

Adopted Changes to the Municipal Code Regarding Street Standards
Chapter 14 – Article VI – Street Acceptance and Standards
Adopted by Town Council on March 2, 2020

Effective April 1, 2020

ARTICLE VI. - STREET STANDARDS AND ACCEPTANCE ORDINANCE

Sec. 14-181. - Title.

The ordinance from which this article was derived shall be known and may be cited as the "Street Standards and Acceptance Ordinance" of the Town of Brunswick, Maine.

(Ord. of 3-1-10(2); Ord. of 10-17-11(2))

Sec. 14-182. - Statement of purpose.

The purpose of this article is to promote the health, safety, and public welfare of the residents of the Town of Brunswick by the means of establishing minimum standards for streets . Nothing in this article shall be interpreted to mandate road acceptance by the town council.

(Ord. of 3-1-10(2))

Sec. 14-183. - Authority, administration and effective date.

- (a) This article is enacted pursuant to Title 30-A, M.R.S.A., Section 3001 Ordinance Power. Limited and Section 2151, Police Power Ordinances.
- (b) This article shall be administered by the town council who shall consult with the planning board and the town engineer.
- (c) The effective date of the ordinance from which this article is derived is January 1, 2020.

(Ord. of 3-1-10(2))

Sec. 14-184. - Definitions.

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

Private Street: A street privately owned and maintained that is used as the principal means of access to two (2) or more abutting lots.

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

Street classifications: The size and design needs of new streets shall be based upon the projected number of vehicles they are to carry. All streets proposed for public dedication shall be classified by the town engineer according to the following criteria that include a consideration of residential or mixed use development potential of any future street extensions.

- (1) *Collector.* Street that serves over one hundred fifty (150) residential units.
- (2) *Local.* Street that serves twenty-six (26) to one hundred fifty (150) residential units.
- (3) *Minor.* Street that serves twenty-five (25) residential units or less.

Note: For non-residential or mixed used developments the town engineer will determine the classification based on equivalent peak hour vehicle trips for the development as compared to the peak hour trips generated for the above residential unit developments.

(Ord. of 3-1-10(2))

Sec. 14-185. - Applicability.

- (a) This article shall apply to all streets within the town not currently under review or previously approved by the planning board as of the effective date of this article.
- (b) Nothing in this article shall be construed to prevent the design and construction of streets which meet higher standards, use improved methods or use higher quality materials. The determination of the acceptability of other standards, methods or materials shall be made by the town council with advice of the planning board and the town engineer.
- (c) Any work completed on a State Roadway will be required to meet current federal and state standards in addition to any local standards that may apply.

(Ord. of 3-1-10(2); Ord. of 10-17-11(2))

Sec. 14-186. - Acceptance and application requirements.

- (a) No street shall be laid out and accepted as a public street by the Town of Brunswick except in accordance with the provisions of this article. This article shall prevail over all other ordinances, or parts thereof, in conflict or inconsistent with the provisions of this article.
- (b) Streets can be offered for town acceptance only if they meet the requirements of a Public Street as detailed in section 14-187 of this article. Where a street section is offered for acceptance that is part of a phased development the street section offered shall be complete and function in full compliance with this article independent of the future phases of construction.
- (c) An application shall be submitted to the town council for acceptance of a new or extended town way upon a form prescribed by the town engineer after satisfactory completion of all public improvements. The application shall contain the following information and certifications:
 - (1) A copy of a boundary survey plan that has been recorded in the Cumberland County Registry of Deeds prior to the time of acceptance and the plan book and page reference shall be provided in the application.
 - (2) The project surveyor shall provide a certificate that all monuments have been set and any monuments disturbed during construction have been replaced, and that all monuments exist and are in good condition as of the acceptance date. Disturbed or high monuments along the street and public easements must be re-set flush with grade prior to any offer for acceptance.
 - (3) The project surveyor shall certify that the roadway and its appurtenances as-built lie within the bounds of the roadway being conveyed, and that any drainage structures or other improvements as-built lie within their respective easements. An as-built plan shall be submitted detailing the street features as built.
 - (4) A letter from the landowner's attorney certifying that the landowner has clear title to the property and that there are no encumbrances on the property. Executed "lien waivers" shall be provided from all contractors, subcontractors and material suppliers involved with the street improvements with the request for street acceptance.
 - (5) A letter from each public utility in the roadway, including the Brunswick Sewer District and the Brunswick and Topsham Water District, indicating that all work has been completed in a satisfactory manner for their acceptance and operation of the respective utility.

- (6) A letter from the town engineer certifying he/she has made a final inspection of the street and found all work has been satisfactorily completed in accordance with the approved subdivision plans and the requirements of this article.
 - a. If, in the opinion of the town engineer, the street has faults or is not performing properly the town engineer may recommend against acceptance until such issues have been corrected by the applicant to the satisfaction of the town engineer. The applicant can request the town engineer submit a letter to the town council detailing any such deficiencies for review and consideration by the town council where the applicant has a difference of opinion regarding such findings of the town engineer.
- (7) The project surveyor shall provide a metes and bounds legal description of the bounds encompassing the proposed town way and any associated public easements for review and approval by the town engineer.
- (8) Once the proposed legal description has been reviewed and approved by the town engineer, the applicant's attorney shall prepare a warranty deed conveying the parcel of land encompassing the roadway in "fee simple" suitable for recording at the registry of deeds. The deed shall include a signature block for town council acceptance listing each of the current town councilors.
- (9) The landowner conveying the street parcel with improvements shall warrant all such public improvements to be free of defects in workmanship or materials for a period of two (2) years from the date of acceptance.

(Ord. of 3-1-10(2))

Sec. 14-187. Design standards.

All streets shall meet the design standards detailed herein.

- (1) For any streets to be offered that have not been reviewed and approved by the planning board as part of a subdivision development, the applicant must submit full engineering plans for review and approval detailing the road construction including centerline profile, drainage facilities with elevations and pipe sizes, boundary lines and related information as required by the town engineer to indicate compliance with these requirements. The applicant must also submit field test information as required by the town engineer to indicate compliance with these standards. Street pavements over two (2) years old shall be evaluated by a professional engineer as to condition and distress. Streets to be offered for town acceptance must have a Performance Condition Rating (PCR) of "very good" (3.61 to 5.00).
- (2) Permanent survey monumentation (four-inch by four-inch by four-foot granite monument or approved equal) is to be provided and set by a State of Maine Professional Land Surveyor along the street at all changes in direction (including point of curvature and point of tangency for curved) on both sides of the street parcel. Monument location and type at all other points must conform to standard State of Maine survey practices.
- (3) The street developer shall provide and install street name signs of the type, size and location as approved by the town engineer. Proposed street names shall first be reviewed and approved by the town assessor for compliance with E911 naming criteria.
- (4) A digitized electronic drawing file of the complete final planning board approved plans, in an approved format, must be furnished to the town engineer.
 - a. An "as-built" or set of record drawings shall be submitted in a form acceptable to the town engineer upon completion of each phase of the project prior to any acceptance offer.
- (5) The following street standards shall be met for town acceptance. All workmanship, methods of construction and materials for the public street improvements shall have been completed in

compliance with the Maine Department of Transportation, Standard Specifications, latest edition unless otherwise specifically approved by the town engineer.

- a. For all streets to be constructed for town acceptance the town engineer shall be notified of all such construction work in advance. The town shall have the right to inspect and test all materials and workmanship. All materials to be used for the street construction shall first be submitted with appropriate design information or laboratory test data to indicate compliance with the standards contained herein.
- b. In addition to the below standards, all roads offered for town acceptance shall meet current state and local requirements for stormwater management. The owner shall provide engineering certification by a licensed professional engineer that the road and associated drainage structures meet these requirements and protect water quality.
- c. For all streets not to be constructed for town acceptance the roadway will be constructed to meet the private road standard in the below table as a minimum.

Street Standards

Item	Public			Private
	Collector	Local	Minor	
1a. Minimum Right of Way Width, Curbed	66 feet	50 feet	50 feet	50 feet
1b. Minimum Right of Way Width, Uncurbed	66 feet	60 feet	50 feet	50 feet
2a. Minimum Pavement Width, Curbed	34 feet ¹	28 feet ¹	24 feet ¹	24 feet
2b. Minimum Pavement Width, Uncurbed	30 feet ¹	24 feet ¹	20 feet ¹	20 feet
3. Maximum Grade	8%	8%	8%	12% ²
4. Minimum Centerline Radius	200 feet	175 feet	125 feet	125 feet
5. Minimum Tangent Between Reverse Curves	100 feet	75 feet	50 feet	50 feet
6. Minimum Shoulder Width	4 feet	4 feet	4 feet	0 feet
7. Maximum Length of Dead End	1,500 feet and serving up to 25			

Street	units whichever comes first	units whichever comes first	units whichever comes first	units whichever comes first
8. Minimum Braking Sight Distance for Vertical and Horizontal Curves	150 feet	150 feet	n/a	n/a
9. Road Base (Total, minimum)	24 inches	18 inches	18 inches	18 inches
Sub-Base (MDOT Grade D)	18 inches	15 inches	15 inches	15 inches
Base (MDOT Grade A)	6 inches	3 inches	3 inches	3 inches
10. Pavement Courses (Total)	4.0 inches	3.5 inches	3.00 inches	Not Required ³
Binder Course (MDOT Item 403.207, 19.0 mm HMA)	2.5 inches	2.0 inches	1.75 inches	Not Required ³
Top Course (MDOT Item 403.209 9.5 mm HMA)	1.5 inches	1.5 inches	1.25 inches	Not Required ³
11. Sidewalk Construction (where sidewalks are req'd ⁴)				
Width (minimum)	5 feet	5 feet	5 feet	n/a
Gravel Base (MDOT Grade A)	12 inches	12 inches	12 inches	n/a
Surface Material	Asphalt	Asphalt	Asphalt	n/a
Pavement Thickness: (2 passes, MDOT D Mix)	3.0 inches	2.5 inches	2.5 inches	n/a
Comply w/28 CFR Part 36 (ADA Design Standards)	Yes	Yes	Yes	n/a
12. Curbing Material (if curbs are provided)	Slipform Concrete or Granite	Slipform Concrete or Granite	Slipform Concrete or Granite	n/a
Straight Sections	Mold 1 (s/w)	Mold 1 (s/w)	Mold 1 (s/w)	n/a

	Mold 2(No s/w)	Mold 2(No s/w)	Mold 2(No s/w)	
Radius Sections (< 50' R)	Slipform Concrete or Granite	Slipform Concrete or Granite	Slipform Concrete or Granite	n/a
13. Storm Drainage				
Road Culverts (minimum size)	18 inches	18 inches	18 inches	18 inches
Driveway culverts (min. size)	15 inches	15 inches	12 inches	12 inches
Storm Drain Piping	ADS N-12 or equal	ADS N-12 or equal	ADS N-12 or equal	ADS N-12 or equal
14. Street Lighting (if required) CMP Acceptable Rentals:				
GE M-250R2 Cutoff or equivalent fixture approved by the Town on a 35' Wooden Pole	Yes	Yes	Yes	Not Required ⁵
GE Town & Country Series or equivalent fixture approved by the Town on a 15' Fiberglass Pole w/concrete base	Yes	Yes	Yes	Not Required ⁵
All Wiring Runs in Conduit for underground installations	Yes	Yes	Yes	Not Required ⁵

¹ The minimum travelway width on town roads shall be shall be eleven (11) feet.

²Any roadway section with a grade in excess of 8% shall be paved for a minimum of fifty feet beyond the limits of the grade in excess of 8% in each direction.

⁴Required sidewalk locations are as determined by the planning board during subdivision review or for existing private streets offered for dedication, sidewalks (one side or both sides) are to be provided if determined necessary by the town engineer.

⁵If Street Lighting is installed it shall meet the standards of a Public Road.

Intersection Standards for Streets Proposed for Dedication

Item	Public	Private
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	Collector	Local	Minor	
1. Minimum/ Maximum Angle	90 degree	90 degree	90 degree	90 degree
2. Maximum Grade within 100 feet of Centerline Intersection	3%	3%	3%	3%
3. Minimum Curb Radius	30 feet	30 feet	25 feet	25 feet
4. Minimum Property Line Radius	20 feet	20 feet	20 feet	20 feet
5. Minimum Centerline Distance Between Intersections, Same Side of Street	300 feet	250 feet	250 feet	250 feet
6. Minimum Centerline Distance Between Intersections, Opposite Side of Street	150 feet	150 feet	150 feet	150 feet
7. Minimum Tangent Length from Intersection Centerlines	50 feet	50 feet	50 feet	50 feet

Standards for Turnarounds on Dead-End Streets.

A suitable means for reversing direction shall be provided at the end of a dead-end street in the form of a center-island cul-de-sac, a hammerhead, or a "T" turnaround. No lot may be accessed from any part of a hammerhead or "T" turnaround or within 50 feet from the end of the roadway. Turnarounds shall meet the minimum design dimensions as shown below in Figure 1 unless otherwise approved by the town engineer. The town engineer may require larger dimensions for turnarounds in commercial lot subdivisions.

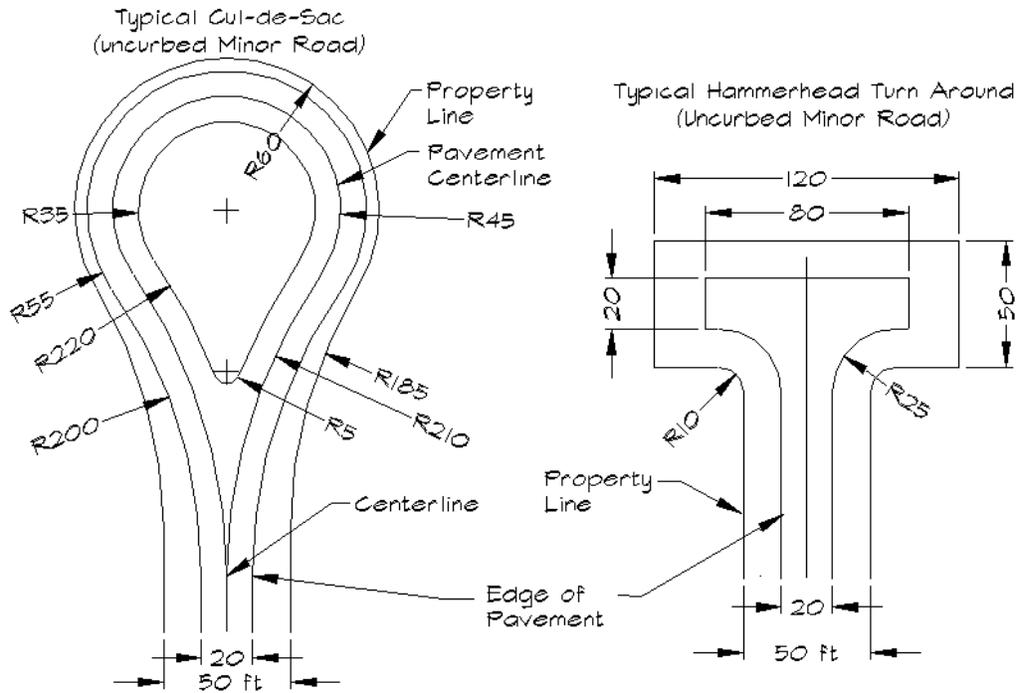


Figure 1

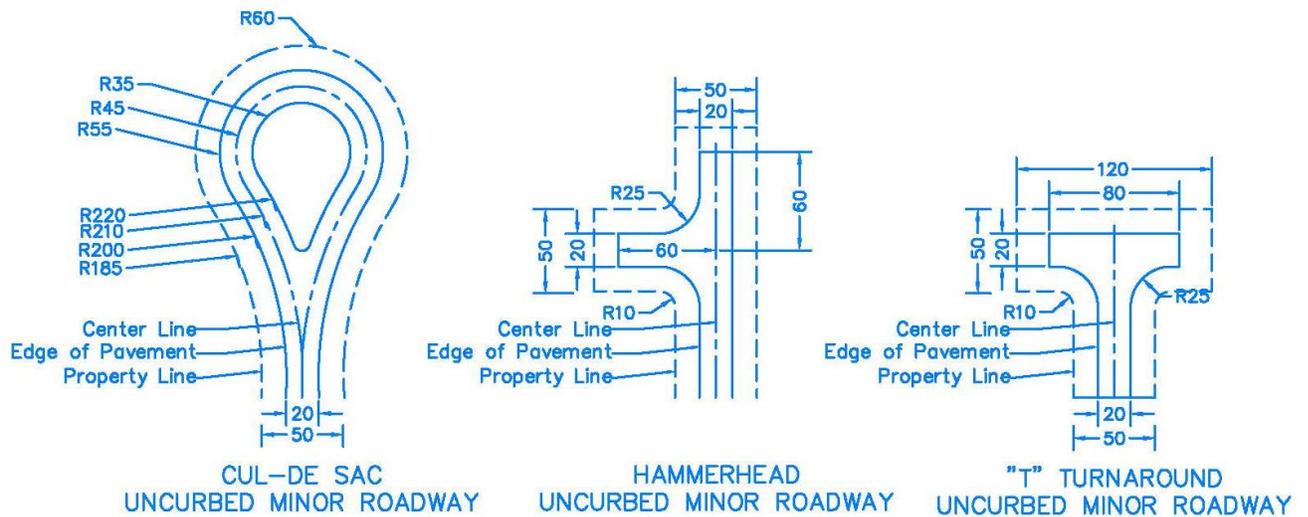


FIGURE 1

(Ord. of 3-1-10(2))

Sec. 14-188. - Acceptance of street required by the public interest.

Notwithstanding the provisions of any other section thereof, the town may at any time accept any street whenever the general public interest so requires. The cost of said street may be borne by said town.

(Ord. of 3-1-10(2))

Sec. 14-189. - No street to be accepted until after report by the town engineer.

No street shall be laid out and accepted by the town council until the town engineer or his/her designee shall have made a careful investigation thereof, and shall have reported to the town council their recommendations with respect thereto.

(Ord. of 3-1-10(2))

Secs. 14-190—14-200. - Reserved.