NEW ROAD CONSTRUCTION ORDINANCE

ADOPTED: JUNE 20, 1992

TOWN OF HARRISON, MAINE
NEW ROAD CONSTRUCTION ORDINANCE

SECTION 1: Statement of Purpose

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

SECTION 11: Authority, Administration, and Effective Date

A. AUTHORITY: This ordinance is enacted pursuant to and consistent with Article V111-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 the assistance from the road commissioner or an engineer employed by the Town and the code enforcement officer.

C. EFFECTIVE DATE AND REPEAL OF FORMERLY ADOPTED ROAD SPECIFICATIONS:
The effective date of this ordinance is June 20, 1992. Upon approval of this ordinance, the Harrison Road Specifications previously adopted June 16, 1989 are hereby repealed.

SECTION 111: 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. All new roads and/or driveways to be constructed within Shoreland zones must comply with Section 15 (H) of Shoreland Zoning Ordinance adopted June 20, 1994.

B. 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.

C. All existing roads of record as shown on the Town of Harrison’s Assessors map (dated April 1, 1992) will be allowed to conform to the Town of Harrison’s Road Specifications as adopted at the June 17, 1989 Town Meeting.

These roads of record shall have five (5) years, from the date of the adoption of this ordinance, in which to comply with the 1989 Town Road Specifications, and to apply for acceptance by the Town of Harrison as a Town road. After June 1997, all private roads requesting to gain acceptance as a Town road must conform to the New Road Construction Ordinance dated June 1992.

SECTION IV. Application Procedures

Prior to the construction of any new 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) on 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; and
5. A statement indicating the nature and volume of traffic expresses 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 professional land surveyor and/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 not to exceed 1” =50’ horizontal and 1” = 10’ vertical.);
2. True or magnetic north meridian arrow;
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 numbers on said street, showing the names of all owners of abutting property;
8. All natural waterways and watercourses in or on land contiguous to said streets or 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 central angle, 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 sewer lines;
   g. street lights;
   h. gas mains.
16. The name(s) of each proposed new road or street. (NOTE: See VIII C)
17. Monuments. (NOTE: See VIII D)

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 SUBDIVISION

Streets proposed as part of a subdivision as defined in the Subdivision Ordinance of the Town of Harrison 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 Harrison.

E. APPLICATION FEE

An application fee of $35.00 shall be paid to the Town of Harrison 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.

F. APPLICATION REVIEW

1. Complete Application – Within thirty (30) days from the date of receipt, the Board shall notify the applicant in writing either that the application is complete, or if incomplete, the specific additional material needed to make them complete. Determination by the Board that the application is complete in no way commits or binds the Board as to the adequacy of the application to meet the requirements of this Ordinance.

2. Application Approval: The Board shall, within thirty (30) days of a public hearing, or within sixty (60) days of having received the completed application or within such other time limit as may be mutually agreed to, deny or grant approval on such terms and conditions as it may deem advisable to satisfy this Ordinance and to preserve the public health, safety and general welfare. In all instances, the burden of proof shall be upon the applicant. In issuing its decision, the Board shall make a written finding of fact establishing that the application does or does not meet the provisions of this Ordinance.

3. Public Hearing: The Board may hold such public hearing within thirty (30) days of having notified the applicant in writing that a complete application has been received and shall cause notice of the date, time and place of such hearing to be given to the applicant, all owner's property abutting the proposed street and published in a newspaper of general circulation in Harrison at least one (1) time; the date of the first publication shall be at least seven (7) days prior to the hearing. Public hearings shall be conducted in accordance with the procedures in Title 30, M.R.S.A., Section 2411, Subsection 3 a, b, c, d, and e.

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 the road or street. Final acceptance of a proposed public way shall be by an affirmative vote at a town meeting. (See Section III, paragraph D for existing roads).
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. 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 indicated 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 in the record plan:

“All roads shall remain private roads 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:

<table>
<thead>
<tr>
<th>ROAD DESIGN STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>ROAD TYPE</td>
</tr>
<tr>
<td>Ave. Daily Traffic</td>
</tr>
<tr>
<td>Right-of-Way</td>
</tr>
<tr>
<td>Pavement Width</td>
</tr>
<tr>
<td>Shoulder Width</td>
</tr>
<tr>
<td>Aggregate Subbase Required (Compacted)</td>
</tr>
<tr>
<td>Crushed Gravel (processed)</td>
</tr>
<tr>
<td>---------------------------</td>
</tr>
<tr>
<td>Hot Bituminous Pavement</td>
</tr>
<tr>
<td>Roadway Crown</td>
</tr>
<tr>
<td>Maximum Grade 14%</td>
</tr>
<tr>
<td>Minimum Angles at Intersection</td>
</tr>
<tr>
<td>Minimum Center Line Radius for Curves</td>
</tr>
<tr>
<td>Minimum Tangent Length between Curves</td>
</tr>
<tr>
<td>Utility Poles Minimum</td>
</tr>
</tbody>
</table>

Ditching  SEE DIAGRAMS ON PAGES 12, 13, 14 & 15

* Slopes of 10 – 14% will require paving
** Will be ¼” /ft. on paved sections

H. TRIP GENERATION RATES

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

<table>
<thead>
<tr>
<th>Housing Types</th>
<th>Average Weekday Trip Generation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family Detached</td>
<td>10 trips per dwelling unit</td>
</tr>
<tr>
<td>Duplex (twin) Multiplex Townhouses, etc</td>
<td>8 trips per dwelling unit</td>
</tr>
<tr>
<td>Apartment</td>
<td>8 trips per dwelling unit</td>
</tr>
<tr>
<td>Mobile Home</td>
<td>8 trips per dwelling unit</td>
</tr>
<tr>
<td>Retirement Village</td>
<td>3.5 trips per dwelling unit</td>
</tr>
</tbody>
</table>

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

J. 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

1. Grades of all streets shall conform in general to the terrain, so that cut and fill are minimized while maintaining the grade standards above.

2. All changes in grade shall be connected by vertical curves to provide for the minimum sight distances below.

3. 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:

<table>
<thead>
<tr>
<th>Posted Speed Limit</th>
<th>Sight Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>25 mph</td>
<td>250 feet</td>
</tr>
<tr>
<td>30 mph</td>
<td>300 feet</td>
</tr>
<tr>
<td>35 mph</td>
<td>350 feet</td>
</tr>
<tr>
<td>40 mph</td>
<td>400 feet</td>
</tr>
<tr>
<td>45 mph</td>
<td>450 feet</td>
</tr>
<tr>
<td>50 mph</td>
<td>500 feet</td>
</tr>
<tr>
<td>55 mph</td>
<td>550 feet</td>
</tr>
</tbody>
</table>

Where necessary, corner lots shall be cleared of all growth and slight 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 250 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. The hot bituminous surface course shall be no less than two (2) inches after compaction.

2. Portland Cement Concrete Sidewalks
   a. The sand base shall be not less than six (6) inches thick.
   b. The Portland Cement concrete shall be reinforced with six-inch square, number 10 wire
SECTION VII. 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 objectional 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 subgrade of the roadway. Rocks and boulders shall also be removed to a depth of two (2) feet below the subgrade 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 subgrade and replaced with material meeting the specifications for gravel aggregate subbase below. In lieu of removal of all organic material, engineering fabric (geotextile) may be used to stabilize the road base.

Side slopes shall be no steeper than a slope of three (3) feet horizontal to one (1) foot vertical, and shall be graded, limed, fertilized, and seeded according to the specifications of the erosion and sedimentation control plan.

4. 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

   All aggregate subbase material shall be free of rocks or rock particles which exceed four (4) inches in diameter and provide good drainage. Depth of fill material will be as measured after compaction. For 18” of material, compaction is required after each 9” lift. For 24” of material, compaction is required after each 12” lift.

2. Pavements

   a. Base Mix: A 2” depth of Grade b base mix is required with an aggregate size no more than 1⁄4 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 for grade C or grade D with an aggregate size no greater than 1⁄4 inch and a liquid asphalt content between 6.0% and 7% 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 bear the same name. Names of new streets 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. 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.

D. MONUMENTS: At least one sideline of any proposed roadway will be monumented with either iron pins, concrete or granite monuments at all angle points and points of curvature.

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.

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 municipal officers shall assess the applicant a fee to cover the costs of construction inspection.

SECTION XII. Modification of road Specifications
A. Where the Planning Board finds extraordinary and unnecessary hardships may result from the strict compliance with these standards, it may vary these standards so that substantial justice may be done and the public interest served.

B. In granting modifications, the Planning board shall require such conditions as will, in its judgement, secure substantially the objectives of the requirements modified.

SECTION XIII. Separability

In 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 XIV. Appeals

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 XV. Amendments

This ordinance may be amended by a majority vote of the town meeting. Amendments 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 XVI. Definitions

In this ordinance, the following terms have the following meanings unless a contrary meaning is required by the context or is specifically prescribed. Terms not defined shall have their customary dictionary meaning.

A. 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.)

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

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

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

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

ATTACHED IS A PHOTO OF THE FOUR ROAD TYPES
MAJOR

TYPICAL ROAD CROSS SECTION

PAVED
MAJOR ROADS

MINIMUM DIMENSIONS
PRIVATE MAJOR

TYPICAL ROAD CROSS SECTION

GRAVEL

MINIMUM DIMENSIONS
PRIVATE MINOR

TYPICAL ROAD CROSS SECTION

GRAVEL

MINOR ROADS

Typical Dimensions:

- Shoulder (2' min.)
- Travelled way (18' min.)
- "Surface" gravel 6" min.
- "Cross slope" = \( \frac{1}{2} \) per foot of lane width
- "Shoulder drop" = \( \frac{1}{2} " \) to 2" for 2' shoulder

MINIMUM DIMENSIONS