

## **ROAD CONSTRUCTION ORDINANCE**

### **TOWN OF BENNINGTON, NH**

**May 5, 2003**

The Board of Selectmen of the Town of Bennington has established the following procedures and requirements relative to roadways and roadway construction in the community.

1. The standard width of all right-of ways in Bennington shall be 50 (fifty) feet. The Board of Selectmen will consider reduction in that width when compelling circumstances make such a reduction advisable. Existing unpaved streets shall, whenever necessary and practicable, be widened and improved to the standards required by these regulations at the expense of the subdivider.
2. Grades of all streets shall conform in general to the terrain and shall, so far as practical, not exceed 5% for major streets and 10% for minor streets.
3. The entire right-of-way shall be cleared of all obstructions unless otherwise directed by the Road Agent, including all stumps, brush, roots, boulders and like material and all trees not intended for preservation. All topsoil or loam must be removed from the limits of the roadbed to a depth of at least 12 inches. Topsoil shall be removed from areas that will be filled. When, in the opinion of the Road Agent, material below the 12 inch depth is not satisfactory, such material must be removed to the satisfaction of the Road Agent and replaced with suitable material.
4. Minimum street construction specifications shall include a minimum of 12 inches of bank run gravel sub base over an area 16 feet either side of the established center line, an additional 3 inches course of crushed gravel graded and compacted to the final crown of the road. The Selectmen may also require a two-inch base coat and a one inch surface coat of Type I-1 Bituminous concrete installed 9-12 feet, either side of center line, based on traffic demands. Curbs and/or sidewalks may be required by the Board when necessary for drainage and/or pedestrian traffic. The paving of the road surface shall not occur until authorized by the Road Agent.
5. Driveways and other entrances shall enter at right angles to the street and shall follow the general contour of the gutter line. In no case shall an entrance constrict the established gutter line or impede the flow of drainage.
6. Drainage requirements shall be as follows:
  - a. Adequate disposal of surface water shall be provided for, and the developer shall be responsible for installation of all drainage including underground storm drains, as required by the Road Agent, and for acquisition required to safely dispose of these waters.

- b. Unless drainage ditches are authorized, catch basins shall be required on every slope of over 300 lineal feet, at all intersections, and at any other point required by the Road Agent. No basin shall be more than 300 feet from the next basin in the system. All Basins shall be constructed as directed by the Road Agent. Storm drain pipes shall be a minimum of 12 inches Bituminous coated corrugated metal or aluminum pipe, free of defects and shall be properly bedded and backfilled in accordance with the direction of the Road Agent.
  - c. Storm drain systems shall be emptied into the nearest practical watercourse that will be considered convenient and safe. Easement and necessary state permits will be required.
  - d. A stone, metal or concrete header shall be constructed at each outlet pipe.
  - e. Necessary drainage ditches will be paved when prescribed by the Road Agent.
7. Applicants for road construction shall file with the Board of Selectmen a preliminary layout, drawn to scale of not more than 100 feet to the inch either showing or accompanied by the following information:
  - a. Applicant name and address; Surveyor/Engineer name and address; date; north point and scale.
  - b. Names of owners of record of abutting properties, streets, easements, building lines, alleys, parks and public open spaces and similar facts regarding abutting property.
  - c. Location of property lines and their approximate dimensions, existing easements, buildings, watercourses, ponds or standing water, rock ledges and other essential features.
  - d. Existing water mains, sewers, culverts, drains and proposed connections or alternative means of providing water supply and disposal or sewerage and surface drainage.
  - e. Preliminary designs of any bridges or culverts which may be required.
  - f. The final layout will be signed by the Engineer and include his/her stamp.
8. Before approval of construction there shall be filed a bond by the applicant in an amount sufficient to cover the cost of the work contemplated. This bond shall be approved as to form and sureties by the legal counsel of the Town of Bennington, and conditioned on the completion of such improvements within a period specified and expressed in the bond. Twenty-five (25) percent of said bond shall not be released until after the improvements, as finally completed, have satisfactorily survived one (1) winter.

9. Where strict conformity to these Regulations would cause undue hardship or injustice to the owner of the land, a plan substantially in conformity with regulations may be approved by the Board, provided that the spirit of regulations and public convenience and welfare will not be adversely affected.
10. The Board of Selectmen shall retain the right to submit any application to an accredited Engineer/Engineering firm for consultation, the expense of which shall be borne by the applicant.
11. In any circumstances not addressed by these Regulations, the requirements found in the Town of Bennington Land Use Regulations, adopted May 9, 1988, as amended, shall apply.

[As signed by the Bennington, New Hampshire Board of Selectmen on May 3, 2003. A signed copy of this ordinance is on file at the Bennington Town Hall.]