Chapter 17
Streets and Sidewalks
Article II
Street Acceptance
City of Old Town

Adopted by City Council 8/4/2008

Chapter 17
STREETS AND SIDEWALKS

ARTICLE II. STREET ACCEPTANCE

Sec. 17-34. Compliance with and waiver of provisions.

No street or way shall be laid out and accepted as a street or way by the city except in accordance with the provisions of this chapter. The board of street commissioners and city engineer may waive provisions of this chapter when in their opinion the intent of this chapter would not be carried out due to adverse topographical, physical, or safety conditions.

Planning Board approval is also required for waivers in streets in approved subdivisions.

Sec. 17-35. Acceptance of streets dedicated, constructed and used for public travel prior to April 16, 1973

A street or way dedicated, constructed, and used for public travel prior to April 16, 1973 shall be laid out and accepted as a public street or way by the city only upon the following conditions:

(1) Said street or way shall have a minimum right-of-way width of fifty (50) feet unless it is not practical due to existing building structures or that a wider street is not recommended by the city engineer.

(2) A plan of said street or way shall have been recorded in the Penobscot County Registry of Deeds prior to April 16, 1973

(3) A majority in number of the abutters on said street or way shall in writing petition the city council to accept said street.

(4) The street shall conform to the requirements of section 17-36(c) of this chapter.

Sec. 17-36. Acceptance of streets not previously dedicated, constructed and used for public travel.

A street or way constructed on private lands by the owner thereof for public travel shall be laid out and accepted as a public street or way by the city only upon the following conditions:

(A) Submittals

(1) Petition – A petition for the laying out and acceptance of said street or way shall be submitted to the city council upon a form to be prescribed by the city engineer.

(2) As-Built Plans, Profiles and Crossections

(a) A plan shall be drawn at a scale of fifty (50) feet to the inch, unless another scale has been approved by the city engineer, and to be on one or more sheets standard size twenty-four (24) inches by thirty-six (36) inches plan and profile paper.

(b) A typical street section shall be drawn at a scale not less than five (5) feet to the inch. This typical section shall show pavement, cross slope, width, depth and type; roadway substructure; sidewalk location, surface and base; location of sewer and water lines; and all other important aspects of the roadway section.

(c) A center line profile of the street or way shall be drawn on the same sheet as the plan to a horizontal scale thirty (30) feet to one inch and a vertical scale of five (5) feet to one inch.

(d) Cross sections shall be drawn at a horizontal and vertical scale of five (5) feet to one inch at intervals not greater than fifty (50) feet along the street and shall show the existing ground, the proposed section of the street, sidewalk and similar improvements so as to illustrate the relation of finish grades to the existing ground within and adjacent to the street. The cross section shall show the information for a minimum of ten (10) feet beyond both side lines of the street.

(d) Certification by a Maine Registered Professional Engineer that he/she has inspected the street and has found that the street conforms to good engineering practices and the ordinances of the City of Old Town

(B) General Requirements - Said street or way shall prior to acceptance by the city council be constructed in accordance with the following specifications:

(1) Table of geometric and other standards.

Proposed Street Standards

	Residential			Commercial/Industrial	
	Local	Local Rural	Collector	Service	Arterial
Minimum Right of Way Width	60'	60'	60'	60'	80'
Minimum Right of Way Radii at Intersections	20'	20'	25'	25'	25'
Minimum Roadway Construction					
Number of Lanes Required (Minimum)	2	2	2	2	2
Travel Lane Width	11'	12'	11'	12'	12'
Surface Type	Paved	Paved	Paved	Paved	Paved
Minimum Shoulder Width & Surface Treatment					
Number of Shoulder Required	2	2	2	2	2
Shoulder Width	4'	6'	4'	6'	8'
Surface Type	Paved	Gravel	Paved	Paved	Paved
Minimum Vertical Grade	1%	1%	1%	1%	1%
Maximum Vertical Grade	7%	7%	5%	5%	5%
Minimum Vertical Curve Site Distance Design Speed ****	20 MPH	20 MPH	25 MPH	25 MPH	30 MPH
Maximun Grade at Intersections (Plus or Minus)	3 % within 50'	3 % within 50'	3 % within 50'	3 % within 75'	3 % within 75'
Minimum Angle of Intersections	75	75	75	75	75
Minimum Sight Distance for Every 10 MPH at Highest Speed	100'	100'	120' 100'	120' 100'	150'
Minimum Centerline Radii on Curves	200'	200'	500'	500'	800'
Minimum Tangent Length Between Reverse Curves	100'	100'	200'	200'	300'
Minimum Cul-de-sac Property Radius	100' 68'	100' 68'	100' 68'	100' 75'	100'
Maximum innerr edge of pavement	25	25	25	30	
Maximun outer edge of pavement	55	55	55	60	
Minimum pavement width	30	30	30	30	
Roadway Cross-section Detail					
Roadway Cross Slope	2%	2%	2%	2%	2%
Subbase Gravel Depth - MDOT Type "D"	15"	15"	18"	18" ***	21"
Base Gravel Depth - MDOT Type "A"	3"	3"	3"	3"	3"
Shoulder Surface Gravel Depth - MDOT Type "A"		6"			

Bituminous Pavement Depth					
Binder - MDOT Type "B" or 19 mm	1 3/4"	1 3/4"	2 3/4"	2 3/4" ***	4 3/4"
Surface - MDOT Type "C" or 9.5 mm	1 1/4"	1 1/4"	1 1/4"	1 1/4"	1 1/4"
Side Slopes					
Inslope					
Minimum Slope	3' H / 1' V Max.	3' H / 1' V Max.	3' H / 1' V Max.	3' H / 1' V Max.	3' H / 1' V Max.
Minimum Loam Thickness	4"	4"	4"	4"	4"
Backslope					
Minimum Slope	3' H / 1' V Max.	3' H / 1' V Max.	3' H / 1' V Max.	3' H / 1' V Max.	3' H / 1' V Max.
Minimum Loam Thickness	2"	2"	2"	2"	2"
Roadway Drainage					
Minimum Ditch Grade	2%	2%	2%	2%	2%
Minimun Ditch Depth below Subgrade	6"	6"	6"	6"	6"
Sidewalks					
Number of Sidewalks Required	1	0	1	1	2
Sidewalk Cross-section Construction					
Sidewalk Width	5'		5'	5'	6'
Sidewalk Slope	2%		2%	2%	2%
Subbase Gravel Depth - MDOT Type "D"	12"		12"	12"	12"
Bituminous Pavement Depth - MDOT Type "C" or 9.5 mm	2"		2"	2"	2"
Esplanade					
Minimum Width	N/A	N/A	2'	2'	4'
Minimum Loam Thickness			4"	4"	4"
Driveways					
Minimum Width	12'	12'	12'	14'	18'
Subbase Gravel Depth - MDOT Type "D"	15"	15"	15"	18"	18"
Bituminous Pavement Depth - MDOT Type "C" or 9.5 mm	3"	3"	3"	3"	3"
Minimum Culvert Size	15"	15"	15"	15"	15"

Local Rural - Pertains to Zones R-3, R-3A & R-4

* Right of Way Width may be reduced to 50 feet if subsurface drainage is used
Right of Way Width for roads in subdivisions approved by the planning board prior to May 2003 may be reduced to 50 feet.

** Specification for driveways constructed prior to acceptance of street

Driveways constructed after acceptance must be approved by the Director or Public Works Department and meet standards of Chapter 17, Article III (Street Openings)

*** Street Commisioners or Planning Board may require greater thickness if road used for heavy truck traffic.

**** All roads must meet AASHTO criteria for the selected design speed and expected traffic volume.
The design speed shall also serve as the posted speed for the road

(2) Continuation of existing streets. Existing streets will be continued at the same or greater width, but in no case should they be extended at less than the original width.

(3) *Dead Ended Streets.* All dead ended streets shall be provided at the closed end with a circular turnaround, having a property radius of sixty-eight (68) feet and a traveled way radius of fifty-five (55) feet.

Dead ended streets in excess of 1000 feet to the start of the cul-de-sac will be reviewed by the Fire Chief for fire safety concerns. The Fire Chief will make a recommendation to the city council prior to acceptance.

For dead ended streets dedicated, constructed and used for public travel prior to 1973, the following will be required:

For streets within the hydrant district:

0-300 feet in length, turnarounds may be omitted.

300-600 feet in length, a Y shaped turnaround may be used instead of the circular turnaround. The Y shaped turnaround has legs which have center lines which are at 120 degrees to each other. The legs will have 25-foot wide pavement with 2-foot wide gravel shoulders and each leg shall be at least 40 feet in length, measured along the center line.

Over 600 feet in length, circular turnarounds as described above will be required.

For streets outside the hydrant district:

0-400 feet in length, Y shaped turnarounds as described above may be used.

Over 400 feet in length, circular turnarounds as described above will be required.

(4) *Roadway structure.* In all cases the pavement structure of streets and ways shall be designed in accordance with the local soil conditions and anticipated service loads. Design shall be based on current design procedures and approved by the city engineer.

(5) *Storm drainage.* All streets shall be provided with adequate open or underground drainage facilities when, in the opinion of the city engineer, they are necessary to provide for the removal of storm water to prevent flooding of pavement and erosion of adjacent surfaces. If underground drainage is provided, curbing will be installed unless waived by the Street Commissioners and the City Engineer. Appropriate erosion control measures will be incorporated into the design to minimize any potential erosion problems.

(6) Blocks. The length, width and shape of blocks shall be determined with due regard to:

(a) Provision of adequate building sites suitable to the special needs of the type of use contemplated;

(b) Zoning requirements as to lot sizes, dimensions and density;

(c) Needs for convenient access, circulation, control and safety of street traffic;

(d) Limitations and opportunities of topography;

(e) Block lengths shall not exceed one thousand (1,000) feet or be less than five hundred (500) feet; and no block shall be more than five hundred (500) feet in width nor less than two hundred (200) feet for residential use. This restriction shall not apply in a rural district provided that each lot in each

(7) Phased Developments – The city council may accept a street without the cul-de-sac being paved if the developer proposes an extension of the proposed street within three years with the following conditions.

(a) The cul-de-sac is completely constructed except for the pavement.

(b) An easement is given to the city to plow the cul-de-sac.

(c) An escrow account or a bond has been established for twice the cost of paving the cul-de-sac

(8) Loam and Seed – All loam shall be of a quality and thickness to grow the type of vegetation proposed. The seed or vegetation shall be first quality and appropriate for the location.

(C) Order of Construction

(1) Said street or way shall be cleared of all stumps, roots, brush, perishable material and all trees not intended for preservation to a width five (5) feet outside the improved area. All loam, loamy material and clay shall be removed from said street or way to the depths specified by the city engineer before any subsurface pavement structure is constructed.

(2) Any storm or sanitary sewer, or other underground utilities in said street or way shall be constructed before any subsurface pavement structure is constructed.

(D). Inspection of Required Improvements

(1). At least fifteen (15) days prior to commencing construction of required improvements, the subdivider shall notify in writing the City Engineer of the time when he proposes to commence construction of such improvements so that the City can cause inspection to be made to assure

that all specifications and requirements shall be met during the construction of required improvements, and to assure the satisfactory completion of improvements and utilities required by the Planning Board. Inspection shall be made of all required public improvements as defined above.

(2). At least five (5) days prior to commencing construction of required improvements, the subdivider shall pay an inspection fee equal to the estimated cost of inspection by an engineer appointed by the City, payable by check to the City of Old Town stating the purpose of the fee. No work shall begun until the inspection fee has been paid. This inspection fee covers the cost of inspecting improvements as they are constructed.

(3) If at any time before or during the construction of the required improvements it is demonstrated to the satisfaction of the inspector that unforeseen conditions make it necessary or preferable to modify the location or design of any required improvement, the inspector may, upon approval of the City Engineer and Public Works Director may authorize modifications, provided these modifications are within the spirit and intent of the Planning Board's approval and do not extend to the substantial alteration of the function of any improvements required by the Planning Board. Unexpected conditions sometimes require changes to plans during construction. Rather than stop the project until the plans are revised and approved by the Board, the City Engineer and Public Works Director with the advice of the inspector, can allow reasonable changes.

(4). Upon completion and final inspection of all required improvements, any funds remaining in a project's inspection fee account, after all inspection fees have been paid, shall be returned to the subdivider.

(5). The applicant shall be required to maintain all improvements and provide for snow removal on

streets and sidewalks until acceptance of said improvements by the City Council.

(6) The construction shall be inspected and street has been constructed in compliance with good engineering practices and the ordinances of the City of Old Town.

(7) The Board of Street Commissioners shall inspect the street:

(a) Prior to the placement of pavement and after the subsurface improvements have been completed.

(b) Upon final completion of the proposed street.

(C) When deemed necessary by the City Engineer, Public Works Director or the City Manager

(E) Testing - Construction testing will be by a certified testing laboratory. Test results will be required for gravel gradation and density as well as pavement density. Test requirements will be according to the most recent revision of MDOT Standards and Specifications.

(F) The City Council may accept the street if all the requirements of this article have been substantially met except curbing, sidewalks and final paving. If these are not completed the applicant must arrange for some type of performance guarantee prior to acceptance. The type and amount of performance guarantee shall be approved by the City Council. Final construction of the street to be completed within 24 months of the date of acceptance of the street

Sec. 17-37. Acceptance of streets required by the general public interest.

Notwithstanding the provisions of sections 17-35 and 17-36 of this article, the city council may, at any time, lay out and accept any street or way in the city as a public street or way of said city, the cost thereof to be borne by said city, whenever the general public interest so requires.

Sec. 17-38. Report by planning board, board of street commissioners, *Public Works Director* and city engineer required.

No street or way shall be laid out and accepted by the city until the planning board, street commissioners, *Public Works Director* and the city engineer shall have made a careful investigation thereof and shall have reported to the city council their recommendations with respect thereto. Approval by the Planning Board of a subdivision with a proposed street constitutes a recommendation to the city Council.

Sec 17-39 Street Name

Street naming and numbering shall be governed by Article IV of this Chapter.

Sec. 17-40 Public Hearing

The City council shall prior to acceptance of a street conduct a public hearing on the matter.

Sec. 17-41Plan to be Recorded in Registry of Deeds.

Following acceptance by the City Council the petitioner shall record a plan of said street in the Penobscot County Registry of Deeds.

Secs. 17-42--17-64. Reserved.