

TOWN OF WAYNE ROAD ORDINANCE

SECTION 1 GENERAL

- A. The purposes of this ordinance are:
1. To provide an application procedure for Town acceptance of roads and to adopt minimum specifications to which such ways must conform prior to consideration for acceptance.
 2. To instruct the Wayne Planning Board to assure that these minimum specifications are met in any development plans which are brought before the Board.
- B. Limitations - The Town can accept roads only by vote at a legal Town Meeting. Roads dedicated, laid out, partially constructed, or used for public or private use prior to passage of this ordinance shall comply with the requirements of this ordinance before formal acceptance by the Town. Nothing in this Ordinance shall be construed as a prior commitment by the Town to accept any new road, irrespective of its condition or of any work performed in anticipation of acceptance by the Town.
- C. Severability - Should any section or provision of this ordinance be found to be illegal by the courts, only that section will cease to be effective until an amendment is made and adopted. The illegality of any section will therefore have no bearing on the effectiveness of the rest of the ordinance.
- D. Conflict - In any case where a provision of this ordinance is found to be in conflict with a provision of any zoning, building, safety or other ordinance of the Town of Wayne, the provision which establishes the higher standard for the future maintenance of Town roads and the promotion and protection of the health and safety of the people shall prevail.
- E. Effective Date - This ordinance shall take effect upon passage by majority vote of the Town.

SECTION 2 APPLICATIONS

- A. An application for acceptance of a street or road shall be submitted, in writing, to the Planning Board with a copy to the Municipal Officers and a copy to the Road Commissioner. The application shall include the following information:

1. The full name(s) of the owners(s) of the land containing the road to be accepted.
2. The full name(s) of the developer, registered surveyor, and/or registered professional engineer.
3. A statement of the starting and ending points of the road with relation to existing roads, buildings or landmarks.
4. A statement of any legal encumbrances on the property.
5. The name of the proposed road.
6. The proposed completion date of construction of the road if not complete at time of application.

B. The application shall also be accompanied by 3 copies of the original plan of the road showing the following:

1. Drawn to scale (50' to 1").
2. Magnetic north.
3. Delineation of the starting and ending points of the road in relation to established roads, buildings and landmarks.
4. Ownership and length of frontage of all abutting lots.
5. The rights-of-way (R-O-W) lines relation to existing buildings and landmarks.
6. Dimensions, both linear and angular, necessary for locating boundaries, and necessary for locating subdivisions, lots, easements and building lots.
7. All natural water ways and water courses within or in land contiguous to the said road.
8. References to suitable permanent markers or monuments placed in the field to fully identify the proposed road.
9. Special construction features (guard rails, fences, curbing).
10. A profile plan of the road drawn to a longitudinal scale of 50' to 1" and a vertical scale of 5' to 1" showing:
 1. The profile of the center line of the road.
 2. The proposed and existing grades thereof.

3. The proposed provisions for culverts and bridges.

C. The application shall also be accompanied by 3 sets of cross sections drawn to a scale of 5' to 1". The cross-sections shall be shown at a minimum of 100' intervals, or lesser intervals as conditions warrant.

SECTION 3 SPECIFICATIONS

A. The following specifications must be met for roads being constructed for acceptance by the Town of Wayne or as part of a subdivision:

1. Roads shall have a minimum right-of-way of 50 feet. Said right-of-way shall be cleared of all stumps, roots, rocks, bushes, ledge and perishable materials.

2. The travel way shall be a width of 20 feet and shall be located in the approximate center of the R-O-W. The Planning Board may approve travel ways of 18 feet where the expected volume of traffic or topography warrants.

3. The travel way shall be graded to a sub-grade minimum of 18 inches base gravel and 3 inches finish gravel (graded surface gravel).

4. Shoulders shall be a minimum of 3 feet with 3:1 fill slopes of the same material as subsection 3 above.

5. Roads shall be paved with 1 inch of bituminous penetration in accordance with the latest State Department of Transportation specifications.

6. All drainage shall be designed to safely handle a 50 year storm.

7. Slopes and drainage ditches shall be stabilized in such a manner as to prevent erosion and/or washing of silt which will obstruct flowage through culverts or catch basins. This shall be accomplished in one of the following manners:

a. Loam and seed or sod.

b. Ditches of 12% or greater shall be riprapped with stone, cement slabs or pit screenings.

c. Hay bales or erosion control mesh.

d. Any combination of the above.

8. Culverts shall be placed and sized to meet the drainage condition. Culverts shall not be less than 15 inches, shall be new aluminum or galvanized, corrugated or spiral metal with collars, or recognized equivalents accepted by the Maine Department of Transportation.

9. All dead-end roads shall have an approved cul-de-sac having a minimum turning radius of 45' and/or an approved turnaround

10. Easements - Wherever it is required to alter an existing water course in constructing or reconstructing a road, the owner or developer will secure a drainage easement from the property owner affected. Wherever the toe of slope for ditches, shoulders, grading and other purposes required by the Ordinance cannot be adhered to within the R-O-W limits, and grading or excavation is necessary beyond these limits, it shall be necessary for the builder to secure good and sufficient slope easements from abutting property owners. These drainage and slope easements will be secured by the owner or developer without cost to the Town and such rights properly indemnifying the Town shall be presented and recorded prior to any action for acceptance.

11. Prior to acceptance, driveway culverts shall be installed in accordance with specifications of this ordinance by the owner or developer.

SECTION 4 ACCEPTANCE PROCEDURES

A. Prior to the acceptance of the road by the Town, the Planning Board shall certify in writing to the Municipal Officers, with a copy to the Road Commissioner, that the requirements of this ordinance have been met.

B. The Road Commissioner has the duty to make sufficient inspections of a road under construction, or if already constructed, to have knowledge of compliance or noncompliance with this ordinance, and to report the same to the Planning Board.

C. Following careful consideration of the application, plans and on site investigation, the Planning Board is authorized to give clearance for the construction or reconstruction of a road within the limitations of the Ordinance, but without prejudice of rights as to final recommendation for acceptance, or as to acceptance by the Town. If said road has already been constructed the Planning Board may, after its investigations, recommend to the Municipal Officers that they include acceptance of the road on the next Town Warrant.

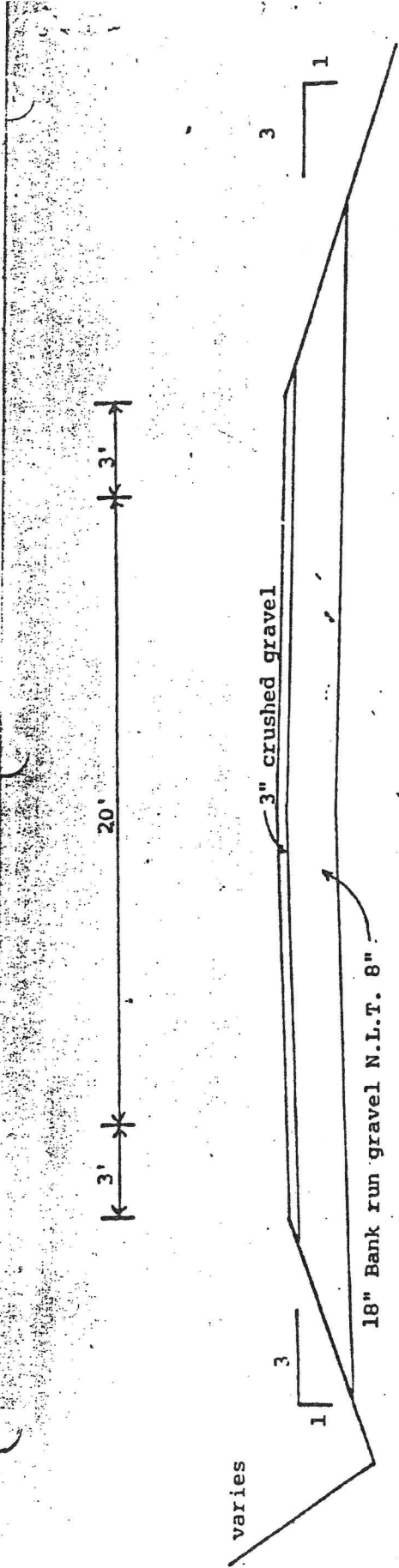
D. Following completion of the road and a positive recommendation by the Planning Board, a road may be accepted or rejected as a Town Way by a majority vote at annual Town Meeting.

SECTION 5 APPEALS

A. Appeals for variances from the provisions of this Ordinance will be heard by the Wayne Board of Appeals.

B. A variance may be granted by the Appeals Board only where strict application of the Ordinance, or a provision thereof, would cause undue hardship to the applicant or would not be in the best interest of the community.

C. Following the filing of an appeal for a variance, the Board of Appeals shall hold a public hearing on the appeal within 30 days. The Planning Board, Road Commissioner and Municipal Officers shall be notified at least 20 days in advance of the time and place of the hearing. The Appeals Board shall publish notice of the hearing at least 10 days in advance in a newspaper of general circulation in the area.



50' right of way

20' travel way

3' shoulders

crown = 1/4" per foot