



**CITY COUNCIL
PUBLIC WORKS COMMITTEE**

**WILL MEET ON MONDAY
MARCH 26, 2018
6:00 P.M.**

LACONIA CITY HALL, CONFERENCE ROOM 200A

CITY COUNCIL COMMITTEE MEMBERS:

DAVID BOWNES, INTERIM CHAIR

BRUCE CHENEY

MARK HAYNES

AGENDA

- (1) PROPOSED RETAINING WALL POLICY**
- (2) PROPOSED DRIVEWAY CUT POLICY**
- (3) AND ANY OTHER BUSINESS THAT MAY COME
BEFORE THE COMMITTEE**

City of Laconia Retaining Wall Policy

As of March 26, 2018

1. General:

- a. Since 2017 abutters requesting to build a retaining wall within or on a right of way have an encroachment agreement or are subject to special conditions as part of a development plan.
- b. Many private properties in the City have retaining walls within the right of way or on the right of way boundary. Most of these retaining walls are used to support private property landscaping and/or structures. Some retaining walls support the structure of public right of way. Failure to maintain these retaining walls could threaten the safety of the public or the property owner as well as impact value of the adjoining property
- c. Under certain conditions retaining walls that are directly impacted by City road storm water runoff and/or winter maintenance operations may be covered under this program. (Example are retaining walls impacted by melt water from City snow piles within the right of way or on the boundary of the right of way. Generally this is limited to areas where the road is near the top elevation of the retaining wall.)

2. Purpose:

To establish a City policy on repairing, maintaining and replacing retaining walls within or on a boundary of a City right of way.

3. Policy:

a. New Retaining walls:

(1) Developments building a retaining wall on or in a City or State right of way in Laconia must be approved by the Director of Public Works for a City Right of way and NH DOT for a state right of way. The Developer and/or homeowners association is responsible for the maintenance, repair and future replacement of the retaining wall. Additionally the Developer and/or homeowners association will be required to move the wall at their own expense if required by the City to improve the right of way. Approved development plans must reflect this requirement as a condition in the Planning Board's approved plans.

(2) Property owners wanting to build a retaining wall on or in a City right of way must add an encroachment agreement to their deed assuming responsibility for the maintenance, repair and future replacement of the retaining wall. Additionally the agreement must include the requirement that the property owner will move/remove the wall at their own expense if required for a City improvement in the right of way.

b. Existing retaining walls

(1) Property owners wanting to participate in this program will identify any issues with their retaining wall to the Department of Public Works who will inspect to determine if the wall's condition and location meet the requirements of the retaining wall program.

(2) If the wall meets program requirements, the City will share with the abutter the cost of repairing or replacing the retaining wall. Repairs/replacement are scheduled based on available funds. If funds are not available, the retaining wall will be added to the pending funding list.

(3) The City will fund 50% of the cost of the work when it is performed by a contractor. If the work is done with City personnel then the City's share of the cost is limited to 30% of the cost of materials and any equipment that may be rented for the project.

(4) The City will only share in the costs for that portion of the retaining wall that is within or on the boundary of the right of way. The property owner is responsible for all costs associated with any repair or replacement of the wall that is outside of the right of way.

(5) The property owner to participate in this program must meet the City requirements for new retaining walls and execute an encroachment agreement for the retaining wall.

c. Program exceptions:

(1) Retaining walls in, on or adjacent to the right of way that support the road structure.

(a) The City will not cost share on those retaining walls that were constructed by a developer or property owner for their benefit.

(b) For old retaining walls that the City has no information on who constructed them and for what purpose they served at the time of construction, the City's cost share for repairs/replacement is 50%. The property owner is not required to prepare and execute an encroachment agreement.

(c) Retaining walls that are adjacent to the road surface that are directly impacted by storm water runoff from the adjoining road and salt laden snow melt. The City's cost share for repairs/replacement of the following retaining walls is 50%. City will pay 100% of the cost of any work done to redirect the runoff from the City Street.

Proposed City of Laconia Policy for
Driveways for Single Family and Duplex Residential properties
As of Jan 16, 2018

1. General:

The City's zoning ordinance does not provide sufficient guidance on the construction of residential driveways in the City.

2. Purpose:

The purpose of this policy is to establish standards for driveways for single family and duplex residences, both existing and proposed, that explains how to implement the existing City ordinance and establishes new criteria for driveways. The standards are to ensure the safety of the traveling public and maintain the quality of life in the City's neighborhoods.

3. Background:

a. City Ordinance 235-50.1: Driveways and access. [Added 8-13-2001 by Ord. No. 05.2001.05] - Residential driveways shall be a minimum of 25 feet in length when being used to meet the minimum parking requirement. Where garages are constructed, driveway length must be a minimum of 19 feet.

b. City Code does not address:

- (1) How to measure the length of the driveway
- (2) Width standards for single family or duplex homes.
- (3) Setback requirements from the property line.

4. Policy:

a. Existing residential driveways are grandfathered and can be maintained and replaced in their current location. A property owner changing either the size or location of the driveway is required to meet the standards established in this policy.

b. All Residential Driveways:

(1) The property owner is responsible for the cost of modifying the City's street and curb to construct or modify their driveway.

(2) The minimum length of a residential driveway is measured from the edge of the City's right of way.

(3) Curbs that are cut for a driveway will not be cut vertically. The existing curb will be modified or a new curb installed such that a tip down is created along the curb line at its intersection with the driveway.

(4) Director of Public Works will consider sight lines associated with improvements on the requester's lot as well as abutter's lot to determine if it safe to construct a driveway in the proposed location. Improvements or other physical features that limit sight lines from a driveway's proposed

locations shall be considered when approving a driveway. Sight lines will be checked for vehicles, bicycles and pedestrian traffic.

(5) Snow storage is an issue when a driveway can be safely constructed abutting a property line. Residents have to be able remove snow from their driveway while keeping it on their property. Driveways should be located with sufficient snow storage sites adjacent to the driveway.

b. Driveways entrances are limited to one for single or duplex family residential properties except when:

(1) The property is a corner lot and the lot has sufficient width on the sides abutting rights of way to safely allow an entrance onto each of the two public streets. A property is allowed one driveway entrance on each of the adjacent roads.

(2) When there is sufficient distance between entrances on one side of the lot on same right of way such that the location of the two entrances allow vehicle operators on the public highway to see both entrances at the same time.

c. Single family residential driveways: Driveways will not exceed 16 feet in width at the intersection with the right of way of a City public highway and will not be constructed such that the edge of the driveway crosses a line parallel to the driveway drawn from the side of the house closest to the driveway to the public highway.

d. Duplex in a former single family residence:

Driveways accessing the street for duplex residential property shall be a minimum of 12 feet and a maximum of 16 feet in width.

e. Duplex property:

(1) One way or one driveway per "side" shall not exceed 16 feet in width.

(2) Two-way driveways that lead to a shared garage/parking area shall not exceed 20 feet in width.