TOWN OF ANDOVER

17 STILLMAN RD.
ANDOVER, MAINE 04216
207-392-3302

ANDOVER ROAD ORDINANCE

Effective Dates
Andover Road Standards
Adopted June 13, 1979
Revised March 19, 2005

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Section 1. Purpose

1.1 The construction of roads can have a major effect upon the safety, municipal services and the environment in Andover. The design and construction of such roads may also effect erosion and water quality, periodic flooding, emergency response vehicles, fire protection, the visual character of the Town, the future of surrounding land and maintenance costs. It is the purpose of this ordinance to promote the health, safety and welfare of Andover residents by setting standards for the design, layout and construction of all new roads.

Section 2. Authority, Applicability and Administration

2.1 The provisions of this ordinance apply to the construction of any new road, extension of an existing road or reconstruction of an existing road in Andover, public or private. The ordinance is known as the Andover Road Ordinance, adopted June 13, 1979 and revised March 19, 2005.

2. 2 No provision of this ordinance shall apply to any State, County or Municipal body or authority, which may lay out, widen or improve any public way, except for the Construction Standards, which will serve as minimum requirements for all road construction in Andover. All Town roads currently designated as such and maintained by the Town are not subject to this ordinance.

2.3 This ordinance shall not repeal |annul, or in any way impair or remove the necessity of compliance with any other regulation, permit, ordinance or statute. Where this ordinance imposes a greater restriction upon the use of land or structure, the provisions of this ordinance shall prevail.

2.4 The Planning Board shall administer this ordinance. The Road Commissioner, Code Enforcement Officer and The Selectmen also have specific duties as defined herein.

Section 3. Definitions and Classifications

3.1 Driveway
A private vehicular access way connecting a house, garage or other structure serving one or two lots.

3.2 Public Easement
An easement held by a municipality for purposes of public access to land or water not otherwise connected to a public way, which confers the right of unobstructed public access by motor vehicle or foot but does not obligate the municipality to repair or maintain the easement.

3.3 Road
Any public or private way designed for vehicular access, other than driveways, farm roads, trails or logging roads. The term "road" includes the normal meaning conveyed by synonymous words including street, avenue, highway, lane and way.

3.4 Public Road
A way or public easement held by any governmental body.

3.5 Collector or Major Street
A public road that carries traffic from community to community.

3.6 Minor or Local Street
While these roads connect to other ways, they are primarily used by vehicles for access to residential dwellings and commercial properties.

3.7 Private Road
A road that is not a public road and is not intended to be accepted by the Town as a public road.

Section 4 Road Construction Standards

4.1 General - The following standards apply according to street classification.

	Collector	Minor	Private
A. Minimum width Of right of way	60'	60'	60'
1. Bridge width (min.) (sidewalks additional)	24'	20'	18'
B. Minimum width of Pavement/Road surface	24'	24'	24'
C. Minimum grade	.5%	.5%	.5%
D. Maximum grade	6%	8%	8%
E. Maximum grade within 75' of Intersection	3%	3%	3%

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

F. Minimum angle @ Intersection	90deg.	60deg.	60deg.
G. Width of shoulder	6'	4'	2'
H. Minimum center-line Radius	200'	150'	100'
I. Minimum tangent on Curves	200'	150'	100'

J. Road base (minimum compacted)	18"	18"	18"
Sub-base (bank gravel)	12"	12"	12"
Upper base (crushed gravel)	6"	6"	6"
K. Bituminous paving	3"	3"	0

Note: If connecting to an existing gravel surface, paving is optional. Paving is required on roads proposed for town acceptance. Where new pavement joins existing pavement, the existing pavement shall be cut along a straight line and shall form a neat and vertical joint.

L. Road crown	¼" ft	¼ " ft.	½" ft. (if gravel)
M. Property line radi at intersection (min.)	10'	10'	10'

N. All safety and identification signs shall be supplied by the applicant.

O. Inspections during construction:

It is the responsibility of the applicant to provide the Road Commissioner and the Planning Board with a construction schedule. The Road Commissioner shall serve as the inspector and may employ the service of a Professional Engineer, registered in The State of Maine, appropriate testing laboratories, and/or he/she may call upon one or more members of the Board of Selectmen, Planning Board or other knowledgeable persons to serve on an inspection team. Each layer of road base, including sub grade preparation, sub base, upper base and pavement must be inspected before the road can be considered acceptable according to the terms in this ordinance. The cost of the Road Commissioner, any third party engineer, and any testing shall be the responsibility of the Applicant.

P. Proposal as a Town road

1. Once a road to be offered to the Town is completed, the Applicant shall submit a written certification signed by a Professional Engineer registered in the State of Maine stating that the road as built meets or exceeds the design and construction requirements of this ordinance. Along with the following information;

A. All information required as outlined in this Ordinance, and

B. Classification of the proposed Town road, and

C. Description and location of all road safety and identification signs to be provided, and

D. Description of how the road will be maintained until Town acceptance and following if the Town does not accept the proposed road.

2. No road shall be accepted by the Town within one year of its completion. The road will be inspected at various times during the year by The Road Commissioner and at the conclusion of the year, by the Planning Board, The Selectmen, Fire Chief, and the Road Commissioner.

3. Within 60 days of the final inspection as outlined above, the proposed acceptance as a Town road will be presented to a Town Meeting. The Town meeting shall either accept or deny the proposal by a majority vote of the citizens of Andover. If accepted, the road and right of way shall be deeded to The Town of Andover at no expense to the Town.

4. There will be a 2 year Guarantee following the Acceptance.

A. The petitioner agrees to guarantee for two years following acceptance that the road was built in accordance with the construction standards of this ordinance and , after receiving written notice from the Board of Selectmen, agrees to reimburse the Town for repairs resulting from any design or construction defects beyond the normal wear and tear from ordinary use. If any legal action is brought against the applicant in the name of the Town in order to collect costs for repairing the road, and the Town prevails, then the applicant shall be liable and responsible for the Towns legal fees and court costs and any other costs involved in bringing such suit or action.

Q. Subdivision Roads

1. New subdivision roads connecting directly to existing private road(s), must upgrade the existing private road(s) to the local road standards, from the point of entrance from a public road onto the existing private road to the point of intersection with the new private road, Where the right of way of the existing road is less than 60 feet, the applicant may request, and the Planning Board may grant, a waiver of the right of way requirement, but not less than 40' (feet), as long as all other construction standards are met.

4.2 Preparation

A. Before any clearing has started on the right-of-way, the centerline and sidelines of the new road shall be staked or flagged at 50' (foot) intervals.

B. Before grading is started, the width necessary for travel way, shoulders, sidewalks, drainage ways and utilities, shall be cleared of all stumps, roots, brush and other objectionable material. All ledge, large boulders, tree stumps and roots protruding above the sub grade be removed from the traveled way, shoulders, sidewalks and drainage ways.

C. All organic materials shall be removed to a depth equal to the road base depth requirements as described in Section 4,sub-section 4.1, sub-section J.. Rocks exceeding 12" (inches) in diameter shall be removed to a depth of 2' (feet) below the sub grade of the roadway. On soils, which have been identified as not suitable for roadways, the subsoil shall be removed from the street site to a depth of 2' (feet) below sub grade and replaced with material meeting the specifications for aggregate sub-base as stated below. All boulders and ledge shall be broken off to a depth of not less than 6" (inches) below sub grade. All base and sub base materials will be placed at the optimum moisture content to achieve the desired compaction. The maximum compacted thickness of any layer shall not exceed 12". Compact all base and sub base material to at least 90% of the maximum density as determined in accordance with ASTM D698. Determine in

place density using ASTMD1556 or D2022 or other method approved by the Board. The Board shall determine the frequency of in place testing required.

D. Bases and Pavement

1. Sub-base

A. The aggregate Sub-base coarse shall consist of granular material containing hard durable particles with reasonably uniform distribution in size from the largest to the smallest particles. Materials that have abnormally high absorption characteristics or that break up when alternately frozen and thawed or wetted and dried shall not be used. The material passing a 3" (inch) sieve shall not contain more than 7% (percent) passing a No. 200 mesh sieve. The base coarse shall not contain any rocks larger than 6" (inches) in diameter. Sub-base shall be free of vegetable matter, lumps or balls of clay and other deleterious substances and shall be rolled and compacted to its proper thickness.

2. Upper base

A. The aggregate Upper base coarse shall consist of gravel and contain no particles larger than 2'"(inches) in diameter and shall not contain more than 5% (percent) passing a No. 200 mesh sieve. Upper base coarse shall be free of vegetable matter, lumps or balls of clay and other deleterious substances and shall rolled and compacted to its proper thickness.

NOTE: The applicant may request, to The Planning Board and The Road Commissioner, that the amount of road base gravel be reduced if the land under the road is stable.

3. Pavement

A. An all weather flexible type pavement shall be of 2" or 2 ½" (inch) Hot Plant-Mixed Bituminous paving depending on street classification.

E. Drainage

A. Adequate provisions shall be made for the disposal of all surface and underground water through ditches, culverts, under drain and/or storm water drainage systems. Culverts shall be not less than 15" (inches) in diameter and not less than 24' (feet) in length, except that a culvert placed more than 3' (feet) below surface shall not be less than 30' (feet) in length. Culverts shall be installed with headers to prevent erosion. Culverts shall be galvanized corrugated metal pipe or other man made materials approved by The Planning Board and Road Commissioner. All culverts shall accommodate, at a minimum, the anticipated 25-year flood level.

B. A corrugated metal perforated under drain pipe, or other man made materials approved by The Planning Board or Road Commissioner, of at least 6" (inches) in diameter, shall be installed to properly drain all springs or areas where ground water level is too high and could constitute a hazard to the stability of the roadway base.

F. Ditches

A. A minimum drop of three (3') feet from shoulder to ditch bottom, with ditch bottom being no less than one (1') foot wide, with back slope no steeper than two (2) to one (1). Ditch bottom should be one (1') foot wide at bottom to allow for build up from leaves and grading procedures.

G. Bridge Structures

A. Where bridge structures or reinforced concrete box culverts in excess of 48" diameter are required to cross streams, detailed design plans provided by a Professional Engineer, registered in The State of Maine, shall be submitted with the application . All bridges large culverts shall be designed to accommodate, at a minimum, the anticipated 50-year flood level.

H. Side slopes shall be no steeper than a slope of 3' (feet) horizontal to 1' (foot) vertical and shall be graded, loamed and seeded.

A. When unusual conditions require side slopes exceeding 3:1, guard rails may be used for pedestrian or vehicle safety. Guard rails may be constructed out of any material MDOT approved, including but not limited to wood.

I. No new stone walls, retaining walls, or solid fencing shall be constructed within the right of way, within 8' (feet) of the edge of any traveled right of way.

J. Scenic View Locations;

A. When a proposed road or the reconstruction of an existing road will pass a scenic view location, as identified by the Town of Andover, road design shall provide shoulders of suitable width or turn-outs to allow vehicles to safely enter/leave the traveled way at the scenic view location.

Section 5 Road Names

5.1 All roads shall be named, subject to approval by The Planning Board and Fire Chief. If unnamed, The Planning Board and Fire Chief will name the proposed road.

5.2 Town approved road signs will be erected at the intersections of all new roads subject to approval of Fire Chief at the applicants expense.

Section 6 Permits

6.1 Prior to initiating the construction, reconstruction, or extension of any road, a person must obtain a Permit from The Planning Board and submit a plan, suitable for recording.

6.2 Applicants for proposed roads that will provide access to Routes 5 and Routes 120 must also obtain an Entrance Permit from The Maine Department of Transportation and submit a copy to The Planning Board.

6.3 Applicants wishing to build a road or bridge involving a stream crossing must obtain a Natural Resources Protection Act Permit from The Maine Department of Environmental Protection.

Section 7 Applicable Fees

7.1 The Application Fee for a Road Permit shall be determined by the Selectmen, after a public hearing.

A. All phases of road construction will require to be inspected. The Applicant will be assessed the cost of the inspection and any necessary testing.

Section 8 Application Requirements

The following information shall be submitted to The Planning Board as part of the application for a Road Permit (3 copy's).

1) Name of applicant(s).

2) Names of the owners of record of the land.

3) Any legal encumbrances on the land upon which the proposed road is located.

4) Statement of who will own the road following the construction, by what legal instrument, and who will be responsible for all road maintenance. A copy of any road association agreements.

5) The estimated volume and type of traffic to use the road.

6) The anticipated starting and completion dates of each phase of road construction.

7) A description of storm water management and drainage way provisions. Together with supporting assumptions and calculations.

8) An illustrated plan showing; the direction of magnetic north; the starting and ending point of the proposed road with relation to established roads and any planned or anticipated future extensions; the boundary lines of all properties abutting the proposed road, including any new lots created; All natural waterways; the location and profile of all existing and proposed drainage structures; the design and profile of the entire road; the design and profile of the first 25 feet of proposed road closest to any Town road intersection; if proposed to be over 800 feet, in length, the design of a emergency turnaround; and the location of all existing or proposed overhead and underground utilities.

9) Description of how the road will be maintained.

Section 9 Enforcement and Appeals

9.1 This ordinance shall be enforced in accordance with the enforcement provisions of the Town's Land use Ordinance and enforced by the Code Enforcement Officer.

9.2 Any person aggrieved by a decision of the Planning Board, the Selectmen or the Road Commissioner, may appeal such a decision to the Board of Appeals.

Section 10 Amendments

This article may be amended by a majority vote at the Annual Town Meeting or a Special Town Meeting. Amendments may be initiated by a majority vote of the Planning Board or by request of the Board of Selectmen or on petition to the Board of Selectmen by voters numbering no fewer than 10% of the votes cast in the last general election in the Town. The Planning Board shall conduct a public hearing on any proposed amendment.

This was voted in at Town Meeting on March 19. 2005 to replace 1979 road ordinance.

Elaine Morton Town Clerk