

CHAPTER 8 - STREET CONSTRUCTION STANDARDS

801 SHORT TITLE - This Chapter shall be known and cited as Street Construction Standards.

802 PURPOSE - The purposes of these Standards are to establish construction standards for public and private ways, including but not limited to street, roads, lanes, alleys, et al, hereinafter called "street."

803 ADMINISTRATION - These Standards shall be administered by the Planning Board, hereinafter called "Board." Standards for repairs and maintenance shall be administered by the CEO. ¹⁵⁷

804 APPLICABILITY

- A. New Construction - These Standards shall apply to the construction of any and all streets within the Town. A street shall be accepted only if it meets the full provisions of this Chapter.
- B. Alterations - Alterations, including widening, lengthening, and other improvements, shall be consistent with Sections 807 and 808 of this Chapter.
- C. Repairs to and Maintenance of Privately Owned Streets - Repairs, except emergency repairs, and maintenance of privately owned streets shall be conducted in accordance with Section 812.2. ⁹⁹
- D. Higher Design and Construction Standards - Nothing in this Chapter shall be construed to prevent the design and construction of any street meeting higher standards or using higher quality materials and improved methods.

805 APPLICATION PROCEDURE

805.1 Submission Requirements - Plans, Drawings and Illustrations submitted shall consist of one or more reproducible, stable base transparent originals, to be filed at the Municipal Office. In addition, nine (9) copies of Plans, Drawings and Illustrations and all accompanying information shall be delivered to the Code Enforcement Officer no less than seven (7) days prior to the meeting. Space shall be provided on the Plans Drawings and Illustrations for the signatures of the Planning Board and date with the following words. Approved: Town of Poland Planning Board. The submissions shall contain the following: ⁹⁹

- A. The name(s) of the Applicant(s);
- B. The name(s) of the owner(s) on record of the land for the location of the proposed street or, in the event of existing street, the name of said existing street;
- C. A statement of any legal encumbrances on the land for the location of the proposed street;
- D. The anticipated starting and completion date of each major phase of construction; and
- E. A statement indicating the nature and volume of traffic anticipated on an average daily basis.

805.2 Plans - The Plans, Drawings and Illustrations submitted as part of the application shall be prepared by a State of Maine registered Professional Engineer or a State of Maine registered Land Surveyor and shall include the following information:

- A. The scale of plans shall be one (1) inch = fifty (50) feet horizontal and one (1) inch = five (5) feet vertical;
- B. The direction of the magnetic north and or grid north;¹⁵⁸
- C. Centerline profile and typical cross section of proposed street;
- D. The points of beginning and ending shall be correlated to established streets, said points at street centerline shall be identified by survey stationing;

¹⁵⁷ Amended 4-26-2003

¹⁵⁸ Amended 4-4-2015

- E. The right-of-way (ROW), existing structures and landmarks shall be properly correlated to the centerline of the proposed street;
- F. Lineal and angular dimensions necessary to locate boundaries, lots, subdivisions, easements, and building lines;
- G. The lots, if any, as laid out and numbered, on a subdivision plan or the Town of Poland Property Parcel Maps, on said street, showing the name(s) of abutting property owner(s);
- H. All waterways and water bodies in or on land contiguous to said street;
- I. The kind, size, location, profile, and cross section of all existing and proposed drainage ways and structures with their relation to existing waterways and water bodies;
- J. Soil Erosion and Sedimentation Control Plan showing interim and final control provisions;
- K. Horizontal and vertical curve data depicting the following on the Plan and Elevation Drawing:
 - 1. Horizontal curves, shown along the centerline of street, expressed in degrees defined as the angle subtended by a chord of one hundred (100) feet. The Plan shall include the radius of each curve, the point of curve (PC) at the beginning, and the point of tangent (PT) at the end of the curve.
 - 2. Vertical curves along the centerline of street to be shown on the elevation (profile) drawing with the approach and departure gradients expressed as a percent thereto.
- L. The limits and location of proposed sidewalk and curbing; and
- M. The location of all existing and proposed overhead and underground utilities, to include but not limited to the following:
 - 1. Water and sewer lines;
 - 2. Drains, pipes, and culverts;
 - 3. Overhead power, telephone, and other communication lines;
 - 4. Underground power, telephone and other communication lines; and
 - 5. Street lights and traffic control signals.

Note: When a location of underground utility is only an approximate, it shall be noted as such on the plan.

- N. The name(s) of each proposed new street.
- O. All plans submitted shall be referenced to the following published horizontal and vertical datums:¹⁵⁹
 - 1. Horizontal Datum - Maine State Plane coordinates West Zone (FIPS zone 1802), North American Datum of 1983 (NAD83), using the U.S. Survey foot as the unit measure
 - 2. Vertical Datum - North American Vertical Datum of 1988 (NAVD88) Vertical Datum using the U.S. Survey foot as the unit measure.
- P. All plans submitted shall include two (2) labeled boundary monuments that are label with the horizontal and vertical coordinate values. Label description to include where on marker the vertical coordinate value was

¹⁵⁹ Added 4-4-2015

established.¹⁶⁰

805.3 Board Action - Upon receipt of Plans for a proposed public street, the Board shall forward one (1) copy to the Municipal Officers and one (1) copy to the Road Commissioner for review and comment; Plans for a street not proposed to be accepted as a public street by the Municipality shall be sent to the Road Commissioner for review and comment.

805.4 Streets Within Proposed Subdivisions - Streets proposed as part of a Subdivision, as defined, shall be submitted to the Board as an integral part of the Subdivision application. The Subdivision application and Plans shall conform with the full provisions of this Chapter and Code.

805.5 Application Review

- A. Complete Application - Within thirty (30) days from the date of receipt of an application, the Board shall notify the applicant in writing that either the application is complete or, if incomplete, the specific additional material needed to make it complete. A determination by the Board that the application is complete commits or binds in no way the Board to the adequacy of the application to meet the requirements of this Code or Chapter.
- B. Application Approval - Within thirty (30) days of a Public Hearing, or within sixty (60) days of having received the complete application, or within such other time limit as may be mutually agreed to, the Board shall grant or deny approval on such terms and conditions as it may deem advisable to satisfy this Code and Chapter and to preserve the public health, safety, and welfare. In all instances, the burden of proof shall rest upon the applicant. In issuing its decision, the Board shall make a written finding of fact establishing that the application does or does not meet the provisions of this Code and Chapter.
- C. Public Hearing - The Board may hold a Public Hearing within thirty (30) days of having notified the applicant in writing that a complete application has been received and shall cause notice of the date, time, and place of such hearing to be given to the applicant and all property owners abutting the proposed street, and to be published in a newspaper of general circulation in Poland at least two (2) times, the first publication to be at least seven (7) days prior to the hearing. Public Hearings shall be conducted in accordance with the procedures in Title 30-A, M.R.S.A. Section 2411, Subsection 3 A, B, C, D, and E.

806 ACCEPTANCE OF PUBLIC STREET - Approval by the Board of proposed public street shall not be deemed to constitute nor be evidence of acceptance by the Town of said street. Final acceptance of said public street shall be by affirmative vote at an annual Town meeting.

807 DESIGN STANDARDS FOR STREETS

807.1 General Standards

- A. Street shall meet all design standards controlling roadway, shoulders, curbs, sidewalks, drainage systems, culverts, and other appurtenances.
- B. Street shall be designed to discourage through traffic within a residential Subdivision.
- C. The character, extent, width, and grade of street shall be considered in relation to existing or planned streets.
- D. Where a Subdivision abuts an existing narrow street (not meeting the width requirements of the Standards for Street of this Chapter) or when the Town of Poland Comprehensive Plan indicates need to realign or widen a street that would require use of some of the land in the Subdivision, the Plan shall indicate reserved areas for realigning or widening the street and the Plan marked "Reserved for Street Realignment or Widening Purposes." Such reserved land shall not be included to compute lot area or setback requirements.
- E. Where a Major Subdivision abuts or contains an existing or proposed arterial street, no residential lot may have vehicular access directly unto the arterial street. This requirement shall be noted on the Plan and made a part of the deed description of the lots with frontage on said Arterial Street.
- F. Any street that is a new street, expansion of an existing street, or a street in a subdivision serving fifteen (15) lots

¹⁶⁰ Added 4-4-2015

or dwelling units or more shall have at least two (2) connecting points with an arterial street or collector street. Those two connecting points must be separated by a minimum distance equivalent to the safe sight distance for the collector or arterial street as measured in a straight line, from centerline to centerline of the connecting streets. For the purpose of this subparagraph F, all dead ends streets that intersect or connect with each other shall be considered a single street and all lots or dwelling units having access to any of the intersecting or connected dead end streets shall be counted in determining whether the total fifteen (15) has been reached.¹⁶¹

- G. The centerline of street shall be the right-of-way (R/W) centerline.
- H. The following Design Standards shall apply for each type of street:

Type Description	I		III			IV ¹⁶²
	Arterial	Collector	Minor	Private	Mobile Home Park	Back Lot
Min. R/W Width	80'	60'	60'	60'	23'	60' ⁽³⁾
Min. Pavement or Gravel Travel Width	24-44'	24'	20'	20'	20'	12'
Min. Shoulders	5' ¹	3' ¹	3' ¹	3' ¹	3' ¹	2' ¹
Sidewalk ²	5-8'	5'	5'	N/A	5'	N/A
Max. Gradient	5.00%	6.00%	10.00%	10.00%	10.00%	12.00%
Min. Radius at Centerline	800'	200'	150'	150'	150'	150
Min. Tangent Between Reverse Curves	300'	200'	100'	100'	100'	N/A
Pavement or gravel Crown	1/4"/ft.	1/4"/ft.	1/4"/ft.	N/A	1/4"/ft.	1/2"/ft
Angle at Intersections (Degrees)	85-95	85-95	90	90	90	75
Max. Gradient Within 75' of Intersection	2.00%	2.00%	2.00%	2.00%	2.00%	3.00%
Min. Curb Radius at Intersections	30'	20'	15'	15'	15'	15

Table 807.1 / STREET DESIGN STANDARDS

1. For Roads or Backlot Driveway terminuses the road shoulders shall be extended an additional one (1) foot along the road terminus and turnouts from the first point of curvature to the return point of tangency of the hammerhead turnout or the cul-de-sac.¹⁶³
2. Sidewalks shall be required for all public road/street designs proposed in the Downtown Village District. Designs for Public Road/Streets to be located in all other zoning districts may include designated areas for sidewalks, or other means of pedestrian access, but may not be a requirement. Final approval for all sidewalk locations in districts other than the Downtown District, with their associated design details which are planned for or intended to be supplemental to a public street(s) offering, or for any path, trail, or access intended to be used by the general public with the intent to be accepted, or maintained by the Town of Poland shall be reviewed and approved by the Planning Board.¹⁶⁴
3. The Planning Board may approve a back lot driveway right-of-way with a minimum width of fifty feet (50') if it determines that no alternative exists. The right of way must be conveyed by deed recorded in the Androscoggin County Registry of Deeds to the owner of the back lot.¹⁶⁵

807.2 Dead End Streets

- A. In addition to the Design Standards above, dead end streets shall be constructed to provide a cul-de-sac or

¹⁶¹ Amended 4-29-2006 / 4-7-2007 / 12-6-2014
¹⁶² Added 4-4-2015
¹⁶³ Added 12/6/2014
¹⁶⁴ Added 12/6/2014
¹⁶⁵ Added 4-4-2015

hammerhead turn-around with the following minimum requirements also see appendix A:¹⁶⁶

1. Residential Circular Cul-de-sacs

- a. Minimum outside cul-de-sac radius with property line seventy (70') feet. Return tie back radius shall be a minimum fifteen (15') feet
- b. Minimum radius to the outer edge of pavement or curb line fifty-five (55') feet.
- c. A center vegetated circle with radius to the inner edge of pavement or curb line a minimum thirty (30') feet.
- d. Cul-de-sacs shall meet the same minimum road standards as set forth in Chapter 8 as that for the rest of the roadway to which the cul-de-sac attaches, with exceptions that the surface cross slope grades may be modified to accommodate matching topography, as long as adequate measures for runoff collection or conveyance have been provided such that no ponding of drainage will occur over or along the terminus section.

2. Residential Circular Offset Cul-de-sacs

- a. Minimum outside cul-de-sac radius with property line seventy (70') feet. Return tie back radius shall be a minimum fifteen (15') feet
- b. Minimum radius to the outer edge of pavement or curb line fifty-five (55') feet.
- c. A center vegetated circle with radius to the inner edge of pavement or curb line a minimum fifteen (15') feet located along the inside facing radius and minimum thirty-five (35') feet on the outside facing radius of the same island.
- d. Cul-de-sacs shall meet the same minimum road standards as set forth in Chapter 8 as that for the rest of the roadway to which the cul-de-sac attaches, with exceptions that the surface cross slope grades may be modified to accommodate matching topography, as long as adequate measures for runoff collection or conveyance have been provided such that no ponding of drainage will occur over or along the terminus section.

3. Commercial or Industrial Circular Cul-de-sacs

- a. Minimum outside cul-de-sac radius with property line eighty feet (80'). Return tie back radius shall be a minimum fifteen (15') feet
- b. Minimum radius to the outer edge of pavement or curb line seventy feet (70').
- c. A center vegetated circle with radius to the inner edge of pavement or curb line a minimum forty (40') feet.
- d. Cul-de-sacs shall meet the same minimum road standards as set forth in Chapter 8 as that for the rest of the roadway to which the cul-de-sac attaches, with exceptions that the surface cross slope grades may be modified to accommodate matching topography, as long as adequate measures for runoff collection or conveyance have been provided such that no ponding of drainage will occur over or along the terminus section.

4. Commercial or Industrial Circular Offset Cul-de-sacs

- a. Minimum outside cul-de-sac radius with property line eighty (80') feet. Return tie back radius shall be a minimum fifteen (15') feet
- b. Minimum radius to the outer edge of pavement or curb line seventy (70') feet.
- c. A center vegetated circle with radius to the inner edge of pavement or curb line a minimum twenty-five (25') feet located along the inside facing radius and minimum forty (40') feet on the outside facing radius of the same island..
- d. Cul-de-sacs shall meet the same minimum road standards as set forth in Chapter 8 as that for the rest of the roadway to which the cul-de-sac attaches, with exceptions that the surface cross slope grades may be modified to accommodate matching topography, as long as adequate

¹⁶⁶ Amended 12-6-2014 / 1-6 Added 12-6-2014

measures for runoff collection or conveyance have been provided such that no ponding of drainage will occur over or along the terminus section.

5. Commercial or Industrial Hammerheads

- a. The right-of-way or easement area of the turnaround side branch shall be at least one hundred (100') feet long by sixty (60') feet wide.
- b. The gravel or paved surface for the turnout side branch section shall extend at least eighty (80') feet from the centerline of the adjacent roadway and extend one hundred twenty (120') feet from the side branch turnaround centerline to the road terminus.
- c. The width of the gravel or paved surface for the turnout section shall be equal to the street width.
- d. The hammerhead shall have a minimum forty-five (45') foot turning radius.
- e. Larger dimensions may be required by the Planning Board to accommodate larger design vehicles anticipated to use the turnaround.

6. Residential Hammerheads

- a. The right-of-way or easement area of the turnaround side branch shall be at least sixty (60') feet long by sixty (60') feet wide.
- b. The gravel or paved surface for the turnout side branch section shall extend at least sixty (60') feet from the centerline of the adjacent roadway, and extend seventy-five (75') feet from the side branch turnaround centerline to the road terminus.
- c. The width of the gravel or paved surface for the turnout section shall be equal to the street width.
- d. The hammerhead shall have a minimum twenty-five (25') foot turning radius.
- e. Larger dimensions may be required by the Planning Board to accommodate larger design vehicles anticipated to use the turnaround.

7. Back Lot Hammerheads¹⁶⁷

- a. The right-of-way or easement area of the turnaround side branch shall be at least fifty (50') feet long by fifty (50') feet wide.
- b. The gravel or paved surface for the turnout side branch section shall extend at least fifty (50') feet from the centerline of the adjacent roadway, and extend seventy-five (75') feet from the side branch turnaround centerline to the road terminus.
- c. The width of the gravel or paved surface for the turnout section shall be equal to the street width.
- d. The hammerhead shall have a minimum twenty-five (25') foot turning radius.
- e. Larger dimensions may be required by the Planning Board to accommodate larger design vehicles anticipated to use the turnaround.

- B. The Board shall require the reservation of a twenty- (20) foot easement in line with the street to provide for a continuation of pedestrian traffic or utilities to an adjacent or abutting street. The Board shall also require the reservation of a sixty- (60) foot easement in line with the street to provide a continuation of the street where a future Subdivision is a possibility. Cul-de-sacs and hammerheads shall meet the same minimum road standards as set forth in Chapter 8 as that for the rest of the roadway.¹⁶⁸

807.3 Grades, Intersections and Sight Distances

¹⁶⁷ Added 4-4-2015

¹⁶⁸ Amended 4-30-2005 / Amended 4-29-2006 / Amended 04-03-2010 / Amended 12-6-2014

- A. The street grades shall conform in general to the terrain so that cuts and fills are minimized while maintaining the standards for gradients required in Section 807.1.H.
- B. All changes in street grades shall be connected by vertical curves to provide the minimum sight distances specified in Section 807.3.C below.
- C. Where new street intersections or non residential driveway curb-cuts not requiring Maine Department of Transportation (MDOT) entrance permits are proposed, sight distances, as measured along the street where traffic will be turning, shall be based upon the posted speed limit and conform to the following:¹⁶⁹

Posted Speed Limit (MPH)	25	30	35	40	45	50	55
Sight Distance (Feet) ¹⁷⁰	200	250	300	350	420	500	550

Where necessary, corner lots shall be cleared of all growth and sight obstructions, including embankments, to acquire the required visibility.

- D. Cross street (four-cornered) intersections shall be avoided as much as possible, except as permitted in the Town of Poland Comprehensive Plan or at important traffic intersections. A minimum distance of six hundred sixty (660) feet The Planning Board may reduce the centerline to centerline measurement down to ten (10) times the value of the speed limit measured in feet provided all traffic safety concerns can be met by the applicant shall be maintained between centerline of intersecting side streets.¹⁷¹

807.4 Sidewalks - Where the Board requires the installation of sidewalks, they shall meet the following minimum requirements:

- A. Bituminous Sidewalks
 - 1. The gravel aggregate sub-base course shall be twelve (12) inches thick;
 - 2. The crushed aggregate base course shall be no less than two (2) inches thick; and
 - 3. The hot bituminous pavement surface shall be two (2) inches thick after compaction.
- B. Portland Cement Concrete Sidewalks¹⁷²
 - 1. The sand base shall be at least six (6) inches thick;
 - 2. The Portland Cement concrete shall be four (4) inches thick and be reinforced with six (6) inch square, number ten (10) wire mesh.

808 STREET CONSTRUCTION STANDARDS

808.1 Hot Bituminous Pavement (minimum requirements):

Table 808.1 / HOT BITUMINOUS PAVEMENT

Street Type (Section 807.1.F)	I	II	III	IV ¹⁷³
Subbase Course (maximum stone 4")	36"	24"	18"	18"
Base Course (crushed aggregates)	4"	3"	3"	4"
Finished Courses (bituminous):				N/A
A. BASE	2 1/2"	2"	2 1/2"	
B. SURFACE	1 1/2"	1"		
C. TOTAL THICKNESS	4"	3"	2 1/2"	

¹⁶⁹ Amended 12-6-2014

¹⁷⁰ Amended 12-6-2014

¹⁷¹ Amended 4-4-2009

¹⁷² Amended 12-6-2014

¹⁷³ Added 4-4-2015

808.2 Preparation

- A. Before any clearing has started on the right-of-way, the centerline and side lines of the street shall be staked or flagged at fifty (50) foot intervals. An engineering firm knowledgeable in road construction shall be hired by the Road Commissioner and/or Public Works Director to perform inspections and to provide the town certification upon completion of the street as constructed meets the requirements of this Chapter and Chapter 9. The cost of the services provided by this engineering firm shall be borne by the applicant, landowner, and/or developer by setting up an escrow to cover the costs.¹⁷⁴
- B. Before grading is started, the entire right-of-way width necessary for the travelway, shoulders, sidewalks, drainage ways and utilities shall be cleared of all stumps, roots, brush, and other objectionable materials. All ledge, large boulders and tree stumps shall be removed from the right-of-way.
- C. All organic material, rocks and boulders shall be removed to a depth of two (2) feet below the street subgrade on soils which have been identified as not suitable for streets. The material removed shall be replaced with material meeting the specifications for gravel aggregate sub-base.
- D. Side slopes shall not be steeper than a slope of three (3) feet horizontal to one (1) foot vertical and shall be graded, limed, fertilized, and seeded according to the specifications of the Erosion and Sedimentation Control Plan.
- E. All underground utilities shall be installed prior to paving to avoid cuts in the pavement. Sewer and water service connections shall be installed to the edge of the right-of-way prior to paving.

808.3 Bases and Pavements

A. Bases.¹⁰³

- 1. The aggregate sub-base course shall be sand or gravel of hard durable particles free from vegetative matter, lumps or balls of clay, and other deleterious substances. Aggregate for the sub base shall meet the Maine Department of Transportation's (MDOT) Regulations on Materials Section 703.06, Type D. The gradation of the part that passes a three (3) inch square mesh sieve shall meet the following grading requirements:

<u>Sieve Designation</u>	<u>Percentage of Weight Passing Square Mesh Sieves</u>
¼ inch	25-70%
No. 40	0-30%
No. 200	0-7%

Aggregates for the sub-base contain no particle of rock which will not pass the 6 inch sieve designation.

- 2. The aggregate base course shall be sand or gravel of hard durable particles free from vegetative matter, lumps or balls of clay, and other deleterious substances. Aggregate for the base shall meet the MDOT Regulations on Materials Section 703.06, Type A. The gradation of the part that passes a three (3) inch square mesh sieve shall meet the following:

<u>Sieve Designation</u>	<u>Percentage of Weight Passing Square Mesh Sieves</u>
½ inch	45-70%
¼ inch	30-55%
No. 40	0-20%
No. 200	0-5%

Aggregate for the base shall contain no particle of rock which will not pass the two inch (2") sieve.

- B. Pavement Joints - Where the pavement joins an existing pavement, the existing pavement shall be cut along a

¹⁷⁴ Amended 4-29-2006

smooth line to form a neat, even, vertical joint.

C. Curbs and Gutters

1. Street curbs and gutters shall be installed as required by the Board; and
2. Curbs shall be vertical except when sloped curbs are specifically allowed by the Board.

D. Pavement

1. Minimum standards for pavement shall be MDOT “Superpave” as specified in Section 401 of the latest revision of the Maine Department of Transportation, Standard Specifications for Highway and Bridges.

E. Gravel Surface Streets - Gravel surface streets or roads constructed under the provisions of this Section shall not be offered or proposed for acceptance as Town maintained roadways, unless they have been paved in accordance with the provisions of this Chapter and have met all other applicable provisions of this Code and Chapter.

When authorized and approved by the Board, after consultation with the Municipal Officers and Road Commissioner, requests for gravel surface streets or roads may be allowed, provided that the following requirements are met in addition to all other applicable design standards.

1. Existing or projected traffic volumes shall not exceed fifty (50) vehicles per day.
2. The area to be served has low development potential and will serve less than eight (8) lots or dwelling units.
3. Dust from the street surface will not adversely affect adjacent properties.
4. The surface materials shall shed rain which falls on the surface of the road and shall be shaped to a surface crown of ½" per lineal foot.
5. The road material shall meet the requirements for base and sub-base coarse gravel in Section 808.3.A above as amended below:
 - a. Subbase course 18" thick
(2) Same sieve designation for sub-base
 - b. Gravel surface 6" thick
100% passing a 1 inch sieve

809 ADDITIONAL IMPROVEMENTS AND REQUIREMENTS

809.1 Erosion Control - The procedures outlined in the Erosion and Sedimentation Control Plan shall be implemented during site preparation, construction, and clean-up stages.

809.2 Clean-up - Following street construction, the developer or contractor shall conduct a thorough clean-up of stumps and other debris from the entire street right-of-way. If on-site disposal of stump and debris is proposed, it shall be included in the design and shown on the Site Plan. Disposal materials shall be suitably covered with fill material, top soiled, limed, seeded and fertilized.

809.3 Street Names, Signs and Lighting - Streets which join and are in the same alignment with streets of abutting or neighboring properties shall bear the same name. New street names shall not duplicate nor bear phonetic resemblance to names of existing streets within the Municipality and shall be subject to the approval of the Board. No street name shall be the common name of a person. The developer shall reimburse the Town for the costs of installing street name, traffic safety, and control signs. Street lighting if required shall be installed as approved by the Board at the cost of the developer.

810 CERTIFICATION OF CONSTRUCTION - Upon completion of street construction and prior to vote by the Municipal Officers to submit a proposed public street to the legislative body, a written certification signed by a State of Maine

registered Professional Engineer, shall be submitted to the Municipal Officers and Road Commissioner at the expense of the applicant, certifying that the proposed street(s) meet or exceed the design and construction requirements of this Code and Chapter. "As Built" Plans shall be submitted to the Road Commissioner.

811 PERFORMANCE GUARANTEES - With the submittal of the application for street approval, the applicant shall provide performance guarantee as provided for in Chapter 614.

812 PRIVATELY-OWNED STREETS

812.1 Statement on Recorded Plan - Where streets are to remain privately-owned, the following statement shall appear on the recorded Plan: *"Streets indicated as Private-Owned Street shall remain private streets to be maintained by the Developer or the Lot Owners and shall not be accepted nor maintained by the Municipality unless said street has been brought up to or, otherwise, meets the current Street Construction Standards and certified by a State of Maine registered Professional Engineer."*

812.2 Repair and Maintenance of Privately-Owned Streets - Repairs, except emergency repairs, and maintenance of privately owned streets shall be conducted in accordance with the following:

- A. Surfacing material shall be of such gradation to allow water to drain from the street into the ground or into a ditch and eliminate water from entering the street through the surface.
- B. Grading shall allow surface water from the road to drain into roadside ditches. Street crowns should be maintained from one half (1/2) inch to three quarters 3/4 inch per foot of width.
- C. Ditches shall be maintained to allow water to flow away from the street.
- D. Culvert inlets and outlets shall be protected to ensure culvert stability and to prevent erosion.
- E. Temporary and permanent Erosion and Sediment Controls shall be employed.

813 INSPECTION

813.1 Notification of Construction - At least five (5) days prior to commencing street construction or alteration, the applicant shall notify the Code Enforcement Officer in writing of the time when work is to commence so that the Municipal Officers can cause inspection to be made to assure that all the Specifications and Requirements of this Code shall be met during construction or alteration.

813.2 Non-Compliance with Plan - Upon inspection of the work to be performed, it is found that it has not been constructed in accordance with the approved Plans and Specifications, the Code Enforcement Officer shall so report to the Municipal Officers and the Board. The Municipal Officers shall then notify the Applicant and, if necessary, the Bonding Company and take all necessary steps to preserve the rights of the Municipality under the Guarantee, Security, or Bond.

813.3 Modification During Construction - If at any time before or during the construction of the street, it is demonstrated to the satisfaction of the Code Enforcement Officer or the appointed inspector that unforeseen conditions make it necessary or preferable to modify the location or design of the street, the Code Enforcement Officer or the appointed inspector may authorize modifications, provided such modifications are within the spirit and intent of the Board's approval. In the event of an approved modification, a Change Order shall be issued in writing and copy of said Change Order shall be transmitted to the Board at its next regular meeting.

813.4 Inspection Fee - The Board may assess the Applicant a fee as established in the Town of Poland Fee Schedule to cover the costs of construction inspection.

814 WAIVERS

- A. Where the Board makes written findings of fact that the Applicant will suffer an undue economic or other hardship if the requirements of this Chapter are strictly adhered to, the Board may waive the necessity for strict compliance with the requirements of the Chapter in order to provide relief from the hardship in question and to

permit a more practical and economical development, provided, however, that the public health, safety and welfare will not be compromised and further provided that the waivers in question will not have the effect of nullifying the requirements of this Code nor set an unwarranted precedent.

- B. In granting waivers to any provision of this Chapter as delineated in Section 814.A above, the Board shall require such conditions to assure that the objectives of this Code are met.
- C. If the Planning Board grants a waiver to any provision of this Chapter, that said street shall not be accepted nor maintained by the Municipality unless said street has been brought up to or, otherwise, meets the current Street Construction Standards.¹⁷⁵

End of Chapter 8

¹⁷⁵ Added 12-6-2014