

## **CHAPTER 26**

### **STREET ACCEPTANCE ORDINANCE**

#### **ARTICLE I - TITLE, PURPOSE AND DEFINITIONS**

##### **Section 101 Title**

This Ordinance shall be known and may be cited as the "Street Acceptance and Standards Ordinance of the Town of Freeport, Maine.

##### **Section 102 Purpose**

The purpose of this Ordinance is to establish standards for public street design and related drainage needs and procedures for acceptance of streets by the legislative body of the Town.

##### **Section 103 Definitions**

Easement: The right to use or restrict the use of land of another for or to specified purposes.

Performance Guarantee: A monetary pledge conditional upon the faithful performance for completion of proposed public 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 Town Treasurer and issued by a commercial surety qualified to do business in the State of Maine.

Street: A publicly dedicated way accepted or proposed to be accepted by the Town Council.

##### Street Classifications:

1. Arterial Street - a major way that carries traffic through and between communities.
2. Collector Street - a way that carries traffic between Arterial Streets and Minor Streets, including a way having the potential of servicing more than forty (40) units of residential development.
3. Minor Street - a way that carries local traffic from abutting residences or small businesses and having the potential of servicing no more than forty (40) units of residential development.

## **ARTICLE II - ACCEPTANCE PROCEDURES**

### **Section 201 General**

No street shall be laid out and accepted as a public street by the Town of Freeport, Maine, except in accordance with the provisions of this Ordinance. All other ordinances, or parts thereof, in conflict or inconsistent with the provisions of this Ordinance are hereby repealed.

### **Section 202 Petition for Street Acceptance**

A street constructed on private lands by the owner(s) thereof and not dedicated for public travel prior to September 1, 1981, shall be laid out and accepted as a public street by the Town Council only upon the following conditions:

1. The owner(s) shall give the Town a Warranty Deed to the property within the boundaries at the time of its acceptance by the Town.
2. A plan of said street shall be recorded by the owner in the Cumberland County Registry of Deeds at the time of its acceptance.
3. A petition for the laying out and acceptance of said street shall be submitted to the Town Council upon a form prescribed by the Road Commissioner. Said petition shall be accompanied by plans, profiles, typical cross-section and any related easements of said street, on reproducible mylar, as follows:
  - a. An "as-built" plan drawn to scale of either 40 feet to 1 inch or 20 feet to 1 inch and be on one or more sheets not exceeding 36 inches by 48 inches in size. Said plan shall show:
    - (1) Magnetic and true north;
    - (2) All horizontal street alignment data, including any curve data, center line stationing, magnetic bearings of center line tangents, plus any additional data necessary to physically locate said street in the field;
    - (3) Right-of-way width(s);
    - (4) Front and side lot lines of abutting properties together with lengths of front lot lines;
    - (5) Location of existing buildings;
    - (6) Location of street line monuments and property irons;

- (7) Location of natural drainage courses plus all existing storm drainage systems, including any laterals installed for connection to building foundation and/or floor drains;
  - (8) Location of all underground and overhead utilities, including sanitary sewer and building laterals, electrical, telephone, cable TV, water mains, services and hydrants, and poles or street lights;
  - (9) Location of sidewalks, edges of pavement and driveways;
  - (10) Easements showing necessary metes and bounds for location in the field;
  - (11) Name of street and subdivision, if any, in which it is located;
  - (12) The seal of a Maine Registered Land Surveyor or Maine Professional Engineer and certification that the plans reflect an "as-built" condition.
- b. A profile of said street drawn to the same horizontal scale as the plan and a vertical scale of 4 feet to 1 inch. The profile may be incorporated on the plan sheets.

Said profile shall show:

- (1) "As-built" profile of the sidelines and center line;
- (2) Finished grade elevations at least every 50 feet, except at least every 25 feet in vertical curves;
- (3) Center line stationing;
- (4) Street grades, in terms of percent, and all vertical curve data;
- (5) All buildings abutting said street with sill elevations;
- (6) Profiles of all storm drain systems, including pipe sizes and materials, pipe slope and the location and inverts of all catch basins and manholes;
- (7) Existing ground lines prior to construction along the side lines and center lines;
- (8) The seal of a Maine Registered Land Surveyor or Maine Professional Engineer and certification that the plans reflect an "as-built" condition.

- c. A typical cross-section of said street drawn to a horizontal scale of 5 feet to 1 inch, and a vertical scale of 1 foot to 1 inch.

Said cross-section to show:

- (1) Roadway construction elements and thicknesses above subgrade;
- (2) Widths and locations of traveled ways, esplanades, sidewalks and utilities;
- (3) Typical roadway cross-slopes;
- (4) Street line and center line locations.

- d. The location and size of any proposed water mains and hydrants to be in accordance with the Water Main Extension Policy of the Town of Freeport.

### **Section 203 Acceptance of Street Required By The Public Interest**

Notwithstanding the provisions of any other Section thereof, the Town may at any time lay out and accept any street of said Town whenever the general public interest so requires. The cost of said street may be borne by said Town.

### **Section 204 No Street To Be Accepted Until After Report By The Road Commissioner**

No street shall be laid out and accepted by the Town Council until the Road Commissioner or his designee shall have made a careful investigation thereof, and shall have reported to the Town Council their recommendations with respect thereto.

## **ARTICLE III - DESIGN STANDARDS**

## Section 301 General

All streets designated for public use shall be designed and constructed to meet the standards contained herein.

## Section 302 Subdivision Approval of Streets

All streets in the subdivision shall be constructed to meet the standards contained herein according to their classification as recommended by the Road Commissioner and determined by the Project Review Board, except subdivisions in the Freeport Village Overlay District as depicted on the Town of Freeport, Maine, Zoning Map, which shall meet the standards of the Freeport Village Design Standards, Addendum 1 to the Zoning Ordinance of the Town of Freeport, Maine. Before the Project Review Board grants approval of the final plan for a subdivision, the subdivider shall, in an amount set by the Municipal Treasurer with the approval of the Chairman of the Town Council, file with the Municipal Treasurer a Performance Guarantee to cover the full costs of road construction.

## Section 303 Design Standards For Streets

	Arterial Street	Collector Street	Minor Street
1. Minimum Right-of-Way Width	80'	60'	50'
2. Minimum Width of Pavement	44'	36'	24'
3. Minimum Grade (Curbed Section)	.5%	.5%	.5%
4. Maximum Grade	5%	6%	10%
5. Maximum Grade at Street Intersection	2% within 50 ft. of intersection		
6. Minimum Angle of Street Intersection	60°	60°	60°
7. Width of Shoulders (Without Curb)	8'	8'	6'
8. Curbing	Vertical	Vertical	Vertical/ Sloped
9. Minimum Center-Line Radius on Curves	800'	250'	200'
10. Minimum Tangent Length Between Reverse Curves	300'	200'	150'
11. Roadway Crown	1/4"/ft.	1/4"/ft.	1/4"/ft.
12. Minimum Distance Between Street Intersections:			
Same Sides	400'	400'	400'
Opposite Sides	300'	250'	200'
13. Design Speed M.P.H.	45	30	25
14. Road Base (Minimum-See Section 304)	24"	22"	21"
Aggregate Sub-Base Course-Gravel	18"	18"	18"

Aggregate Base Course-Crushed	6"	4"	3"
15. Bituminous Paving (Minimum-See Section 304)	3"	3"	2 1/2"
16. Sidewalks:			
Width (Minimum Where Required)	8'	6'	5'
Aggregate Base Course - Crushed	8"	8"	8"
Surface-Hot Bituminous Pavement	2"	2"	2"
17. Dead-End or Cul-de-Sac Streets			
Width (Right-of-Way)	N.A.	N.A.	60'
Length, Not to Exceed			
Radii of Turn Around at			
Enclosed End:	N.A.	N.A.	1200'
Property Line (Minimum)	N.A.	N.A.	60'
Outer Edge of Pavement (Minimum)	N.A.	N.A.	50'
Inner Edge of Pavement (Minimum)	N.A.	N.A.	30'
18. Curb Radii at Intersections 90 Deg.	30'	20'	15'
60 to 90 Degree Intersections	30'	30'	30'
90 to 120 Degree Intersections	50'	40'	30'
19. Minimum Property Line Radii at			
Intersections	20'	10'	10'

### **Section 304 Pavement Design**

Street pavements shall be designed to have adequate capacity to support the frequency and loadings appropriate for the intended use and to provide adequate protection for frost susceptible subgrades.

The subdivider shall employ a qualified engineer to investigate and determine the types and classifications of the subgrade soils. Supporting computations for pavement standards for construction shall be submitted for review by the Road Commissioner or his designee. If, during construction, subsurface soils vary from original classifications, the pavement design shall be modified to meet the new classification. Revised pavement design shall be submitted to the

Road Commissioner or his designee for review. The subbase and base requirements set forth in Section 303, Design Standards for Streets, shall be considered a minimum for clay, silt, till or ledge subgrades. The bituminous pavement thickness shall be considered the minimum for all streets.

### **Section 305 Roadway Construction and Materials Standards**

Roadway construction materials shall conform to current standard specifications of the Maine Department of Transportation.

### **Section 306 Construction of Arterial Streets**

If a proposed subdivision is presented containing more than one-hundred fifty (150) units of development, or if additional adjacent land owned by the developer or others is available for expansion to a subdivision of more than one-hundred fifty (150) units, the Project Review Board may, at their discretion, require the primary access to be constructed to meet the requirements for arterial street construction as presented herein.

### **Section 307 Continuation of Existing Streets**

Existing streets shall be continued at the same or greater width, as determined by the Road Commissioner, but in no case shall they be extended at less than the original width.

### **Section 308 Cul-de-Sacs**

Use of a hammerhead or T shaped turn-around may be permitted as an alternative to a circular cul-de-sac. In the case of a hammerhead turn-around, the width shall be at least 30 feet wide and 60 feet long (measured from the center line of the abutting street) and shall be located at least 50 feet from the end of the traveled way. Dead end streets shall meet the minimum requirements of minor streets, except dead end streets over 600 feet in length shall have a minimum pavement width of 32 feet throughout.

### **Section 309 Street Names**

Street names shall be proposed by the developer and approved by the Project Review Board. Streets that are continuations of existing streets shall be given the name of the existing street. Names of new streets shall not duplicate or closely approximate those of existing streets.

### **Section 310 Vertical Clearance**

Vertical clearance above the paved surface shall be a minimum of 18 feet.

### **Section 311 Storm Drainage Design Standards**

1. An adequate piped storm drainage system including appurtenances such as catch basins and manholes shall be provided for proper drainage of storm water collected in streets and areas tributary to the street system. Discharge of the collected storm drainage shall be by piped system or ditches, approved by the Project Review Board upon report of the Road Commissioner or his designee. Appropriate conveyances for outlets to drainage systems must be provided.
2. Design Standards

- a. All storm water systems within the subdivision shall be designed to accommodate peak flows of a ten-year frequency storm based on rainfall data from weather bureau records of the Portland Weather Service. Flows shall be computed by the rational method with design computations being submitted for approval.
- b. Upstream drainage shall be accommodated by an adequately sized system through the proposed subdivision for existing conditions and future potential development in the upstream drainage area or areas tributary to the proposed subdivision, as determined by the Project Review Board.
- c. Existing downstream drainage facilities shall be studied to determine the effect of the proposed subdivision's drainage. The developer shall demonstrate to the satisfaction of the Project Review Board that the storm drainage from the proposed subdivision will not cause flows in excess of the capacity of existing storm drainage systems, downstream from the proposed subdivision.
- d. Three-hundred feet (300') shall be considered as the maximum length for carrying open storm water in a street gutter prior to intake at a catch basin. No storm water will be permitted to drain across a street or across an intersection.
- e. Design standards for drainage systems shall be approved by the Project Review Board. Minimum pipe size for any storm drainage pipe shall be 12 inches.
- f. Where open ditches, channels, streams, or natural drainage courses are used, either to collect or discharge storm water, adequately sized perpetual easements shall be provided. Minimum width shall be 30 feet. Approval of the Project Review Board shall be required for any open storm drainage system.
- g. Where subsurface soils are of the nature requiring an underdrainage system, underdrains shall be installed and discharged in a positive manner.
- h. House foundation drains may be connected to the storm drainage system upon approval by and under the direction of the Road Commissioner. The Town shall not be liable for damages caused by or through house foundation drains.



## **ARTICLE IV - CONSTRUCTION STANDARDS**

### **Section 401 Grading**

1. Preparation of sub-base: All streets shall be graded to their full width by the subdivider so that pavements and sidewalks can be constructed on parallel profiles. Due to special topographical conditions, deviation from the above will be allowed only with special approval of the Road Commissioner.
  - a. Clearing - Before grading is started, the entire right-of-way area shall be cleared of all stumps, roots, brush and other objectionable material and all trees not intended for preservation.
  - b. Cuts - Tree stumps and other organic materials shall be removed to a depth of 2 feet below subgrade. Rock and boulders when encountered shall be scarified to subgrade.
  - c. Fill - All materials used in construction of embankments shall be of the qualify to meet Maine Department of Transportation Standard Specifications for embankment construction. Excess materials including organic materials, soft clays, wet and non-compactable materials, shall be removed from the street site. The fill shall be spread in layers not to exceed 12 inches loose measure and then thoroughly compacted. The filling of utility trenches and other confined places shall be mechanically tamped.
  - d. Side Slopes - All side slopes abutting residentially developed lots shall not have a slope steeper than 4 feet horizontal to 1 foot vertical and all other slopes shall not be steeper than 3 feet horizontal and 1 foot vertical.

### **Section 402 Bases and Pavements**

The appropriate sections of the Bases and Pavements Divisions (300 and 400) of the Maine Department of Transportation Standard Specifications currently in effect at the date of construction shall be applicable to this Section except as follows:

#### **Bases**

1. The aggregate subbase course-gravel shall not contain particles of rock exceeding 4 inches in any dimension;
2. The aggregate base course-crushed gravel shall not contain particles of rock that will not pass the 2 inches square sieve.

#### **Pavements**

1. Grading for the surface course of Hot Bituminous Pavement (Grading C-1) shall be as follows:

% By Weight Passing Square Mesh Sieves

Sieve Designation	Grading C-1
1/2"	100
3/8"	75-100
No. 4	50- 85
No. 8	35- 70
No. 16	23- 57
No. 30	15- 44
No. 50	10- 30
No. 100	6- 22
No. 200	3- 8

2. Grading for the base course of Hot Bituminous Pavement shall meet the requirements for binder, Grading B.
3. Where pavement placed joins an existing pavement, the existing pavement shall be cut along a smooth line and to a neat, even, vertical joint. Broken or raveled edges will not be permitted, nor deviation from grade.

### **Section 403 Curbing**

Section 609 of the Maine Department of Transportation Standard Specification shall be applicable to this Section except as follows:

1. Curbing shall be limited to Type 1 (Granite) and Type 3 (Bituminous Concrete);
2. Curbing shall be limited to Granite Stone Curbing (Type 1) for Arterial or Collector Streets;
3. Bituminous Concrete Curbing (Type 3) with a minimum reveal of 6 inches shall be allowed for Minor Streets. However, Type 1 curbing shall be required for radius at all intersections.

### **Section 404 Storm Drains**

1. Hot Bituminous Pavement (Grading C-1) shall be as specified in Section 402. Paving material shall be placed in two 1 inch layers.
2. The Aggregate Base Course shall be crushed gravel as specified in Section 402.
3. All driveway aprons shall be paved with 2 inches of hot bituminous concrete pavement (2-1 inch layers of Grading "C-1") over the base and subbase material specified for the street. Driveway aprons shall be considered to extend from the gutter line or edge of street

pavement to 1 foot beyond the back edge of the sidewalk. In the event no sidewalk exists, paving shall extend to the street line.

## **Section 405 Storm Drains**

1. The following materials are specified for storm drain construction:

- a. Reinforced Concrete Pipe - Reinforced Concrete Pipe shall meet the requirements of ASTM Designation C-76. Pipe classes shall be as required to meet soil and traffic loads with a factor of safety of 1.2 on the .01 in crack strength with a class B bedding. Joints shall be of the rubber gasket type meeting ASTM Designation C 443-70 or of an approved preformed plastic jointing material.
- b. Asbestos Cement Pipe - Asbestos Cement Pipe shall meet the requirements of ASTM C-428. Pipe classes shall be as required to meet soil and traffic loads with a factor of safety of 1.5 on the crushing strength. Joints may be of the rubber gasket type meeting the requirements of ASTM Designation D-1869-63, or may be of the preformed plastic sleeve type.
- c. Corrugated Metal Pipe - Corrugated Metal Pipe shall be bituminous coated meeting the basic requirements of AASHTO Designation M-190 and M-36. Pipe gauge shall be as required to meet soil and traffic loads with a deflection of not more than 5%. Joints shall be by bolted bands with a minimum of 5 corrugations.
- d. Underdrain Pipe - Underdrain Pipe may be of perforated asbestos cement or perforated bituminous coated corrugated metal meeting similar requirements to that of standard drain pipe.
- e. Manholes - Manholes shall be of precast concrete section construction designed to withstand H-20 traffic loadings. Precast sections shall meet the requirements of ASTM Designation C-478. Cones shall be truncated. Bases may be cast-in-place concrete, 3,000 psi, 28-day strength, or may be precast concrete. Castings shall be of grey cast iron conforming to ASTM Designation A-48 for Class 30 grey iron. Brick inverts shall be shaped to the crown of the pipe for sizes up to 18 inches, and to spring line for larger pipes.
- f. Catch Basins - Catch Basins shall be of precast concrete construction designed to withstand H-20 traffic loadings. Castings shall be square cast iron as required for the particular inlet condition with the gratings perpendicular to the curb line. Castings shall be constructed of Class 30 grey iron in accordance with ASTM Designation A-48.

## **Section 406 General Requirement**

1. Trenching - All trenching shall be accomplished in accordance with all appropriate state and federal safety requirements.
2. Maximum trench width at the pipe crown shall be the outside diameter of the pipe plus 2 feet.
3. Pipe shall be bedded in a granular material with a minimum depth of 6 inches below the bottom of the pipe and extending to 6 inches above the top of the pipe.
4. Drain alignment shall be straight in both horizontal and vertical alignment.
5. Manholes shall be provided at all changes in vertical or horizontal alignment, and at all functions. On straight runs, manholes shall be placed at a maximum of 400 foot intervals.
6. Combined manhole-catch basins may be allowed with the approval of the Road Commissioner or his designee.
7. All drain outlets shall terminate in an end wall of concrete construction or shall be riprapped to prevent erosion. Facilities for energy dissipation shall be provided.
8. Underdrains shall be laid with perforations down. Backfill material shall be in accordance with Section 703.22 of the Maine Department of Transportation Standard Specifications for Type B Underdrain Backfill Material.

#### **Section 407 Monuments**

Monuments shall be either granite or concrete, a minimum of 4 inches in diameter or square, and at least 3 feet long with a flat top. Monuments shall be set at all street corners, at all points where the street line intersects the exterior of the subdivision and at angle points and points of curve on each street. The top of the monument shall have an indented cross to properly identify the location and shall be set flush with the finished grade.

#### **Section 408 Review by Superintendent of Public Works**

All streets dedicated for public use within a subdivision approved by the Project Review Board shall be constructed according to road specifications described herein as overseen by the Superintendent of Public Works or his designee.

#### **Section 409 Appeals Process**

Any provision of this Ordinance can be waived by the Freeport Town Council upon the recommendation of the Freeport Project Review Board.