

**TOWN OF EDDINGTON**  
**ROAD DESIGN ORDINANCE**

**PREPARED BY**  
**EDDINGTON PLANNING BOARD**

**ENACTED:**  
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**TOWN OF EDDINGTON**  
**ROAD DESIGN ORDINANCE**

**I. TITLE**

This ordinance shall be known as “Road Design Standards of the Town of Eddington”. This ordinance is adopted under the powers granted the Town by Title 30 ss 1917 and 2151.

**II. PURPOSE**

The construction of roads can have a major effect upon safety, municipal services and the environment of the Town. The design and construction of such roads may also affect soil erosion and water quality; the severity of periodic flooding; police and fire protection; safety conditions and traffic congestion; the visual character of the neighborhood and of the Town; the future use of surrounding land; and maintenance cost and requirements. It is the purpose of this ordinance to promote the health, safety and general welfare of the residents of the Town by setting standards for the design, layout and construction of all new roads.

**III. APPLICATION**

This ordinance shall be binding upon any person wishing to construct a road in the Town of Eddington. This ordinance shall be binding upon any State, county or municipal body or authority, which may lay out, alter, widen or improve any public way in accordance with applicable statutes.

**IV. DEFINITIONS**

In this ordinance the present tense includes the future tense, the singular includes the plural and the plural includes the singular, “shall” is mandatory and “may” is permissive, and the following words shall have the following meanings:

**A. Arterial:** Arterial highways are characterized by high-volume roadways which provide linkage between major cities and towns and developed area, capable of attracting travel over long distances. Basically, they provide service to interstate and intercounty travel demand. The arterial system typically provides for high travel speeds and longest trip movements. The degree of access control on an arterial may range from full control (freeways) to entrance control on, for example, an urban arterial through a densely developed commercial area.

**A.1. Principal Arterial:** These are highways in rural and urban areas that provide access between an arterial and a major port, airport, public transportation facility or other intermodal transportation facility.

**A.2. Collectors:** Collector routes are characterized by roughly even distributions of their access and mobility functions. These routes gather traffic from lesser facilities and deliver it to the arterial system.

**A.3. Local Roads and Streets:** All public roads and streets not classified arterial or collectors have a local classification. Local roads and streets are characterized by many points of direct access to adjacent properties and have a relatively minor role in accommodating mobility. Speeds and traffic volumes are usually low.

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**B Construct:** Includes build, place, move upon, pave, grade, excavate, fill, effect drainage, or make other physical operations on land.

**C Person:** Any individual, firm, partnership, association, organization, trust, company, corporation, or other legal entity.

**D Private Road:** A way for vehicular traffic in which there is no public easement or it is not intended that the public have an easement.

**E Public Way:** A town way or public easement for highway purposes as defined in 23 MRSA s 3021; a way for vehicular traffic in which the public has an easement or it is intended that the public have an easement.

**F Road:** Any public way or private road as defined by this section.

**G Standard Specifications:** Refer to the “Standard Specifications Highways and Bridges” of the Maine Department of Transportation. Revision of April 1995 as amended.

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## V. WRITTEN APPROVAL

Before constructing any road, a person shall submit to the Planning Board the Road Commissioner layout plans, grading plans, road profiles, cross sections, erosion and sedimentation control plans and such other information as may be necessary to show compliance with this ordinance. No person shall construct or cause to be constructed any road without written approval of the plans from the Planning Board. The Planning Board shall consult with the Road Commissioner prior to making its determination of compliance with this ordinance. No road plans shall be approved by the Planning Board unless they meet the provisions of this ordinance.

A. The Planning Board shall not approve plans for any road(s) within a proposed subdivision, as defined in 30 MRSA s 4956(1) unless they meet the standards provided in sections VI and VII of this ordinance.

B. The Planning Board shall not approve plans for any roads within a proposed multi-family housing project unless the roads meet the standards set forth in sections VI and VII of this ordinance.

C. All private roads, which are not covered by the requirements of A and B above, are exempt from this ordinance. Except that before any road may be accepted as public way, it must meet the requirements in Section 10 - “Conditions of Acceptance”.

## VI. ROAD DESIGN STANDARDS

A. All roads shall be a minimum right-of-way width of 60 feet unless cut, fill, drainage or other physical conditions require widths greater than 60 feet.

B. All roads shall be designed so that they will provide safe vehicular travel and traffic patterns. Insofar as possible, roads shall conform to existing topography, and excessive cuts and fills shall be avoided.

C. No road names shall be used which will duplicate or be confused with the names of existing town roads. Road names shall be subject to the approval of the Road Commissioner.

D. At the intersections and common boundaries of subdivisions, roads shall be continuous and in alignment with existing roads where possible. Roads shall be laid out to intersect at right angles wherever possible; under no circumstances shall a road intersect with any other road at less than a 60-degree angle.

The arrangement of roads in subdivision shall provide for the continuation of roads into adjoining unsubdivided land unless topographic or other factors make continuance impracticable or undesirable.

E. Reserve strips controlling access to streets shall be prohibited, except where their control is definitely placed in the Town under conditions approved by the Planning Board.

F. Where a subdivision abuts or contains an existing arterial street, the Planning Board may require such road or lot configurations which are necessary for adequate protection of residential properties and to afford separation of through and local traffic.

G. Whenever possible, subdivisions containing fifteen lots or more shall have at least two street connections with existing public streets or streets shown on the office road map, if such exists, or streets on an approved subdivision plan.

H. Where a subdivision borders an existing narrow road (below standards set herein) or when the Comprehensive Plan indicates plans for realignment or widening of a road that would require land in the subdivision, the subdivider shall be required to show areas for widening or realigning such roads on the preliminary and the final plan, marked "Reserved for road realignment (or widening purposes)". Land reserved for such purposes may not be used for building purposes.

I. "T" intersections formed on opposite sides of the same road shall not be closer than 200 feet center line to center line.

J. Right-of-way lines at intersections shall be laid out to provide for a paved turning radius of not less than 25 feet.

K. Road intersections and curves shall be designed to permit adequate visibility for both pedestrian and vehicular traffic based on the design speed of the roadway. Minimum centerline radii on curves shall be 200 feet. Minimum tangent length between reverse curves shall be 200 feet. All changes in grade shall be connected by vertical curves of such length and radii as will provide adequate braking and sight distances for the design speed of the road.

L. Dead end streets shall have a maximum length of 1000 feet. Radii of turn around at enclosed end shall conform to the following: Right-of-way boundary, 70-foot minimum; centerline pavement radius, 50-foot minimum; width of pavement, 15-foot minimum.

M. Guardrails shall be installed in dangerous situations at the direction of the Road Commissioner. Guard rail shoulders shall be an additional 3 feet wider than normal shoulders, with the face of the posts set one foot back from the normal shoulder width.

N. Grades of all roads shall be reasonably minimal but shall not be less than MDOT specifications. Revised March 19, 2002

Maximum grade within 75 feet of all intersections shall be 3 feet per 100 feet (3%).

O. Drainage shall be designed to prevent standing water on the road surface or the shoulder. No surface drainage shall be conveyed across a road surface or shoulder from another connecting road or drive.

P. Where ditches are required to remove storm and surface water they shall be in accordance to MDOT specifications. Revised March 19, 2002

Q. Roads may only be located in areas known to flood if they are so designed so as to keep the road surface above water levels known or anticipated for a 25 year storm.

R. The surface of all paved roads shall meet MDOT specifications. Revised March 19, 2002

S. Side slopes in either cut or fill situations shall not be graded steeper than 3:1 unless otherwise approved by the Road Commissioner or Planning Board. All embankments shall be loamed to a depth of not less than 4 inches, fine graded, fertilized, loamed and seeded to establish a good cover of grass and minimize erosion. Other methods of protecting side slopes and back slopes must be approved the Planning Board.

T. Culvert sizes shall be determined on the basis of estimated run-off from a 25-year storm from the total area being served. Culverts will comply with the Town's current Culvert Policy.

U. Any road within a proposed subdivision or intended to serve three or more residential dwelling units shall have a monument set at each point of curvature and angle point on both sides of every road. Monuments shall be of granite, 6 inches square and at least 4 feet long, or of concrete, 6 inches diameter with a 1/2 inch steel pin protruding from the center. The top of the monument shall be 3 inches above finished grade. Written certification by a registered land surveyor that monuments shown on the plans have been accurately set shall be required prior to road approval.

V. Paved width of roads shall be a minimum of 22 feet. Grass shoulders shall be at least 2 feet wide on each side of the paved surface and graded to drain water away from the pavement. A utility strip of sufficient width shall be cleared of all brush and trees between the shoulders and the right-of-way line. Revised July 16, 2002

W. All underground utilities shall be placed in the road right-of-way between the paved roadway and the right-of-way line to simplify location and repair of lines when they require attention. The subdivider shall install underground service connections to the property line of each lot within the subdivision for such required utilities before the road is paved.

X. The Planning Board may require that sidewalks on roads where it is expected that there will be a significant amount of pedestrian traffic. Sidewalks shall meet the following requirements: six foot minimum width, a minimum of 18-inch gravel base course, three-inch bituminous surface.

Y. The Planning Board or the Road Commissioner may, after review of the plans, require curbing of roads, underdrains, and geotextile fabrics.

## **VII. ROAD CONSTRUCTION STANDARDS**

A. Subgrade. All trees, stumps, roots and organic matter shall be removed to the full width of the surface, shoulders and ditches. The subgrade shall be carefully graded and compacted as required by MDOT specifications. In no case shall any roots, stumps, trees or organic matter be used in the subgrade fills.

B. Gravel Base. The gravel base course shall be at least 18 inches deep and shall be compacted to the satisfaction of the Road Commissioner. If earth or ledge is encountered or in wet or swampy areas 24 inches or more of gravel may be required. Gravel shall be spread in layers not over 9 inches deep and each layer shall be thoroughly compacted before the next is laid. The top 6 inches of gravel shall conform to the April 1995 MDOT specifications - surface gravel. All gravel used shall be approved by the Road Commissioner prior to placement. Cost of testing shall be the responsibility of the developer. Revised July 16, 2002

C. Pavement. All roads shall be paved with hot bituminous concrete or other material in accordance with MDOT specifications and acceptable to the Planning Board. The compacted thickness of the binder course shall be a minimum of 2 inches; the compacted thickness of the surface course shall be a minimum of 1 inch for a total pavement thickness, after compaction, of a minimum of 3 inches. Revised March 19, 2002

## **VIII. REPEAL OF EARLIER STANDARDS**

This ordinance shall repeal the Eddington Road Standards and Section 560 of the Eddington Subdivision Ordinance.

## **IX. CONFLICT WITH OTHER REQUIREMENTS.**

This ordinance shall not repeal, amend, or in any way impair or remove the necessity of compliance with any other regulation, permit, ordinance, or statute. Where this ordinance imposes greater restriction upon the use of land or structures, the provisions of this ordinance shall control.

## **X. CONDITIONS OF ACCEPTANCE**

The Board of Selectmen shall not submit a warrant to town meeting containing an article for the purposes of accepting a dedication of a public way pursuant to 23 MRSA ss 3025, unless and until the way has been constructed in accordance with standards provided in sections VI and VII of this ordinance.

## **XI. ENFORCEMENT**

A. Notice. If the Code Enforcement Officer, after consultation with the Road Commissioner, finds that any provision of this ordinance is being violated at any time, before, during, or after construction, the Code Enforcement Officer shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it, including discontinuation of construction, removal of unacceptable fill, gravel, or pavement, regrading, recompaction, and abatement of any nuisance conditions. Any copy of such notice shall be maintained as a permanent record.

B. Legal Action. When the Code Enforcement Officer's notice does not result in prompt action to correct or abate the violation, the Selectmen, on their own or after notice from the Code Enforcement Officer, are hereby authorized and directed to institute any and all actions and court proceedings, either legal or equitable, including the seeking of injunctions of violations and the imposition of fines, that may be appropriate if necessary to enforce the provisions of this ordinance in the name of the Town.

C. Fines and Attorney's Fees. Any person who fails to take prompt action to correct or abate the violation after receiving written notice of such violations shall be subject to a fine of up to fifty dollars. Each day such violation exists after notice shall constitute a separate offense. If in any action brought in the name of the Town under this ordinance, then such person shall be liable and responsible for the Town's legal fees and court costs and any other costs involved in bringing such suit or action. All fines imposed under this ordinance shall be recovered to the benefit of the Town.

## **XII. VARIANCE**

The Board of Appeals may, upon written application of the affected landowner, grant a variance from the strict application of this ordinance. A variance may be granted when the board finds that such application would cause undo hardship to the petitioner and his property. The words "undo hardship" mean:

1. The land in question cannot yield a reasonable return unless a variance is granted.
2. That the need for the variance is due to the unique circumstances of the property, and;
3. That the hardship is not the result of action taken by the applicant or prior owner.

A variance to section X, Conditions of Acceptance shall not be granted for section VII, Road Construction Standards. All variances shall be made in consultation with the Road Commissioner to ensure the safety and environmental soundness of a variance.

## **XIII. SEVERABILITY**

Should any section of this ordinance be declared by the courts to be invalid, such decision will not invalidate any other section or provision of this ordinance.