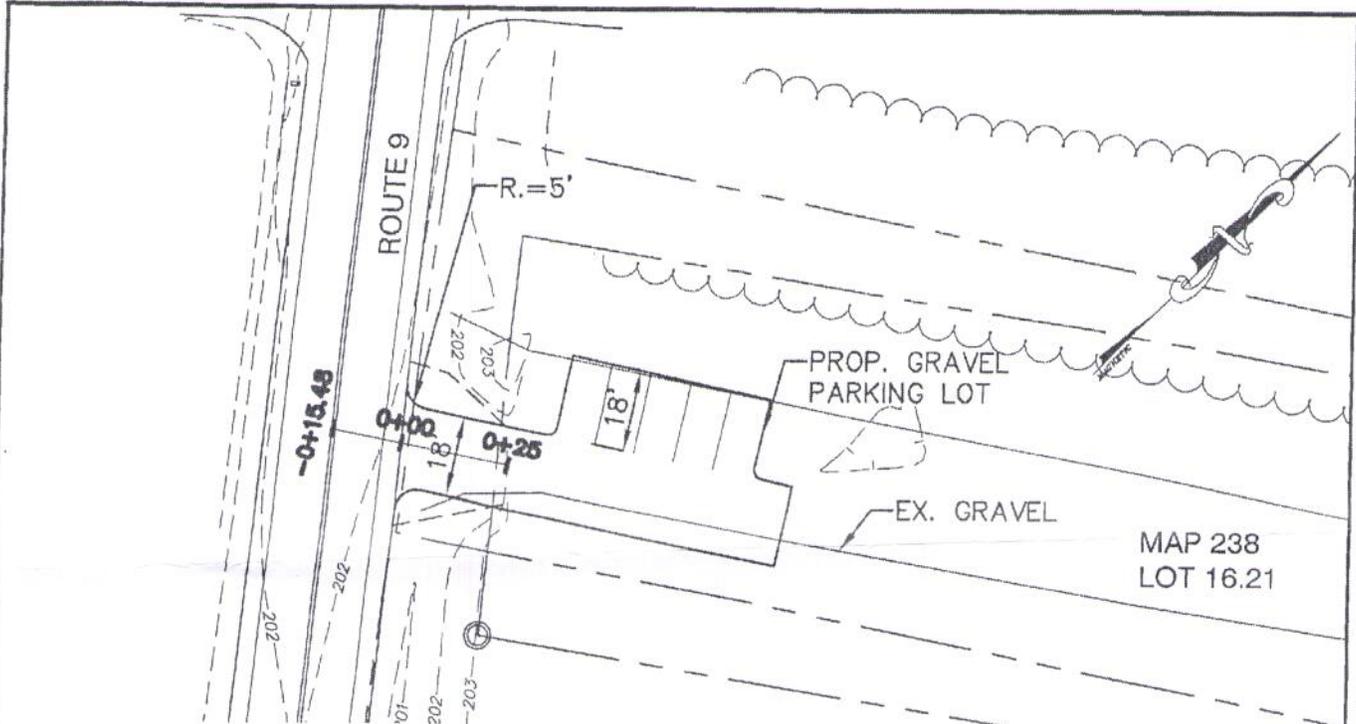
- (a) A driveway, entrance, exit, or approach to be constructed more than 50 feet in width, except that a driveway, entrance, exit, or approach may be flared beyond a width of 50 feet at its junction with the highway to accommodate the turning radius of vehicles expected to use the particular driveway, entrance, exit or approach.
- (b) More than 2 driveways, entrances, exits or approaches from any one highway to any one parcel of land unless the frontage along that highway exceeds 500 feet.

V. The same powers concerning highways under their jurisdiction as are conferred upon the commissioner of transportation by paragraphs I, II, III and IV shall be conferred upon the planning board in cities and towns in which the planning board has been granted the power to regulate the subdivision of land as provided in RSA 674:35, and they shall adopt such regulations as are necessary to carry out the provisions of this section. Such regulations may delegate administrative duties, including actual issuance of permits, to a highway agent, board of selectmen, or other qualified official or body. Such regulations, or any permit issued under them, may contain provisions governing the breach, removal, and reconstruction of stone walls or fences within, or at the boundary of, the public right of way, and any landowner or landowner's agent altering a boundary in accordance with such provisions shall be deemed to be acting under a mutual agreement with the city or town pursuant to RSA 472:6, II (a).

VI. The commissioner of transportation or planning board shall retain continuing jurisdiction over the adequacy and safety of every existing driveway, entrance, exit, and approach to a highway, whether or not such access was constructed or installed pursuant to a permit under this section, and, unless the access is a public highway, the owners of property to which the access is appurtenant shall have continuing responsibility for the adequacy of the access and any grades, culverts, or other structures pertaining to such access, whether or not located within the public right of way. If any such access is or 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 any other feature, the commissioner of transportation or planning board or their designee may issue an order to the landowner or other party responsible for such access to repair or remove such hazardous condition and to obtain any and all permits required therefor. The order shall describe the hazard, prescribe what corrective action or alteration in the location or configuration of such access shall be required, and set a reasonable time within which the action shall be completed. Such an order shall be sent by certified mail, and shall be enforceable to the same extent as a permit issued under this section. If the order is not complied with within the time prescribed, the commissioner or planning board or their designee may cause to be taken whatever action is necessary to protect the highway and the traveling public, and the owner or other responsible party shall be civilly liable to the state or municipality for its costs in taking such action.

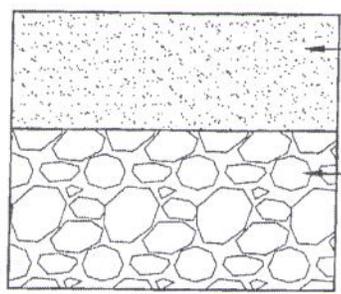
§ 236:14 Penalty. – Any person who violates any provision of this subdivision or the rules and regulations made under authority thereof shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person; and, in addition, shall be liable for the cost of restoration of the highway to a condition satisfactory to the person empowered to give such written permission.





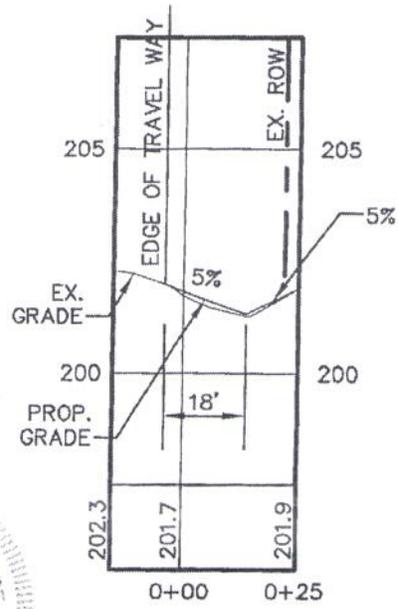
MAP 238  
LOT 16.21

PLAN

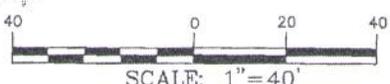


- N.H.D.O.T. ITEM 304.3  
6" CRUSHED GRAVEL  
95% COMPACTION (MIN)
- N.H.D.O.T. ITEM 304.2  
12" BANK RUN  
GRAVEL MIN. OR AS  
REQUIRED TO STABILIZE  
95% COMPACTION (MIN)
- COMPACTED SUB GRADE  
OR ROCK FILL

NOTE: IN AREAS OF ROCK EXCAVATION,  
MINIMUM 9" BANK RUN GRAVEL SHALL BE PLACED

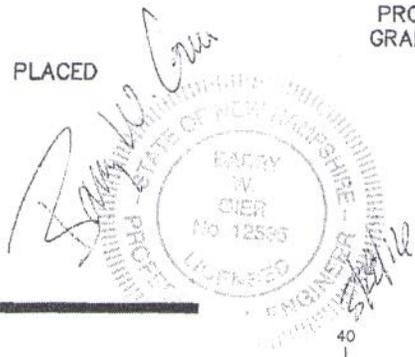


PROFILE



GRAVEL SECTION

NOT TO SCALE



REVISION DATE: 3/28/16

**J/B Jones & Beach Engineers, Inc.**  
Civil Engineering Services  
85 Portsmouth Ave. 603-772-4746  
PO Box 219 FAX: 603-772-0227  
Stratham, NH 03885 E-Mail: JBE@jonesandbeach.com

Drawing Name: **TRAILHEAD DRIVEWAY PLAN**  
Project: **BARRINGTON VILLAGE PLACE**  
BARRINGTON VILLAGE PLACE, LLC  
Owner of Record: 7B EMERY LANE, STRATHAM, NH

DRAWING No.  
**T-1**  
SHEET 1 OF 1  
JBE PROJECT  
No. 10144  
DATE: 3/21/16

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