

ARTICLE 1 STREET DESIGN, CONST. and RELATED STANDARDS

Sec. 3-101 Definition

For purposes of this Chapter:

1. Road Commissioner. "Road Commissioner" shall be an individual duly elected at the annual town meeting. The Road Commissioner may designate an individual to represent the Town for related activities on a temporary basis with the approval of the Board of Selectmen.
2. Cul-de-sac. Cul-de-sac shall be a circle at the end of a dead end street to enable a change of direction while continuing a forward movement.
3. "T" Turn Around. A "T" is a location near the end of a dead end street to enable a change of direction. This requires one to back into a selected area to enable a change of direction. A "T" is considered a permanent installation only when there are right of way or topography restrictions which would prohibit the design and installation of a cul-de-sac.

Sec. 3-102 Acceptance of New Streets

1. General. The Board of Selectmen shall not consider the approval of a street as a Town Way, nor shall it submit any article to a Town Meeting requesting the acceptance of a street as a Town Way, unless the street has been designed and constructed in accordance with the provisions of this Article which are in effect at the time of any request for approval.
2. Streets within a Subdivision. The Planning Board shall not approve any subdivision plan unless proposed streets are designed in accordance with this Article.

Sec. 3-103 Approval Procedure

1. General. The Board of Selectmen (Board) or any resident may, upon petition, initiate the approval process for a private road to become a Town Way. The petitioner shall submit to the Board an application in accordance with the following section and in such form as the Board may require. Reference Chapter 4, "Land Use Control" (page 4-1), "Town of Farmingdale Subdivision Application" (page 4-43).
2. Posting, Written Notice. The Board of Selectmen shall provide notice of its intentions to consider approval of a Town Way as a Warrant Article for consideration at the next scheduled Town Meeting. Any related costs incurred shall be paid by the Applicant.
3. Written Return of Proceedings. All reviewing entities shall file with the Town Clerk a written return of its proceedings within thirty (30) days of any review. A complete record of proceedings shall be available prior to consideration at a Town Meeting.
4. Acceptance as Town Way. A road may only be accepted as a Town Way by majority vote at a Town Meeting. A vote to accept a road shall be considered as pending until such time that appropriate legal documents have been executed.

Sec. 3-104 New Application

1. General. An Applicant petitioning for the acceptance of a Town Way shall submit to the Board of Selectmen an application which shall include the following information.
 - A. The name of the Applicant(s).
 - B. The name(s) of the owners of record of the land upon which the proposed Town Way is to be located.
 - C. A statement of any legal encumbrances on the land upon which the proposed

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Town Way is to be located.

2. Plans. A plan, profile and typical cross section view of all proposed streets prepared by a Maine Licensed Professional Engineer. The plans and illustrations submitted as part of the application shall include the following information:
 - A. Scale. All streets and roadway plan and profile drawings shall be drawn to a scale 1" = 20' or 40' horizontal and 1" = 2' or 4' vertical.
 - B. The direction of magnetic north.
 - C. The starting and ending point with relation to established roads, streets or ways and any planned or anticipated future extensions of the streets proposed for acceptance. (All terminal points and the centerline alignment shall be identified by survey stationing.)
 - D. The names of each proposed new road or street. Any proposed road name shall have prior written approval from the Addressing Officer.
 - E. The roadway and roadway limits with relation to existing buildings and established landmarks.
 - F. Dimensions, both lineal and angular, necessary for locating boundaries, and necessary for locating subdivisions, lots, easements, and building lines.
 - G. The lots as laid out and numbered on said street, showing the names of all owners of abutting property.
 - H. All natural waterways and watercourses in or on land contiguous to the said streets or ways.
 - I. The material, size, location, profile and cross section of all existing and proposed drainage structures and their relationship to the existing natural waterways.
 - J. Complete curve data shall be indicated for all horizontal and vertical curves.
 - K. All centerline profiles.
 - L. The turning radii at all intersections.
 - M. The limits and location of all proposed sidewalks and curbing.
 - N. The location of all existing and proposed overhead and underground utilities, to include but not limited to the following:
 - 1) Electrical and telephone line poles and underground vaults.
 - 2) Fiber optics (underground).
 - 3) Fire hydrants
 - 4) Gas mains
 - 5) Public water supply lines.
 - 6) Sanitary sewer lines and manholes.
 - 7) Street lights.
 - O. Maintenance Easement. A minimum twenty (20') foot maintenance easement must be provided for any public utility if not in a public right of way. The public utility shall be positioned at the center of the easement.
 - P. Topographic Information. Sufficient topographic information to clearly note the drainage within 250 feet of the perimeter of the area proposed. Should an area of sufficient high water table, or surface water, exist within the 250 foot zone the

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information shall indicate the existing drainage or proposed drainage route. Should additional drainage be determined to be necessary, an adequate plan of drainage shall be enclosed with an Application. Necessary drainage work shall be completed prior to construction of any structure.

Q. Utilities. Water, sewer and other utility lines shall be placed within the right of way limits following pertinent laws and regulations. Utility poles shall be so placed that any present or designated five (5) foot wide sidewalk may be contained within the boundaries of the street right of way without obstruction by poles or appurtenances.

R. Sight distance. Minimum sight distance for a new entrance onto a Town Way shall be at least 10 times the posted speed limit but determined in feet. Sight distances shall be measured from the driver's seat of a vehicle that is 10 ft. behind the curb or edge of shoulder line with the height of eye 3 1/2 ft above the pavement and the height of object is 4-1/4 ft above the pavement.

3. Subdivision Applications. A subdivider shall submit to the Planning Board all information concerning proposed streets required in paragraphs 1 and 2 above as an integral part of their plot plan, an Opening Permit, an Entrance Permit, a Sewer Permit and an Application for Subdivision approval as required by the Planning Board.

Sec. 3-105 Street Classifications.

1. Arterial Streets. A major way that carries traffic through and between communities.
 - A. Maine Avenue.
2. Collector Streets. Collector streets are those streets that serve as feeders to major traffic streets as collectors of traffic from minor streets, and which provide circulation and access in commercial and industrial areas. For the purpose of improvement and replacement activities on Town Ways, the following are defined as Collector Streets:
 - A. Almar Street from Maine Avenue to Meadowhill Drive.
 - B. Blaine Road.
 - C. Hallowell-Litchfield Road (if not MDOT jurisdiction).
 - D. Kennebec Drive.
 - E. Maple Street (if not MDOT jurisdiction).
 - F. Northern Avenue.
 - G. Park Street from Maine Avenue to Pine Street.
 - H. Smith Road.
3. Minor Streets. Any Town Way not identified as an Arterial Street or a Collector Street shall be classified Minor Street. Minor streets are local streets used primarily for access to abutting residential properties.
4. Farmingdale Road Advisory Committee (FRAC) Determination. The required classification of a proposed Town Way shall be determined by the Farmingdale Road Advisory Committee (FRAC) with review by the Planning Board after consideration of existing land uses or the comprehensive plan adopted by the Town. This determination shall be made prior to submission of a subdivision application to the Planning Board. The Applicant shall submit to the Farmingdale Road Advisory Committee all information that it may require for its determination.
5. Addressing Officer. The Addressing Officer shall approve the proposed street name prior to final Planning Board approval.

Sec. 3-106 Design and Construction Standards

All proposed Town Ways, and all proposed roads in a subdivision, shall be designed and constructed as noted below. In addition, maintenance and replacement activities in existing Town Ways shall utilize these standards as deemed most appropriate and practicable based on existing circumstances by the Road Commissioner. Private non-subdivision roads do not require compliance with these standards. However, such private roads shall not be considered for acceptance as a Town Way until documentation is provided that they have been constructed as defined in this Article.

All proposed new Town Ways, and all proposed roads in a subdivision, shall be designed and constructed to meet the following standards:

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1. Standards. The following standards apply according to street classification:

	<u>Collector Streets</u>	<u>Minor Streets</u>
A. Minimum width - Right of Way	50'	50'
B. Minimum width of pavement (excluding shoulders)	24'	20'
C. Minimum grade	0.5%	0.5%
D. Maximum grade	6%	10%
E. Maximum grade at intersections	3% within 50 feet of intersections	
F. Minimum angle at intersections	15° max. off 90°	
G. Minimum width of shoulders	4'	3'
Shoulder cross slope	½"/ ft.	½"/ ft.
H. Minimum center-line radii on curves	200'	100'
I. Minimum tangent length between reverse curves	200'	100'
J. Total minimum aggregate courses	24"	18"
Minimum subbase course	21"	15"
Minimum base course	3"	3"
K. Hot Bituminous Pavement	4"	3"
(Total nominal thickness)		
Base course	2 ½"	1 ¾"
Surface course	1 ½"	1 ¼"
L. Road cross slope (minimum)	¼"/ ft.	¼"/ ft.
M. R/W line radii at intersection (minimum)	10'	10'
N. Edge of travel way radii at intersections:		
90° intersections	25'	25'
Less than 90° intersections	30'	30'

See Geometric Standards A to E

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Sec. 3-107 New Street Construction

1. Right of Way Preparation.
 - A. Before any fill or cut operation is started, the entire right of 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 right of way or as shown on the plans.
 - B. The minimum right of way width shall be fifty (50) feet, and marked with permanent monuments provided by the applicant. The cost of the monuments and survey shall be paid by the applicant. The roadway section shall be in the center of the right of way.
 - C. Before any clearing in the fifty (50) foot right of way begins, the clearing limits are to be plainly marked at fifty (50) foot intervals, or as necessary to delineate such limits.
2. Subgrade. Subsoil which have been identified by the Road Commissioner as unsuitable for roadway construction shall be removed from the site two (2) feet below subgrade and backfill the area with approved material. Stabilization/Reinforcement geotextile may be used as an option instead of the above method. The furnishing and installing of fabric shall meet the requirements of MDOT Standard Specification Section 620-Geotextiles.
3. Slope Easement. Whenever the ratio of slopes for ditches, shoulders, grading and other purposes required by this article cannot be adhered to within the right of way limits, and grading or excavation is necessary beyond this width, it shall be necessary for the applicant to secure sufficient slope easements from abutting owners for this property plus including future maintenance activities without cost or expense to the Town, and such rights properly indemnifying the Town shall be presented and recorded prior to any action by the Town for acceptance.
4. Dust Control. Dust control shall be exercised throughout the entire project by using brooms, water, calcium or any combination thereof to control dust generated during the process of construction.
5. Erosion Control. An erosion and sediment control plan shall be submitted as part of Section 3-103(2) (I) and shall be based on the most recent edition of the MDOT "Best Management Practices".

Sec. 3-108 Road Base and Subbase

1. Aggregate Sub-base Course. The aggregate sub-base course shall meet MDOT Standard Specification 703.06(b), Type D and be sand and/or gravel of hard durable particles free from vegetative matter, lumps or balls of clay and other deleterious substances. There shall be no aggregate which exceeds six (6) inches in any dimension. The gradation of the part that passes a three (3) inch square mesh sieve shall contain no more than 7% passing a #200 sieve.
2. Aggregate Base Course. The aggregate base course shall meet MDOT Standard Specification 703.06 (a), Type A and be screened or crushed gravel or hard durable particles free from vegetative matter, lumps or balls of clay and other deleterious substances. There shall be no aggregate which exceeds two (2) inches in any dimension. The gradation of the part that passes a three (3) inch square mesh sieve shall contain no more than 5% passing a #200 sieve.
3. Sieve Analysis. Copies of the sieve analysis results of the samples of base and subbase aggregate to be used shall be submitted to the Road Commissioner for review no later than one (1) week before the placement of any gravel in the street.

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4. Placement and Compaction.

- A. Placement. Gravel shall be placed and compacted in accordance with Maine Department of Transportation's Standard Specification, Section 304.03 "Placing". Any compaction shall be accomplished by mechanical means.
- B. Compaction Tests. Compaction tests shall be taken at locations along the road as specified by the Road Commissioner. All costs associated with the compaction tests shall be paid for by the developer. No pavement shall be placed until the compaction tests have been reviewed and approved by the Road Commissioner.

Sec. 3-109 Paving

1. Any Hot Mix Asphalt Pavement used shall be from a facility where the mix and the facility are accepted for use by the Maine Department of Transportation.
2. All mixing, spreading, finishing, and compacting and constructing joints shall meet MDOT Standard Specification Division 400, "Pavement". All surface tolerances will be checked with a 16 ft. straightedge or string line parallel to the centerline of pavement or with a 10 ft. straightedge or string line placed transverse to the centerline of pavement. The Contractor shall correct variations exceeding 1/4" by removing defective work and replacing it with new material.
3. The construction of Hot Mix Asphalt base course shall be conducted between April 15th and November 15th, and only when the surface on which the material is to be placed is not frozen or unreasonably wet, and when the atmospheric temperature is 40° F or higher. The construction of Hot Mix Asphalt surface course shall be allowed between April 15th and November 15th, and only when the surface on which the material is to be placed is not frozen or unreasonably wet, and when the atmospheric temperature is 50° F or higher. No paving shall commence until seven (7) calendar days following a satisfactory inspection of the aggregate base course as set forth in section 3-114(7) below.
4. Any active project shall be completed prior to November 15th, the termination of availability of asphalt or arrival of weather conditions which do not allow for the application of asphalt; whichever arrives first. No new installation shall be allowed between November 15th and April 15th. A road cut will be allowed during the "no construction" period for emergency purposes only. Under these conditions "cold patch" will be allowed with the stipulation that the Applicant is responsible to replace the "cold patch" whenever the Road Commissioner determines it to be necessary. Any "cold patch" shall be replaced with hot asphalt at the earliest opportunity but no later than June 15th. A violation of this requirement shall constitute a violation of this Article and subject the applicant to a penalty of \$100 per day minimum to \$2,500 per day maximum.
 - A. Streets. The binder course shall be Hot Mix Asphalt 19 mm and the finish course shall be Hot Mix Asphalt 9.5 mm pavement. Hot bituminous pavement materials and placement for streets shall be in accordance with the Maine Department of Transportation's Specifications Division 400 "Pavements" and Section 703.09 HMA Mixture Composition.
 - B. Sidewalks. Sidewalks shall be constructed in conformance with the Maine Department of Transportation's Specification 608.04 "Hot Bituminous Sidewalk",

Sec. 3-110 Drainage

1. Storm Drain. A storm drainage plan for a subdivision or a proposed Town Way shall be prepared by a Maine Licensed Professional Engineer showing ditches, culverts,

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storm drains, easements, and other proposed improvements sufficient to accommodate a 25 year storm.

2. No person may cause any obstruction or diversion of any drainage ditch, culvert, or storm water flow within a Town Way or Town drainage easement.

Sec. 3-111 Culverts

1. General. Culverts shall conform to MDOT Standard Specification Section 707 for metallic pipe. Culverts shall be corrugated steel pipe which shall be 14 gauge galvanized or aluminized Type 2 for 15" to 24", 12 gauge galvanized or aluminized Type 2 for 30" to 36", and 10 gauge galvanized or aluminized Type 2 for 42" to 54". The Road Commissioner may authorize the use of other pipe materials such as concrete pipe, polymer coated corrugated steel pipe or high density polyethylene (HDPE) with corrugated exterior and smooth-lined interior if satisfied that there will be at least 2 feet of suitable cover over the top of the pipe. These nonmetallic pipes shall meet MDOT Standard Specification Section 706. Maintenance and replacement activities in existing Town Ways shall utilize these as deemed appropriate and most practicable based on existing circumstances by the Road Commissioner.
2. Any person who violates the provisions of this Subsection shall be subject to civil penalties and other remedies provided under 4 MRSA Section 4452. The minimum penalty for starting construction or undertaking a land use activity without a required permit is \$100, and the maximum penalty is \$2,500 per day. Additionally, in the event a violation creates a public nuisance or a threat of personal injury or property damage, the Town may immediately correct or abate the violation and assess the actual costs of such correction or abatement upon the persons causing the violations.
3. The owner of the property to be connected to a Town Way shall apply for the Entrance Permit required under this Section on the form described in Appendix "F" which is available from the Town Clerk.

Sec. 3-112 Catch Basins, Manholes, Structures and Underdrains

1. Catch basins and manholes. These shall meet the requirements of MDOT Specification Section 604.
2. Structures. Where bridge structures or reinforced concrete box culverts in a subdivision are required to cross major streams, detailed design plans by a Maine Licensed Professional Engineer shall be submitted to the Farmingdale Road Advisory Committee (FRAC) for review at least six (6) months in advance of anticipated construction of the structure to permit appropriate review. All bridges and reinforced concrete box culverts shall be designed to accommodate at least the anticipated 50 year level flood. Maine Department of Environmental Protection or U.S. Army Corps of Engineers permits shall be secured wherever necessary.
3. Underdrains. An underdrain pipe of (6) inch diameter or greater, with "filter sock", shall meet MDOT Specification Section 605 and shall be installed to properly drain all springs or areas where the ground water level is considered too high and would adversely impact the stability of the roadway base. Reference Appendix "Geometric Figure E" (page 3-21).

Sec. 3-113 Trenches.

Trench Excavation. Trench excavation shall conform to MDOT Specification Sections 603.032 to 603.08. If acceptable gravel had been removed during excavation it shall be replaced to the depth and standards in compliance with Section 3-105.1.J. If no gravel had been removed, gravel shall be placed to the depth and standards in compliance

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with Section 3-105.1.J in accordance with the usual construction sequence. If pavement had been removed during excavation it shall be replaced to the depth and standards in compliance with Section 3-105.1.K. If no pavement had been removed, pavement shall be placed to the depth and standards in compliance with Section 3-105.1.K in accordance with the usual construction sequence. Reference Appendix "Geometrics Standards A" (page 3-17).

Sec. 3-114 Sidewalk; Curb and Guard Rails

1. Sidewalks, where installed, shall meet MDOT Specification Section 608 and be at least five (5) feet wide and shall have at least a twelve (12) inch gravel base course. Reference Appendix "Geometric Standards B" (page 3-18).
2. Curbing, where installed, shall meet MDOT Specification Section 609 and be quarried granite stone, Portland cement concrete, or machine formed hot mix asphalt and shall be installed on a properly compacted gravel base of at least eighteen (18) inches. Reference Appendix "Geometric Standards B" (page 3-18). All work shall conform to the current standards of the Americans with Disabilities Act.
3. Guard Rails, Type 3b, shall meet MDOT Specification Section 606.

Sec. 3-115 Maintenance of Traffic

1. General. Work under this Article shall consist of maintaining traffic on the roads, streets or highways on which the work is being carried out. The work shall be carried out in accordance with the following paragraphs:
2. Work Performed. All work performed within the Town Way shall meet the minimum requirements of Federal OSHA, the Maine Department of Labor and applicable Town Ordinances.
3. No Interference with Traffic. The Contractor shall conduct the work so as not to significantly interfere with traffic, both vehicular and pedestrian. Traffic originating or having business along the section of the road under contract shall be provided with a passable and adequate road. To accomplish this, it may necessitate the bridging over or the construction of structures in sections or the providing of short detours around them. The work shall be progressed in such a manner that the access to private or business driveways adjacent to the improvements will be interfered with as little as possible. The Contractor shall furnish adequate protection to the public by installing and maintaining adequate warning signs, flags, lights, paths, railings, barricades, watchmen and signalmen where necessary or called for by the Town.
4. Traffic Control. Alternating traffic shall be maintained at all times unless the Road Commissioner has determined that existing circumstances allow a temporary closure after adequate notification. Should road temporary closure be considered necessary, or the most appropriate alternative, a minimum of three (3) day notification to all agencies potentially involved shall be made. Notification shall include, but not be limited to: Farmingdale Road Commissioner, Constable Chief, Dig Safe, Fire Department, Gardiner Emergency Services, Gardiner Water District, RSU #2, and any other utilities located in the project area. All traffic controls shall be in accordance with the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, as issued by the Federal Highway Administration. Should a detour or more extensive traffic delay be considered necessary the Road Commissioner may approve other alternatives subject to approval of the Selectmen and adequate notification by the applicant. All equipment and material shall be stored off the traveled way and if on the shoulders, properly delineated at night.

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5. Completion of Work. All work in the traveled way and shoulder shall be completed by sunset of each working day unless specific prior authorization has been received from the Road Commissioner and appropriate measures followed. At the close of each week's work or before any Holiday all open trenches will be completely backfilled and equipment and materials removed from the traveled way and shoulders for the coming weekend or Holiday. No detours of any sort shall be used during the period of construction without prior written authorization from the Road Commissioner. Failure to meet the requirements of this item will result in immediate suspension of work on the project until the requirements can be met.
6. Deadend Streets.
 - A. Cul-de-Sac. All deadend streets shall be constructed to provide a suitable cul-de-sac turnaround with a minimum radius of 65 feet; reference "Geometric Standard "C" (page 3-19).
 - B. "T" Turnaround. It is the intent to approve the use of a "T" turnaround only where future street extension is planned within 3 years and an adequate bond provided, or where adverse horizontal or vertical geometrics physically prohibit a cul-de-sac". A "T" turnaround may be substituted for a cul-de-sac if approved by the Farmingdale Road Advisory Committee (FRAC) and by the Planning Board. Should a "T" turnaround be requested as a temporary measure, a bond at the amount of 1.2 times the cost of an anticipated cul-de-sac shall be required prior to authorization to install a "T" turnaround. The noted bond shall be cancelled upon documentation that an approved cul-de-sac has been constructed and paved. An alternative to a bond may be a non-interest bearing deposit from the Applicant into a Town of Farmingdale account. Cancellation of a bond due following the construction of a cul-de-sac shall not mean that the road shall be automatically accepted as a Town Way.
 - C. "T" Turnaround Design. Reference Geometric Standard "D" for design parameters (page 3-20). Should a "T" be proposed, the design shall include:
 - 1) A permanent marker shall be established at the end of the road and clearly state "END OF ROAD". The marker shall be installed and maintained by the Applicant until such time as the Town may accept the road as a Town Way.
 - 2) A future extension of the road shall require a new cul-de-sac or the relocation of the existing "T" to meet noted "T" Turnaround location requirements.
 - 3) A minimum distance of twenty five (25) feet shall be available from the end of the street to the nearest road or driveway to enable appropriate snow removal.
7. Inspections, New Construction. An Applicant for either a new street or an approved subdivision shall not commence construction of a street until after prior written notification, and a copy of the complete application required under Section 3-103, has been provided to the Road Commissioner. Upon receipt of such notice, the Road Commissioner shall inform the applicant the name of any designated agent who may perform inspections. The Applicant or a designated agent shall schedule and coordinate inspections with the applicant's contractor, Maine Licensed Professional Engineer and the Town Road Commissioner. Inspections shall be made:
 - A. Prior to application of the aggregate sub-base course;
 - B. Prior to application of the aggregate base course;
 - C. Prior to paving; and,

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D. After completion.

The applicant shall give written notification to the Road Commissioner at each of these four stages that the street is ready for inspection, and shall provide, at applicant's expense, a Maine Licensed Professional Engineer to accompany the Road Commissioner on site during all inspections to verify grades, dimensions, and compliance with the plan provided in the application. Inspections shall be scheduled to be done within ten days after receipt of request. All inspections shall be documented in writing.

8. Inspections During Construction. The Road Commissioner and/or Sewer Inspector shall make periodic inspections of a proposed Town Way during new construction in addition to specified inspection activities to insure that any work activity is in conformance with this Article. All inspections shall be documented in writing. All fees incurred by any inspection performed by the Road Commissioner, qualified Town official, or independent third party designated by the Town, shall be reimbursed to the Town by the Applicant / Developer at a predetermined rate established by the Selectmen. Any "Inspection Fee" due the Town of Farmingdale shall be paid in full prior to acceptance of the work for the proposed Town Way.
9. MDOT Specifications. Portions of the "State of Maine Department of Transportation Standard Specifications, Highways and Bridges, Revision of April 1995," as amended and supplemented by, "State of Maine Department of Transportation General Conditions, Supplemental Specifications, and Supplemental Standard Details for Construction, February 1, 2001" ("the MDOT Specifications") are incorporated in this Section 3-105 by reference pursuant to 30-A M.R.S.A. §3003. The portions incorporated herein are identified as follows:

Section 101 -- Definitions and Terms (as used only in the Divisions and Sections cited below).

Section 304 -- Aggregate Base and Subbase Course

Division 400 -- Pavement

Section 604 -- Manholes and Catch Basins

Section 605 -- Underdrain

Section 606 -- Guardrail

Section 608 -- Sidewalks

Section 609 -- Curbing

Section 620 -- Geotextiles

Division 700 -- Material

All references to specifications stated within the above listed Divisions or Sections, shall be cited herein as "MDOT Specification", using the applicable section or subsection number. One or more copies of the MDOT Specifications are on file with the Town Clerk.

Sec. 3-116 Adequate Assurance of Completion

1. Performance Guarantee. Adequate assurances of completion of any road related activity in a subdivision or on an existing or proposed Town Way shall require tender by the applicant of a performance guarantee. The performance guarantee is a monetary pledge conditional upon the faithful performance of completion of proposed improvements by a private developer supported by a Guaranteed Letter of Credit payable to the Town from a recognized banking institution, an escrow account payable to the Town, or a Performance Bond delivered to the Board of Selectmen and issued by a commercial surety qualified to do business in the State of Maine. The amount of the performance guarantee shall be at least equal to the total of the costs of furnishing, installing, connecting and completing all of the street grading, paving, storm drainage

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and utilities specified in the application or final plan, and shall be conditioned on the completion of all such grading, paving, storm drainage, water main, fire hydrant, sewer and street installations within one year from the date of the performance guarantee.

2. Release of Check or Bond. Before voting to release the performance guarantee, the Board of Selectmen shall determine to its satisfaction, in part by a written certification signed by the Planning Board that it has received written statements signed by:
 - A. The Road Commissioner stating that the streets and storm drainage have been constructed and completed in conformance with the application or final plan.
 - B. The Water District Superintendent stating that the water mains and hydrants have been installed and are in place in conformance with the application or final plan.
 - C. A Maine Licensed Professional Engineer, paid for by the applicant, that all permanent bounds or monuments on street lines (and on lot lines, if any) have been installed and are accurately in place in the locations designated on the final plan.
3. Conditional Agreement. An applicant for subdivision approval may substitute for the performance check or bond a properly executed conditional agreement with the Town. Such agreement shall be endorsed in writing on the final plan, and shall provide that the Planning Board may approve the final plan or any part thereof on condition that no lot in such subdivision may be sold and that no permit shall be issued by the Building Inspector for any building on any lot on any street in such subdivision until:
 - A. It shall have been certified to the Board of Selectmen, the Farmingdale Road Advisory Committee and the Planning Board in the manner set forth in paragraph 2 above, that all of the street and utility improvements required have been installed and completed at the expense of the applicant in accordance with all applicable provisions of the final plan;
 - B. A certificate of compliance covering the lots and streets or portions of streets involved, has been signed by the Planning Board and a copy of such certificate has been recorded with the County Registry of Deeds.

Sec. 3-117 Existing Town Ways

1. Improvement. An improvement of an existing Town Way shall be completed, insofar as practicable, in accordance with this Article to be constructed as though it were a new construction, as determined by the Road Commissioner.
2. Improvements by Petition. A majority of the abutters along any accepted Town Way within the compact or built-up section of the Town may, in writing, petition the Board of Selectmen to improve said Town Way by grading, curbing, paving or in any other way making a permanent street improvement of the same. An amount to be determined at the Town Meeting up to 2/3 of the cost of such improvements may be assessed on property adjacent to and bounded on said Town Way. The manner of assessment and the right of appeal shall be as provided by 23 M.R.S.A. §§ 360-3605.
3. Town Way Opening Permit. An Opening Permit for a street excavation shall be obtained by the Applicant from the Road Commissioner for any Town Way within the Town of Farmingdale prior to starting actual construction. Reference "Opening Permit Ordinance", Chapter 3 Article 4 of Farmingdale Code of Ordinances (page 3-63).
4. Entrance Permit. No person may connect or join a private road or driveway to a Town Way without an Entrance Permit. The Road Commissioner may approve an Entrance Permit, provided such connection or related construction will allow adequate sight distance and will not interfere with the existing storm drainage or cause water flow

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onto property of others. The Road Commissioner may require as a condition of approval that culverts be installed of appropriate size and construction given potential water flow conditions and in accordance with the requirements of Section 3-105 and other applicable provisions of Article III of this Chapter.

5. Driveway or Entrance Culvert. A driveway, or entrance, culvert is intended to effectively move water from one side of a driveway, or entrance, to the other side. It is critical to protecting the Town's infrastructure to assure that the Town's interest to ensure this conveyance of water is maintained.
6. Culvert. A new or replacement culvert shall be installed after approval of the Road Commissioner. A standard size culvert consisting of twenty (20) feet in length by fifteen (15) inches in diameter shall be installed for typical driveway purposes. The Road Commissioner may authorize a culvert of less diameter than fifteen (15) inches if circumstances suggest it may be more appropriate based on existing circumstances. A longer length culvert may be installed but more intensive review may be required as determined by the Road Commissioner based on existing drainage and hydrology conditions
 - A. Responsibilities of Town of Farmingdale.
 - 1) When a culvert has become plugged by natural causes, such as the gradual accumulation of debris or ice, or has failed to the point where water can no longer be effectively conveyed, the Town is responsible for restoring adequate flow through the culvert.
 - 2) When the Town undertakes a capital or ditching project that requires the replacement or relocation of driveway/entrance culverts, the Town is responsible for such culvert replacement/relocation and driveway/entrance restoration.
 - 3) When a natural event causes regional or localized flooding and washouts, causing a culvert to fail and/or a driveway/entrance to washout, the Town will reinstall or replace the culvert (at the Town's expense) and reestablish access to the abutting property.
 - B. Responsibilities of the Owner/Abutter.
 - 1) A new or replacement culvert is the responsibility of the owner/abutter.
 - 2) Driveway repairs of any type (excepting damage caused by natural events as described above in item 3). This includes such issues as: bumps or depressions that may develop over a culvert (usually due to seasonal freeze/thaw cycles), erosion of the driveway/entrance side slopes, and potholes that may develop as the result of a deteriorating pipe prior to replacement.
 - 3) Restoring flow when the culvert is obstructed, either directly or indirectly, by the actions of the abutter or their agents (such as intentionally depositing leaves or other debris into a ditch line or a bent end of the culvert which restricts substantial flow).
 - C. Corrective Action by Town.
 - 1) When an abutter fails to uphold the responsibilities set forth in paragraph B above and damage to the highway corridor has occurred or is imminent, the Town may address the issue and pursue compensation as necessary from the abutter/owner.
 - 2) Tree Trimming. It is the Town's responsibility under 23 M.R.S.A. Section 3651 to keep town ways safe. 23 M.R.S.A. Section 2702 authorizes the removal of

Public Property, Utilities and Solid Waste

shrubbery and bushes growing within the limits of the town way. The Town will notify abutting landowners if hedges, bushes, or tree limbs require trimming and the landowner will have 10 days to remove all limbs and brush from the town way. If the landowner does not cut the brush or trees within 10 days, the Town will perform the work but all trimming will be limited to the area within the public road right-of-way.

7. Cross Road Culvert. A minimum of eighteen (18) inch diameter culvert shall be installed for any cross road culvert after approval by the Road Commissioner.
8. Minimum Standards. Nothing in this article shall be construed to prevent the application of more stringent standards in the design or construction of streets or the use of improved methods or higher quality materials. The determination of the acceptability of other standards, methods or materials shall be made by the Board of Selectmen, with the advice of the Farmingdale Road Advisory Committee (FRAC) and Road Commissioner.
9. State Highway Opening Permits. The Contractor shall obtain and pay all State Highway Opening Permits prior to starting actual construction in any State Highway including any State-Aid highway.

Sec. 3-118 Applicability

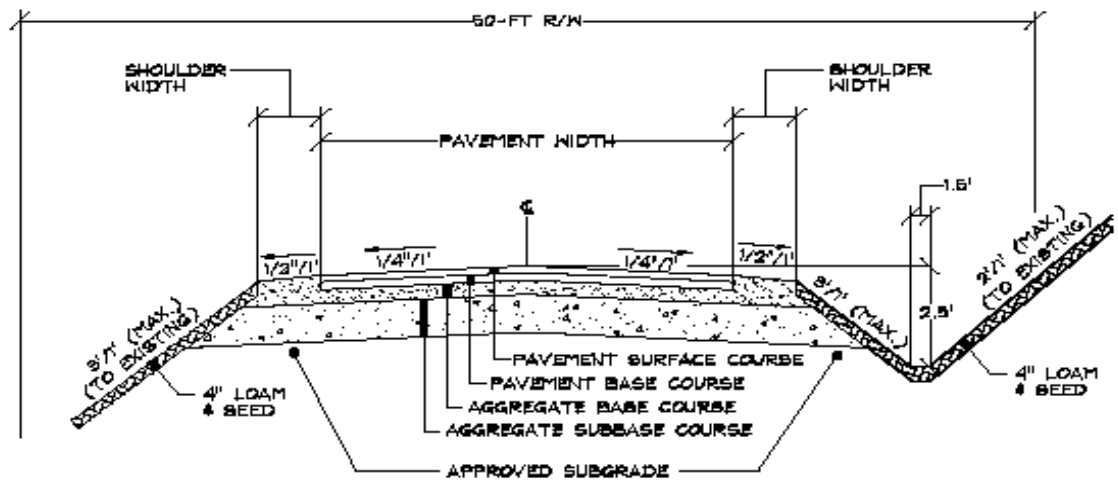
1. Town Ways and Subdivisions. This Article applies to all proposed and existing Town Ways and subdivisions. Section 3-105 applies to all adopted Ordinances pertaining to Town Ways.
2. Acceptance of Town Ways. The acceptance of a street as a Town Way shall comply with the most current applicable Ordinance at the time any vote of acceptance may be conducted. A street shall be accepted as a Town Way by majority vote at a Town Meeting.

Sec. 3-119 Severability

If any portion of this Article shall be held to be invalid, such decision shall not affect the validity of the remaining portions of this article.

Effective: November 20, 2010

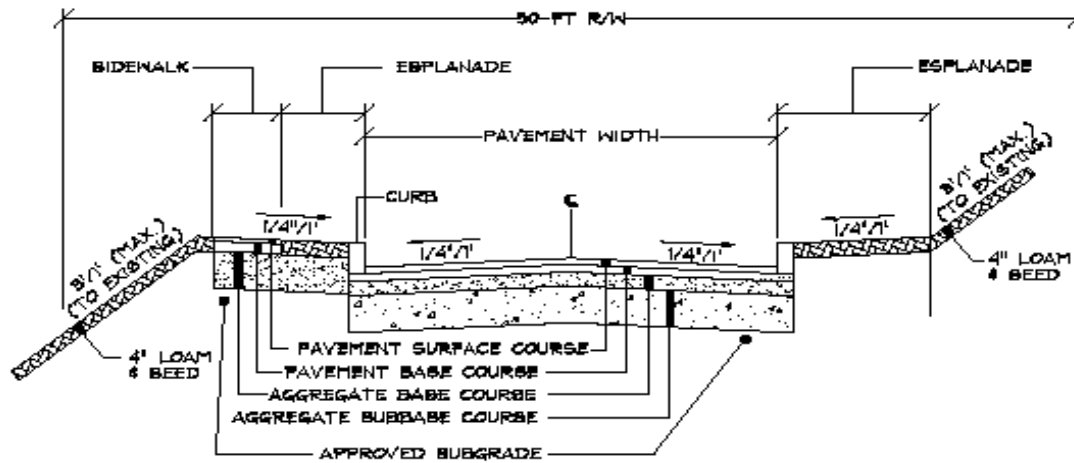
STREET GEOMETRIC STANDARD A



STREET CROSS-SECTION MINIMUM REQUIREMENTS

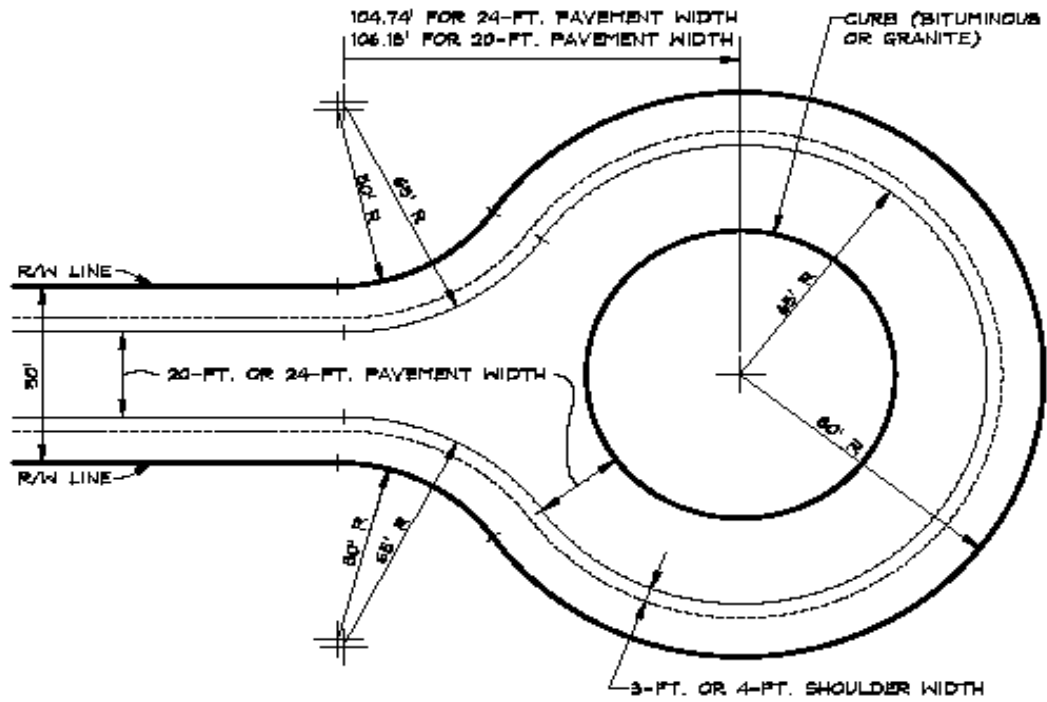
NOT TO SCALE

STREET GEOMETRIC STANDARD B



**OPTIONAL STREET CROSS-SECTION
WITH CURB, SIDEWALK & ESPLANADE**
NOT TO SCALE

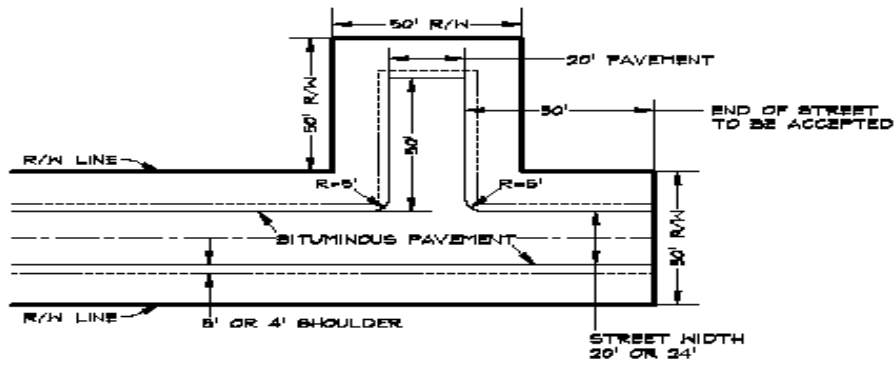
**STREET
GEOMETRIC STANDARD C**



MINIMUM CUL-DE-SAC

NOT TO SCALE

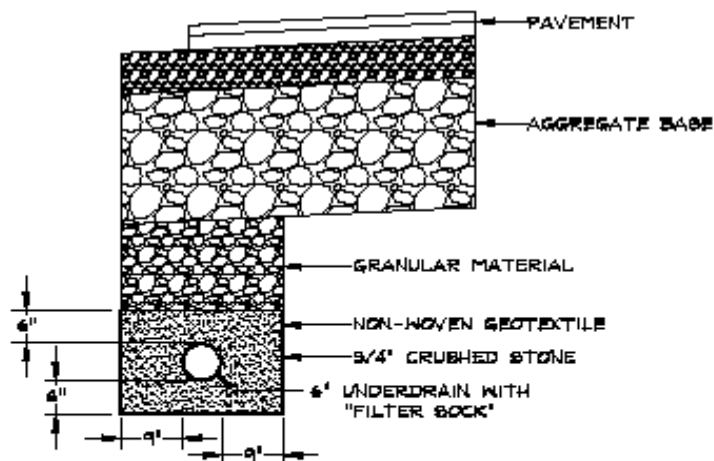
STREET GEOMETRIC STANDARD D



"T" DESIGN MINIMUM DESIGN

NOT TO SCALE

STREET GEOMETRIC STANDARD E



NOTES:

- 1.) THE UNDERDRAIN SHALL BE INSTALLED WITH A MINIMUM OF 4 FEET OF COVER BETWEEN THE PAVEMENT AND THE TOP OF THE UNDERDRAIN.
- 2.) THE UNDERDRAIN SHALL BE INSTALLED WITH A MINIMUM OF 0.5% SLOPE.
- 3.) THE UNDERDRAIN PIPE SHALL MEET MDOT SPECIFICATIONS SECTION 706.06.
- 4.) THE NON-WOVEN GEOTEXTILE SHALL MEET MDOT SPECIFICATIONS SECTION 722.02.
- 5.) THE GRANULAR MATERIAL SHALL MEET MDOT SPECIFICATIONS SECTION 709.22.

UNDERDRAIN

NOT TO SCALE