

TOWN OF VASSALBORO, MAINE**ROAD CONSTRUCTION ORDINANCE****SECTION I. Statement of Purpose**

The purpose of this ordinance is to promote the health, safety, and public welfare of the resident of Vassalboro through establishing minimum construction standards for roads, streets, and other public and private ways.

SECTION II. Authority, Administration, and Effective Date

- A. AUTHORITY:** This ordinance is enacted pursuant to and consistent with Article VIII-A of the State of Maine constitution, and with Title 30, M.R.S.A., Section 2151-A.
- B. ADMINISTRATION:** This ordinance shall be administered by the Planning Board with assistance from the Road commissioner or an engineer employed by the town.
- C. EFFECTIVE DATE:** The effective date of this ordinance is June 3, 1989, which was the date of adoption by the town meeting.

SECTION III. Applicability

- A. NEW CONSTRUCTION:** This ordinance shall apply to the construction of all new roads or streets within the town whenever such roads or streets are proposed to be accepted by the town. New and/or existing private ways which service lots in a subdivision approved after the effective date of this ordinance shall also meet the standards of this ordinance.
- B. ALTERATIONS:** Alterations, widening, and improvements shall be consistent with Section IV: "Street Design Standards," of this ordinance. The Town of Vassalboro shall be exempt from the provisions of this ordinance when the town undertakes alterations, widening and improvements.
- C. HIGHER DESIGN AND CONSTRUCTION STANDARD:** Nothing in this ordinance shall be construed to prevent the design and construction of streets which meet higher standards, use improved methods, or higher quality materials.

SECTION IV. Application Procedure

Prior to the construction of any new road or street or the reconstruction or lengthening of an existing road or street, an application shall be submitted to the Board with the following information.

A. SUBMISSION REQUIREMENTS

1. The name(s) of the applicant(s);
2. The name(s) of the owner(s) of record of the land upon which the proposed street is to be located;
3. A statement of any legal encumbrances on the land upon which the proposed street is to be located;
4. The anticipated starting and completion dates of each major phase of street construction;

5. A statement indicating the nature and volume of traffic expressed in average daily traffic (ADT) expected to use the proposed street.

B. PLANS

The plans and illustrations submitted as part of the application shall be prepared by a registered land surveyor or professional engineer to include the following information.

1. The scale of the plan. (All streets and roadway plan and profile drawings shall be drawn to a scale of 1" = 50' horizontal and 1" = 10' vertical.);
2. The direction of magnetic north;
3. A plan profile and typical cross section views of all proposed streets;
4. The starting and ending point with relation to established roads, streets or ways and any planned or anticipated future extensions of the streets. (All terminal points and the center line alignment shall be identified by survey stationing.);
5. The roadway and roadway limits with relation to existing buildings and established landmarks;
6. Dimensions, both lineal and angular, necessary for locating boundaries, and necessary for locating subdivisions, lots, easements, and building lines;
7. The lots, if any, as laid out and numbered on said street, showing the names of all owners of abutting property;
8. All natural waterways and watercourses in or on land contiguous to the said streets and ways;
9. The kind, size, location, profile and cross section of all existing and proposed drainage ways and structures and their relationship to existing natural waterways;
10. The soil erosion and sedimentation control plan showing interim and final control provisions;
11. Curve data for all horizontal and vertical curves shall be the center line radius, arc length, beginning of curve and end of curve points;
12. All center line gradients shall be shown and expressed as a percent;
13. All curve and property line radii of intersections;
14. The limits and location of any proposed sidewalks and curbing;
15. The location of all existing and proposed overhead and underground utilities, to include, but not limited to, the following: [NOTE—When a location, in the case of any underground utility, is an approximate location, it shall be noted on the plan as such.]
 - a. storm drains;
 - b. telephone line poles or underground vaults;
 - c. electrical power line poles or underground vaults;
 - d. street lights;
 - e. public water supply lines;
 - f. sanitary sewers;
 - g. street lights.
16. The name(s) of each proposed new road or street.

C. REVIEW AND COMMENT

Upon receipt of plans for a proposed public street, the Planning Board shall forward one copy to the municipal officers, fire chief, and road commissioner for review and comment. Plans for streets which are not proposed to be accepted by the municipality shall also be sent to the municipal officers and road commissioner for review and comment.

D. STREETS WITHIN PROPOSED SUBDIVISIONS

Streets proposed as a part of a subdivision as defined in the Subdivision Ordinance of the Town of Vassalboro shall be submitted to the Planning Board as an integral part of the subdivision application. Plans shall conform to the provisions of the ordinance as well as those required by the Subdivision Ordinance of the Town of Vassalboro.

E. APPLICATION FEE

An application fee of \$25 shall be paid to the Town of Vassalboro upon submission of an application. The selectmen shall have the authority to review and revise the application fee. The application fee shall be waived if the street is being reviewed as an element of a subdivision application.

SECTION V. Public Acceptance of Streets

The approval by the Planning Board of a proposed public road or street shall not be deemed to constitute or be evidence of any acceptance by the municipality of a road or street. Final acceptance of a proposed public way shall be made by an affirmative vote at town meeting.

SECTION VI. Street Design Standards

- A. These design standards shall be met by all streets and shall control the roadway, shoulders, curbs, sidewalks, drainage systems, culverts, and other appurtenances.
- B. Streets shall be designed to discourage through traffic within a residential subdivision.
- C. Wherever existing or other proposed streets, topography, and public safety permit, streets shall run in east-west directions to maximize access for solar energy utilization. The character, extent, width, and grade of all streets shall be considered in their relation to existing or planned streets.
- D. Reserve strips controlling access to streets shall be prohibited except where their control is definitely placed in the municipality.
- E. Where a subdivision borders an existing narrow street (not meeting the width requirements of the standards for streets in these regulations), or when the Comprehensive Plan indicates plans for realignment or widening of a road that would require use of some of the land in the subdivision, the plan shall indicate reserved areas for widening or realigning the road marked "Reserved for Road Realignment (Widening) Purposes." Land reserved for such purposes may not be included in computing lot area or setback requirements.
- F. Privately-Owned Roads. Where streets are to remain privately owned roads, the following words shall appear on the recorded plan:

"All roads shall remain private road to be maintained by the developer or the lot owner and shall not be accepted or maintained by the town."

- G. The following design standards apply according to street classification:

ROAD DESIGN STANDARDS

ROAD TYPE	MINOR	MAJOR	PRIVATE MINOR	PUBLIC MAJOR
Av. Daily Traffic	0-250	250+	0-100	100+
Right-of-way width	50'	60'	50'	50'
Pavement width	20'	22'	18'	20'
Shoulder width 2'	4'	2'	2'	
Aggregate base req.				

(compacted)	18"	24"	18"	18"
Hot bituminous Pavement	2"base 1" surface	2" base 1"surface	N/A	2"base 1"surface
Roadway Crown	¼"/ft	¼"/ft	½"/ft	¼"/ft
Maximum Grade	8%	6%	8%	6%
Min.angles at Intersection	75	90	75	90
Min center line radius for curve 150'	220'	150'	200'	
Min tangent length between curves 100'	100'	50'	100'	

H. TRIP GENERATION RATES

The following chart shall be used to determine the anticipated average daily traffic (ADT) levels of proposed residential development.

<u>Housing types</u>	<u>Average Weekday Trip Generation</u>
Single-family detached	10 trips per dwelling unit
Duplex (twin) multiplex, Townhouses, etc.	8 trips per dwelling unit
Apartment	8 trips per dwelling unit
Mobile home	8 trips per dwelling unit
Retirement Village	3.5 trips per dwelling unit

I. The centerline of the roadway shall be the centerline of the right-of-way.

J. Dead-end streets shall service no more than twenty (20) dwelling units. In addition to the design standards above, dead-end streets shall be constructed to provide a cul-de-sac turn-around with the following requirements for radii: 65 feet to property lines and 50 feet to the edge of pavement. Dead-end streets may provide a permanent "T" turn-around in lieu of a cul-de-sac. Such turn-arounds shall be a minimum of 35 feet in length and 20 feet in width. The right-of-way dimensions shall be 50 feet in length and 30 feet in width.

K. GRADES, INTERSECTIONS, AND SIGHT DISTANCES

- Grades of all streets shall conform in general to the terrain, so that cut and fill are minimized while maintaining the grade standards above.
- All changes in grade shall be connected by vertical curves to provide for the minimum sight distances below.
- Where new street intersections of driveway curb-cuts are proposed, sight distances, as measured along the road onto which traffic will be turning, shall be based upon the posted speed limit and conform to the table below:

Posted Speed Limit

Sight Distances

25 mph	250'
30 mph	300'
35 mph	350'
40 mph	400'
45 mph	450'
50 mph	500'
55 mph	550'

Where necessary, corner lots shall be cleared of all growth and sight obstructions, including ground excavation, to achieve the required visibility.

4. Cross (four-cornered) street intersections shall be avoided insofar as possible, except as shown on the Comprehensive Plan or at other important traffic intersections. A minimum distance of 200 feet shall be maintained between centerlines of side streets.

L. Sidewalks, installed where required by the Planning Board, shall meet these minimum requirements:

1. Bituminous Sidewalks

- a. The gravel aggregate sub-base course shall be no less than twelve (12) inches thick.
- b. The crushed aggregate base course shall be no less than two (2) inches thick.
- c. The hot bituminous pavement surface course shall be no less than two (2) inches thick after compaction.

2. Portland Cement Concrete Sidewalks

- a. The sand base shall be no less than six (6) inches thick.
- b. The Portland cement concrete shall be reinforced with six-inch-square, number 10 wire mesh and shall be no less than four (4) inches thick.

SECTION VIII. Street Construction Standards

A. PREPARATION

1. Before any clearing has started on the traveled way, the centerline and sidelines of the new road shall be staked or flagged at 50-foot intervals.
2. Before grading is started, the entire traveled way shall be cleared of all stumps, roots, brush, and other objectionable material. All ledge, large boulders, and tree stumps shall be removed from the traveled way.
3. All organic materials shall be removed to a depth of two (2) feet below the sub-grade of the roadway. Rocks and boulders shall also be removed to a depth of two (2) feet below the sub-grade of the roadway. On soils which have been identified as not suitable for roadways, the subsoil shall be removed from the street site to a depth of two (2) feet below the sub-grade and replaced with material meeting the specifications for gravel aggregate sub-base below. In lieu of removal of all organic material, engineering fabric (geo-textile) may be used to stabilize the road base.
4. Side slopes shall be no steeper than a slope of three (3) feet horizontal to one (1) foot vertical, and shall be graded, limes, fertilized, and seeded according to the specifications of the erosion and sedimentation control plan.
5. All underground utilities shall be installed prior to paving to avoid cuts in the pavement. Building sewers and water service connections shall be installed to the edge of the right-of-way prior to paving.

B.BASES AND PAVEMENT SPECIFICATIONS

1. Base Material

This material shall meet Maine Department of Transportation (MDOT) Standard Specification #703.06 (B) – Type D for the entire (18” or 24”) fill thickness. Depth of fill material will be as measured after compaction. For 18” of material, compaction shall occur after each 9” lift. For 24” of material, compaction is required after each 12” lift. All aggregate sub-base material shall be free of rocks or rock particles which exceed four (4) inches in diameter.

2. Pavements

- a. Base mix: A 2” depth of base mix is required which meets MDOT specifications for Plant Mix Grade B with aggregate size of no more than $\frac{3}{4}$ inch maximum, and a liquid asphalt content between 5.2% and 6.0% by weight.
- b. Surface Mix: A 1” layer of mix is required which meets MDOT specifications for Plant Mix for Grade C or Grade D with an aggregate size no greater than $\frac{1}{2}$ inch and a liquid asphalt content between 6.0% and 7.0% by weight.

SECTION VIII. Additional Improvements and Requirements

- A. EROSION CONTROL:** The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.
- B. CLEANUP:** Following street construction, the developer or contractor shall conduct a thorough clean-up of stumps and other debris from the entire street right-of-way. If on-site disposal of the stumps and debris is proposed, the site shall be indicated on the plan, and be suitably covered with fill and topsoil, limed, fertilized, and seeded.
- C. STREET NAMES, SIGNS, AND LIGHTING:** Streets which join and are in alignment with streets of abutting or neighboring properties shall not duplicate, nor bear phonetic resemblance to, the names of existing streets within the municipality; and they shall be subject to the approval of the board. No street name shall be the common given name of a person. The developer shall reimburse the municipality for the costs of installing street-name, traffic-safety, and control signs. Street lighting shall be installed as approved by the Board.

SECTION IX. Certification of Construction

Upon completion of street construction and prior to a vote by the municipal officers to submit a proposed public way to the legislative body, a written certification signed by a professional engineer registered in the State of Maine shall be submitted to the municipal officers at the expense of the applicant, certifying that the proposed way meets or exceeds the design and construction requirements of these regulations. “As built” plans shall be submitted to the municipal officers.

SECTION X. Performance Guarantees

Performance guarantees shall be as specified in the Subdivision Ordinance as adopted by the town on June 3, 1989.

SECTION XI. Inspection

- A. NOTIFICATION OF CONSTRUCTION:** At least ten (10) days prior to commencing street construction or alteration of roads, the applicant shall notify the road commissioner or his appointed

inspector, in writing, of the time when he proposes to commence construction. The municipal officers can cause inspection to be made, to assure that all municipal specifications and requirements be met during the construction.

- B. **NONCOMPLIANCE WITH PLAN:** If it is found, upon inspection of the improvements, that the street or road is not being or has not been constructed in accordance with the approved plans and specifications, the inspector shall so report to the municipal officers and Planning Board. The municipal officers shall then notify the applicant and, if necessary, the bonding company, and shall take all necessary steps to preserve the rights of the municipality under the guarantee, security, or bond.
- C. **MODIFICATION DURING CONSTRUCTION:** If at any time before or during the construction of the street, it is demonstrated to the satisfaction of the appointed inspector that unforeseen conditions make it necessary or preferable to modify the location or design of the street, the appointed inspector may, upon approval of the Board, authorize modifications provided these modifications are within the spirit and intent of the Board's approval. The appointed inspector shall issue any authorization under this section in writing and shall transmit a copy of such authorization to the Board at its next regular meeting.
- D. **INSPECTION FEE:** The Board may assess the applicant a fee to cover the costs of construction inspection.

SECTION XII. Separability

_____ If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION XIII. Appeals

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An appeal may be taken within thirty (30) days from the Board's decision on the application, by any party to Superior Court in accordance with Rule 80B of the Maine Rules of Civil Procedure.

SECTION XIV. Amendments

This ordinance may be amended by a majority vote of town meeting. Amendment may be initiated by a majority vote of the board of selectmen or by request of the Planning Board to the selectmen or on petition of 10% of the votes cast in the last gubernatorial election in the town. The Planning Board shall conduct a public hearing on any proposed amendment.

SECTION XV. Definitions

Average daily traffic: A traffic count of vehicles anticipated for weekdays based on the number of dwelling units in residential developments. [See chart, page 5]

Major street: A street which has an average daily traffic count exceeding 250 vehicles.

Minor street: A street which has an average daily traffic count of 250 vehicles or fewer.

Privately owned street: A vehicular access way which is not intended to be dedicated as a private way.

Street: Public and private ways such as alleys, avenues, boulevards, highways, and roads.

Given unto our hands this 24th day of May, A.D. 1989

Selectmen, Town of Vassalboro

Phillip W. Haines
Dudley E. Foley

