

Town of New Lisbon

DRIVEWAY DESIGN POLICY

Access to a town highway

Any person, institution, or corporation desiring permanent, improved, or temporary access to, or performing work within a town highway right-of-way shall obtain a Highway Work Permit from the town highway department and comply with all conditions of its issuance. The application for a Highway Work Permit is on the town website or available through the town clerk.

This policy shall apply to any new driveways, walkways, stairways or drainage within the town right of way, and improvements to any driveways, walkways, stairways or drainage within the Town right of way, that are submitted for approval after April 12, 2022. Improvement is defined as one or more of the following:

- Resurfacing (excludes driveway sealant)
 - Rehabilitation and reconstruction
- Replacement of existing drainage pipe
- A change in width, grade, or location

On Town Highway Department Reconstruction or Resurfacing, Restoration and Rehabilitation contracts, the Department will alter, at its own expense, existing entrances to Town highways to comply with the spirit and intent of the policy and standards herein. On simple resurfacing projects, preventive and corrective maintenance projects, existing entrances are only altered if they contribute to safety or operational problems. If problems are identified, the driveway should be modified by the Department to comply with the spirit and intent of the policy and standards herein.

Property owners having access to a town highway shall be fully responsible for maintenance of their driveway and channelization. Including the portion from the highway right of way line to the outside edge of the highway shoulder or curb. This maintenance responsibility includes removal of snow and ice and keeping the portion within the highway right of way in a safe condition for the general public.

The property owner shall be responsible for the maintenance of ditches, pipes, catch basins, grates, detention ponds, and other drainage structures constructed in connection with providing access to their property, unless other legally binding arrangements, acceptable to the town, are made. All traffic control devices, such as traffic signals, stop and yield signs, one-way or other regulatory signs, pavement markings, delineators, etc., installed by the property owner in the highway right of way with the permission of the Department, shall conform to the National MUTCD, NYS Supplement. (Available on the NYSDOT web site at <https://>

www.dot.ny.gov/divisions/operating/oom/transportation-systems/traffic-operationssection/mutcd).

Location within Frontage

A driveway should be located entirely within the property owner's frontage, with spacing to intersections and driveways serving adjacent properties. If the driveway extends onto adjoining property or is to be shared with other property owners, the permit applicant may be required to provide written agreement with the adjoining property owner(s).

Sight distance

Sight Distance values are based on an object height of 3.5 feet and a driver's eye height of 3.5 feet set back from the edge of the travel way at least 10 feet for residential and minor driveway approaches. A minimum of 300 feet each way will be needed for any new residential drive way. Temporary drive ways, existing driveways, and log landings will be assessed on a case-by-case basis.

Number of Driveways

Normally only one driveway shall be permitted for each residential property, minor commercial property, and subdivision. An additional driveway may be permitted by the Department if both sufficient frontage exists, and extenuating circumstances justify a second driveway.

The following general design requirements apply to all types of entrances. The design requirements set forth in this section are intended to maintain traffic service and safety on the roadway and convenience for the traveling public and the permittee and are based on the premise that the rights of highway users and abutting property owners can be mutually satisfied. The Department reserves the right to impose any additional requirements it deems necessary for public safety. A driveway or a driveway system shall be so located as to provide:

- The most favorable vision (sight distance), and horizontal and vertical alignment conditions for users of the proposed driveway and the highway.
- No undue interference with nearby driveways or intersections.
- Maximum safety and convenience for vehicles, cyclists, pedestrians, and other users of highway right of way.
- Consistency with any driveway spacing standards.

In the interest of public safety and traffic flow and convenience, the Department may restrict the placement of a driveway to a particular location along the owner's frontage, restrict the type of access, or require shifting of an existing driveway. When a property fronting on a town highway also fronts on and has access to any other public street, road, or highway that intersects the town highway, the Department may restrict access to the town highway if it determines that such access would be detrimental to the safety and/or operation of the town highway.

Driveway Profile

Within highway right of way, all driveways shall be constructed to slope away from the edge of the travel lane at the same slope as the highway shoulder which normally varies in down-slope from 2% to 6% (0.25 in/ft to 0.75 in/ft)

Drainage

A driveway shall not adversely affect the highway drainage or drainage of adjacent properties. Drainage and the stability of the highway subgrade shall not be impaired by driveway construction or roadside development. The drainage design of a construction project shall not be compromised by field adjustments to compensate for altered driveway location. In no case shall the construction of a driveway cause water to flow across the highway pavement, pond on the shoulders, or pond in the ditch.

Where there is a drainage ditch along the frontage, delineation (e.g., pavement markings, delineators, signs, curbing) should be provided to guide motorists to the driveway and away from the ditch.

Culvert pipe shall:

- Be adequate to carry the anticipated flow in the ditch
- Not be smaller than 15" (375 mm) inside diameter, except in extreme conditions where the Department may approve a pipe with a 12" (300 mm) inside diameter.
- Have structural material and gauge adequate to withstand the load from anticipated vehicular traffic across the driveway.
- Have a length of 30 feet min and 60 feet max unless extenuating circumstances are proven.
- Have minimum design cover over the top of the pipe

Driveways with a continuous down grade to the highway may want to channel stormwater runoff from the private lands onto the highway. Profiling should be made to deal with the water before it gets to the road. In no case shall the construction of a driveway cause water to flow across the highway pavement, pond on the shoulders, or pond in the ditch.

Clearances and Use of Town Right of Way

A minimum of 15 ft. (4.6 m) should be provided between the right of way line and the near edge of a building, structure, or appurtenance serving vehicular traffic, exclusive of overhead appurtenances such as luminaires or canopies. This offset shall be sufficient to preclude the servicing and parking of vehicles on town right of ways. For sites where the property owner has been using town owned right of way for parking or other purposes, imposing standard driveway controls may create an economic hardship. In such cases, the property owner may be required to obtain a Permit for Use of Town Right of Way from the highway superintendent or town board.

In cases where strict compliance with the provisions of this policy may cause severe hardship to the property owner, the Department may consider exceptions to permit existing driveway entrances to remain unaltered where this is not likely to interfere with efficient and safe flow of traffic on the highway.