

**ROAD DESIGN, CONSTRUCTION AND
ACCEPTANCE ORDINANCE**

**FOR THE
MUNICIPALITY OF
FORT KENT**

Effective 3/23/09

Amended: 12/14/09

TOWN OF FORT KENT ROADWAY ORDINANCE

1. Legal Status Provision	3
1.1 Title	3
1.2 Revisions or Amendments	3
1.3 Authority	3
1.4 Repeal of Prior Ordinances	3
1.6 Effective Date	3
1.7 Conflict with Other Laws	3
1.8 Separability	3
1.9 Availability	3
2. Important Aspects of the Fort Kent Roadway Ordinance	3
3. Purpose	4
4. Applicability	4
5. Compliance	5
6. Schedule of Fees	5
7. Revision and Amendments	5
8. Definitions	6
9. Roadway Classification and Average Daily Trips	6
10. Obtaining a New Roadway Permit or Roadway Modification Permit	7
11. Final Acceptance of a New Roadway or Roadway Modification	7
12. Disclaimer	8
13. Roadway Design and Construction Details	9
14. Standard Roadway Details	11
15. Erosion Control	13
16. Driveways/Culverts/Pipes	14
17. Roads in Mobile Home Parks	16
Appendix	
I. Definitions/Review Criteria	17
II. Roadway Classification and ADT	23
III. Roadway Permit Documentation - Specs/Reqs	27
III.a. Roadway Permit Documentation - Specs/Reqs: Letter to Municipal Departments	29
III.b. Roadway Permit Documentation - Specs/Reqs: Acknowledgement of Deed or Easement	30
III.c. Roadway Permit Documentation - Specs/Reqs: New Road Construction Permit – Application	31
IV. New Roadway or Roadway Modification Permit Checklist/Timelines	33
V. Roadway Acceptance Documentation - Specs/Reqs	37
V.a. Roadway Acceptance Documentation - Specs/Reqs: Roadway Acceptance	39
V.b. Roadway Acceptance Process Checklists/Timelines	41
VI. Application & Permit To Build Driveway And Or Install Culvert	44

1. LEGAL STATUS PROVISIONS

1.1 Title - This ordinance shall be known and cited as the “Town of Fort Kent Roadway Ordinance”

1.2 Revisions or Amendments - This Ordinance may be amended or revised by an act of the Town Council, the Town Legislative Body, or both. An ordered process for revision or amendment is presented in Section 7.0.

1.3 Authority – This Ordinance has been adopted in accordance with the provisions of Article VIII-A of the Maine Constitution; the provisions of MRSA Title 30A, Section 3001 (Home Rule); and the State’s Growth Management Law MRSA Title 30-A, section 4311 et seq.; as may be amended.

1.4 Repeal of prior Ordinances – All prior Road Standards and Acceptance Regulations, or prior Roadway Ordinances, are repealed as of the effective date of this Ordinance.

1.5 Effective Date and Prospective Effect – This ordinance becomes effective on the fourth Monday of March 2009 and supersedes all previous revisions. This ordinance shall not apply to the acceptance to any roadway from a subdivision approved, or with an application filed, prior to the effective date of this ordinance.

1.6 Conflict with other laws – Whenever the requirements of this Ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolutions, the most restrictive, or that imposing the higher standards, shall govern.

1.7 Separability – Should any section or provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

1.8 Availability – A certified copy of this Ordinance shall be filed with the Town Clerk. It will be accessible to any member of the public. Copies shall be made available at a reasonable cost to the person requesting making the request. Notice of the availability of this Ordinance shall be posted.

2. IMPORTANT ASPECTS OF THE FORT KENT ROADWAY ORDINANCE

- A. All roads developed in the Town of Fort Kent shall be surfaced per details outlined in this Ordinance. New roadways that are not surfaced (i.e. dirt or gravel) will not be considered for acceptance.
- B. The Roadway Ordinance defines two distinct stages: Permit Issuance and Roadway Acceptance
- C. A five (5) year moratorium on roadway activities that result in the pavement being disturbed
- D. Any and all Water and Sewer Infrastructure that is part of a *current project* or *planned for the future (within 5 years)* must be completed and extended to right of way before roadway acceptance
- E. The developer is responsible for repairs resulting from poor workmanship/construction deficiencies for a period of 2 years from Final Roadway Acceptance (Annual Town Meeting)
- F. Roadways will not be considered for acceptance until a predetermined minimum threshold of Average Daily Trips is demonstrated (See Appendix II).
- G. Any extensions of existing roadways must conform to the standards and specifications of the Roadway Ordinance in effect at time of planning/construction.
- H. All road activity shall be considered independent of any other projects, such as subdivisions or other larger scale development; that is to say that all road activity will be evaluated and approved separately.
- I. There will be no exceptions or variances to the 60 foot Right of Way requirement.

3. PURPOSE

The purpose of the Roadway Ordinance is to ensure that new or modified roadways in the Town of Fort Kent:

- A. Are safe, free of hazards, and easily navigable
- B. Are constructed to a standard that supports and perpetuates a level of quality and integrity associated with the Town of Fort Kent
- C. Ensure that roadway development does not force a financial burden on the Town of Fort Kent with respect to improvements, repairs, storm water run-off, or traffic capacity issues
- D. Conform to the guidelines set forth in the Town of Fort Kent Comprehensive Plan

Further, the purpose of this Ordinance is to identify and define critical aspects of the roadway permitting and acceptance process. To wit:

- 1. Develop a set of standards and procedures necessary for the *Issuance of a Roadway Permit* which in turn allows the roadway developer to commence construction.
- 2. Develop a set of standards and procedures necessary for the *Acceptance of a Roadway*
- 3. Detail construction standards and methods

4. APPLICABILITY

This Roadway Ordinance is applicable to any individual, group, developer, or other interest that intends to construct a roadway/modify a roadway in the Town of Fort Kent for the purposes of (but not limited to): residential development, commercial development, industrial development, or accessibility.

Further, this ordinance shall apply to the *construction of all new roads* or *modification of existing roads* within the Town which may (but not limited to):

- 1. Be intended or potentially be intended to become owned by the Town
- 2. Impact, affect, or cause a significant change in traffic usage patterns
- 3. Impact, affect, or cause a significant change in storm water run-off drainage or movement characteristics
- 4. Impact, affect, or cause a significant change in the health and safety of the residents of the Town
- 5. Impact, affect, or cause a significant change in the aesthetic appeal of the Town of Fort Kent

No language or concept in this ordinance shall be construed to prevent, limit, or impede the design and construction of roadways which use improved methods, use higher quality materials, or conform to higher standards than set forth in this Ordinance.

No roadway shall be considered for acceptance as a Town Road unless it meets the provisions of this Ordinance.

This Ordinance does not apply to roadways that:

- A. fall under the jurisdiction of the Maine Department of Transportation
- B. roads currently owned and maintained by the Town of Fort Kent
- C. roads constructed in the future by the Town of Fort Kent

<i>In general, a Roadway Permit is required for:</i>	<i>any roadway that will be turned over to the Town or;</i>
	<i>a private road that connects to and/or directly impacts an existing Town roadway</i>

5. COMPLIANCE

Be advised that the Applicant/Developer undertakes any construction activity before permit issuance at their risk. Erosion and sedimentation control/mitigations efforts must be implemented within the Town of Fort Kent. Failure to implement these measures will result in reporting the project to the appropriate regulatory agency.

Failure to obtain a roadway permit on projects that must conform to this ordinance and/or are found to be already completed or in process will result in the following:

- A. The Developer will pay all expenses that will go into an account reserved for the purposes of defraying costs (such as legal, consultant, or construction costs) that result from construction activities or practices that do not conform to the local ordinances. This is due to the Town within 15 days of notice

6. Schedule of Fees

Any individual, group, developer, or other interest that intends to construct a roadway/modify a roadway in the Town of Fort Kent will be subject to the following fees associated with the permit and acceptance process:

Construction of new road - permit application fee	\$200.00
Modification of existing road - permit application fee	\$200.00
Road acceptance application fee	\$0.00
Additional copies of the Fort Kent Roadway Ordinance (note that 1 copy is provided to applicant)	\$25.00 per copy
Appeal Processing Charge (In the case where the road developer wishes to file an appeal)	\$400.00
Town Expenses accrued during the Appeal Process, such as special consultants, engineers, or attorneys	At applicants cost

Fees that are collected will be used for: supplying potential road developers with all necessary application, acceptance, and reference materials; support through the process; newspaper posting costs (if necessary); and administrative processing fees.

7. Revisions or Amendments

This Ordinance may be amended or revised, in part, by action of the Town Council. Adoption of a new ordinance that replaces or supersedes the current Ordinance must be approved at the Annual Town Meeting, once the revision procedure is complete. The following steps illustrate the revision/amendment process:

Step 1: Initiation – A proposal for amendment to this Ordinance may be initiated by:

Majority vote of the Planning Board The Town Council, through a written request to the Planning Board	An individual, through a written request to the Planning Board A written petition of a number of voters equal to at least ten percent (10%) of the voters in the last gubernatorial election
--	---

Step 2: Identification of the amendments/revisions – Any proposal for amendments/revisions shall be submitted to the Planning Board in writing. The following information must be included:

- The section of the Ordinance that is affected	- Proposed date of adoption of the revision/amendment
- A summary of why a revision/amendment is necessary	- A cost/benefit analysis illustrating the net financial impact to the Town resulting from proposed rev/amend.
- Reports, studies, or findings to support the revision/amendment	- A first draft of the language to be included in the revised/amended Ordinance
- Name and contact information of the entity proposing the revision/amendment	

Step 3: Processing Fee – If the amendment is proposed by an entity other than the Planning Board or Town Council, a processing fee of \$150.00 is to be paid the Town of Fort Kent. This fee will cover the cost of advertising public hearings and preparing the necessary documents.

Step 4: Timetable and Notices – Within 5 business days of receipt of a written proposal, the submitting entity will be advised of the schedule for reviewing and/or adopting the revision/amendment. The schedule will follow the listed timetable:

Date of Planning Board Initial Review	No less than 30 days or no more than 45 days from receipt of proposal.
Date of Planning Board Public Hearing	No less than 30 days or no more than 60 days from Initial Review.
Newspaper advertisement of Planning Board Public Hearing	Must be in an edition at least 10 days prior to scheduled hearing
Posting in prominent locations	At least 10 days prior to scheduled hearing
Planning Board recommendation to Town Council	Within 5 business days of the Planning Board Public Hearing
Date of Town Council Public Hearing	The next regularly scheduled Town Council meeting, provided that sufficient posting times can be met (see below)
Posting in prominent locations	At least 7 days prior to scheduled Town Council meeting
Decision of the Town Council to place the revised Ordinance on the Annual Town Meeting Warrant	Within 5 business days of the Town Council meeting

Note: If the Planning Board or Town Council does not recommend or adopt the revision/amendment, the submitting entity may resubmit their proposal reflecting any changes or modifications. It will be necessary to reschedule the appropriate hearings and execute the attendant notices and advertisements.

Step 5: Adoption – Upon a favorable decision of the Town Council to revise or amend the Ordinance, the Ordinance will be adopted and become effective within fourteen (14) days of said favorable decision.

8. Definitions (see Appendix I for complete list of definitions)

Definitions are a critical component of any Ordinance. Definitions contained in this Ordinance are provided for clarification purposes. Understanding definitions goes a long way to ensure that the permitting and acceptance process is handled smoothly. If definition of a term is not listed, please refer to the Fort Kent Zoning and/or Subdivision Ordinances for additional definitions. If further clarification is required, contact the Fort Kent Code Enforcement Officer, or the Fort Kent Planning Board.

9. Roadway Classification and Average Daily Trips (see Appendix II for detailed information)

The Roadway Classification and Average Daily Trips will be used by the Planning Board to aid in the review process. This information is important when considering minimum surfacing requirements, line of sight, and other design and construction features.

A road is classified into distinct categories, based upon the Roadway’s design intent or ultimate purpose. The Town of Fort Kent will use State of Maine Department of Transportation classifications to describe its roadways. *Roadway Classification is used primarily for design features.* Fort Kent currently has three road classification types:

1. **Minor Arterial – Rural:** A series of continuous routes that should be expected to provide for relatively high overall travel speeds with minimum interference to through movement. Examples of Minor Arterial – Rural are: Route 161 Fort Kent to Caribou; Route 1 Fort Kent to Madawaska; Route 11 to points south
2. **Minor Collector – Rural:** Generally serve travel of primarily intra-county rather than statewide importance and travel distances are shorter than arterial routes. Examples include Market Street and Pleasant Street
3. **Local:** Roads not classified as above. Examples include Winter and Summer Avenues, Violette Settlement Road, Pearl Street.

In addition to the roadway classification, another important parameter for roadway design and review will be Average Daily Trips count (See Appendix I - Definitions and Appendix II for additional detail). Average Daily Trips shall be defined as the number of daily vehicle trips generated by a particular use as established by the *Trip Generation Manual*, published by the Institute of Transportation Engineers (**latest edition**). A table of ADT for various land uses is presented in Appendix II.

Acceptance of a Roadway will be determined by demonstrating the threshold value for ADT has been achieved for the particular roadway, in addition to other requirements set forth in this Ordinance.

If the developer believes that the estimated number of trips per day generated by their proposed plan conflicts with published figures, the developer has the opportunity to propose alternate figures. Alternate figures must be supported and substantiated by a developer commissioned traffic study/survey/report utilizing a qualified professional in good standing with the Maine Office of Licensing & Registration.

10. Obtaining a New Roadway Permit or Roadway Modification Permit

The procedure for obtaining a New Roadway Permit or Roadway Modification Permit will involve the submittal of mandatory documentation and interaction with the following Town Officials:

Code Enforcement	Planning Board	Public Works Dept	Water/Wastewater Dept
------------------	----------------	-------------------	-----------------------

Listed below are the permit procedures and documentation requirements for both road development types. Refer to Definitions (Appendix I), Permit Documentation Specifications/Requirements (Appendix III), and Permit Application Checklist and Timeline (Appendix IV) for further details.

General Procedure to Obtain a New Roadway Construction Permit or a Roadway Modification Permit

1. Schedule a pre-application meeting with Director of Public Works, Director of Water/Wastewater, and Code Enforcement Officer
2. Submittal of a complete Roadway Application to CEO
3. Payment of New Roadway or Modified Roadway Application Fee – due at time of submittal of complete application
4. Schedule a Preliminary Roadway Review with the Planning Board.
5. Schedule a Final Roadway Review meeting (depending upon outcome of Preliminary Roadway Review) with the Planning Board
6. Once **all** requirements are satisfied, a roadway construction permit is issued. This allows the developer to commence construction/modification of the roadway

Documentation for New Roadway Construction Permit or Roadway Modification Permit

1. Drawings – A drawing is the most important documentation component of a roadway project. Listed below is basic information regarding drawings. For drawing requirements, specifications, and details, refer to Appendix III:
 - a. Through the Pre-Application and Application process, working sketches/drawings are acceptable.
 - b. A Roadway Permit will not be issued until a final, correct drawing(s) is submitted, approved, and signed by the Town of Fort Kent Planning Board
 - c. A Roadway drawing(s) must be signed by a Registered Professional Engineer in good standing with the Maine Office of Licensing & Registration who has demonstrated experience in roadway design
2. Deeds
3. Municipal Letters
4. List of abutters and letter to abutters
5. Warranty Deed – Letter of Acknowledgment
6. Multi-party Agreement
7. Application

IMPORTANT: Review Permit Documentation Specifications/Requirements (Appendix III), and Permit Application Checklist and Timeline (Appendix IV) carefully

11. Final Acceptance of a New Roadway or Roadway Modification

The procedure for Final Acceptance of a New Roadway or Roadway Modification will involve the submittal of mandatory documentation and interaction with:

Code Enforcement Officer	Fort Kent Public Works Department
Fort Kent Planning Board	Fort Kent Water/Wastewater Department
The Fort Kent Town Council	Legislative Body of the Town of Fort Kent

Listed below are the Acceptance procedures and documentation requirements for both road development types. Refer to Definitions (Appendix I), Roadway Acceptance Documentation Requirements/ Specifications (Appendix V), and Acceptance Application Checklist and Timeline (Appendix V) for further details.

General Procedure for Final Acceptance of a New Roadway or Roadway Modification

1. The developer arranges a pre-construction meeting for the purposes of scheduling, identification of contractors, determination of inspection breakpoints/stages, etc.
2. Scheduled Inspections and verification of materials/comparison to submittals (with town and/or engineering professionals) at predetermined stages
3. Pavement Coordination Meeting
4. Final Inspection and Signoff by Department of Public Works and/or Engineer
5. Submittal of a complete Final Acceptance Application
6. Schedule a Road Acceptance Public Hearing with the Planning Board
7. Schedule a Road Acceptance agenda item with the Town Council
8. Approval of Fort Kent Legislative Body at the Annual Town Meeting – **Developer or Designee must attend this meeting**

Documentation Requirements for New Roadway Acceptance or Roadway Modification Acceptance

1. As Built Drawings
2. Deeds (reflecting any changes since permit issuance)
3. Deed Transfer to Town
4. Copies of Applicable State permits
5. Updated Multi-party agreement (if applicable)
6. Final Sign-off issued by Engineer and/or Department of Public Works

12. Disclaimer:

All roadways that will be part of a subdivision shall conform to this Ordinance. The roadway review process will occur separately from the subdivision review process. Note the following:

1. The Subdivision Review and Roadway Review processes could occur simultaneously
2. Subdivision plans/drawings do not need the level of road detail that may be required on Roadway plans.
3. The Subdivision Plans should reference the Roadway Plan drawing name/number
4. The Roadway Plans should reference the Subdivision Plan drawing name/number

13. Roadway Design and Construction Details

The following information and details presented in this Section comprise the Town of Fort Kent Road Design and Construction Standards.

	Minor Arterial & Minor Collector - Rural	Local	
		ADT < 100	ADT > 100
a. Minimum Width of Right-of-Way	Consult with CEO and MDOT	60'	60'
b. Minimum Paved Width		20'	20'
c. Minimum Shoulder Width (each)		4'	4'
d. Curbing		(if desired)	(if desired)
e. Curb Reveal		(if desired)	(if desired)
f. Minimum Grade		0.5%	0.5%
g. Maximum Grade		10.0%	10.0%
h. Drainage Ditch Angle Ratio: Shoulder to ditch bottom		4:1	4:1
Ditch bottom to right-of-way		2:1	2:1
i. Minimum Distance Ditch Bottom to Sub-Base Bottom		12"	12"
j. Maximum Grade at Intersections		3% within 50' of intersection	3% within 50' of intersection
k. Minimum Angle of Intersections		90 degrees	90 degrees
l. Minimum Centerline Radii on Curves		150'	150'
m. Minimum Tangent Length Between Reverse Curves		50'	50'
n. Minimum Sidewalk: Sidewalks		5'	5'
Bituminous surface		2"	2"
Gravel sub-base course		12"	12"
Portland cement concrete reinforced with #10 wire mesh		4"	4"
Sand base if cement used	6"	6"	
o. Minimum Road Base: (after compaction)	24" thick	24" thick	
Aggregate sub-base (maximum size stone 6") & ledging that meets Maine DOT specs. See also 13.C.2			
Crushed aggregate base (if necessary). See also 13.C.1	3" thick	3" thick	
p. Surfacing:	See Chart X	See Chart X	
q. Minimum Road Crown: Paved	0.25":1'	0.25":1'	
r. Property Line Radii (intersections)	10'	10'	

Chart X	Minimum Surfacing Requirements
ADT < 100	ADT > 100
Chip Seal	Hot Bituminous Pavement Surface Course = 1.25" Base Course = 1.75"

A. Preparation: Before any clearing has started on the right-of-way, the center line and side lines of the new road shall be staked or flagged at fifty (50) foot intervals.

B. Grading: All roads and alleys shall be graded to their full width by the Applicant/Developer so that pavement and sidewalks can be constructed on parallel profiles. Deviation from the above will be allowed only with the approval of the Planning Board.

1. Before grading is started, the entire right-of-way area shall be cleared of all stumps, roots, brush, and/or other objectionable material and all trees not intended for preservation.
2. Tree stumps and other organic material shall be removed to a depth of two (2) feet below the subgrade. Rocks and boulders, when encountered, shall be scarified to subgrade.
3. On soils which have been identified as not suitable for roadways, the sub-soil shall be removed from the road site to a depth of two (2) feet below the subgrade and replaced with material meeting the specifications for gravel aggregate sub-base. In lieu of removal of all organic material, engineering fabric (geotextile) may be used to stabilize the road base.
4. All the material used in the construction of embankments shall be of the quality to meet standards for embankment of the latest edition of the MDOT Standard Specifications for Highways and Bridges. Excess materials, including organic materials, soft clays, wet and non-compactable materials, etc., shall be removed from the road site. The fill shall be spread in layers not to exceed 12" loose and compacted: 80% of optimum for sub-base, 95% optimum for base. If applicable, the filling of utility trenches and other places shall be mechanically tamped.
5. All side slopes shall be at a slope of four (4) horizontal to one (1) vertical except for rural design local roads which may have maximum side slopes of three (3) horizontal to one (1) vertical. Side slopes in ditches shall not exceed two (2) horizontal to one (1) vertical. Where cut and fill slopes necessary to meet this and other standards would exceed the right-of-way width, the width shall be increased to cover all such cut and fill land and to provide adequate space for maintenance access. Slopes and shoulders shall be appropriately vegetated in accordance with an erosion and sedimentation control plan approved by the Planning Board.
6. All underground utilities shall be installed prior to paving to avoid cuts in the pavement. Building sewer and water service connections shall be installed to the edge of the right-of-way prior to paving.

C. Bases: The appropriate sections of the MDOT Standard Specifications for Highways and Bridges currently in effect at the date of submission of the preliminary plan, shall be applicable to this Ordinance, except as follows:

1. 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. The gradation of the part that passes a two (2") inch square mesh sieve shall meet the following grading requirements:

Sieve Designation	% of Weight Passing Square Mesh Sieve
1/2 inch	45-70%
1/4 inch	30-55%
No. 40	20%
No. 200	5%
Aggregate for the base shall contain no particles of rock exceeding two (2) inches in diameter.	

2. 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. The gradation of the part that passes a three (3) inch square mesh sieve shall meet the following grading requirements:

Sieve Designation	% of Weight Passing Square Mesh Sieve
1/4 inch	25-70%
No. 40	30%
No. 200	7%
Aggregate for the sub-base shall contain no particles of rock exceeding six (6) inches in diameter.	

D. Pavement Joints: Where pavement placed joins an existing pavement, the existing pavement shall be saw cut along a smooth line and to a neat, even, vertical joint. No broken or raveled edges and no deviation from grade will be permitted.

E. Curbs and Gutters: Road curbs and gutters shall be installed as required by the Planning Board. Curbs shall be vertical, except when slopes curbs are specifically allowed by the Planning Board.

F. Pavements: Minimum standards for the base layer of pavement shall be the MDOT specifications for Plant Mix Grade B with an aggregate size of no more than 3/4" maximum. This base course may be placed between April 15 to November 15, provided the air temperature in the shade at the paving location is 35 degrees F or higher and the area to be paved is not frozen or unreasonably wet. Minimum standards for the surface layer of pavement shall meet the MDOT specifications for Plant Mix

Grade C with an aggregate size of no more than 1/2" maximum. This surface course shall be placed between April 15 and October 15 provided the air temperature is 50 degrees F or higher.

G. **Construction Monitoring:** It shall be the responsibility of the developer to contract with the Public Works Foreman or the Code Enforcement Officer to continuously inspect aspects of road construction for conformance with standards as outlined in this Ordinance. The inspector shall report in writing to the Town Manager or designated representative detailing and reporting construction activities at each of the following stages:

1. After grading and before placing of sub-base gravel;
2. After placement of sub-base gravel and base gravel, if required;
3. Prior to placement of base course and pavement;
4. Prior to placement of surface course and pavement; and
5. Completion of construction, yet prior to final acceptance.

14. Standard Roadway Details

A. These design standards shall be met by all roads and shall control the roadway, shoulders, curbs, ditches, sidewalks, drainage systems, culverts, and other appurtenances.

B. Roads shall be designed to discourage through traffic within a residential subdivision.

C. Wherever existing or other proposed roads, topography, and public safety permit, roads shall run in east/west directions to maximize access for solar energy utilization. The character, extent, width, and grade of all roads shall be considered in their relation to existing or planned roads.

D. Where a development borders an existing narrow road (not meeting the width requirements of the standards for roads in this Ordinance), or when the Comprehensive Plan indicates plans for realignment or widening of a road that would require use of some of the land in the development, the plan shall indicate reserved areas for widening or realigning the road marked "Reserved for Road Realignment (Widening) Purposes". Land reserved for such purposes may not be included in computing lot area or setback requirements.

E. Driveways shall be located not less than forty (40) feet from the tangent point of the curb radius at an intersection. Driveways to corner lots shall gain access from the road of lower classification when a corner lot is bounded by roads of two different classifications. Driveways, whenever possible, should be located no closer than five (5) feet from adjacent property lines and fifty (50) feet to an adjacent driveway.

F. The maximum number of driveways onto a single road is controlled by the available site frontage as noted in E above. In addition, no low volume traffic generator shall have more than one two-way access onto a single roadway and no medium volume traffic generator shall have more than two two-way accesses in total onto a single roadway.

G. Any road serving 15 dwelling units or more shall have at least two road connections with existing public roads on an approved subdivision plan for which performance guarantees have been filed and accepted.

H. Existing roads shall be extended at the same or greater width and in no case shall they be extended at less than the existing width.

I. Road names require the approval of the Planning Board. Roads that are in alignment with roads already existing or named, shall be given the name of the existing road. Names of new roads shall not duplicate, nor bear phonetic resemblance to those of existing roads in Fort Kent. The developer shall reimburse the Town of Fort Kent for the costs of installing road name, traffic safety, and control signs.

J. Intersections of roads shall be at angles as close to ninety (90) degrees as possible. In no instances shall road intersections be at an angle of less than seventy-five (75) degrees.

K. The curb line radius at road intersections shall be no less than twenty-five (25) feet. Where the angle of the road intersects is less than ninety (90) degrees, a longer radius may be required.

L. Any road intersection shall be so designed in profile and grading and so located as to provide the following minimum sight distances measured in each direction. The measurements shall be from the driver's seat of a vehicle standing on that portion of the intersecting road or road with the front of the vehicle a minimum of ten (10) feet behind the curb line or edge of the shoulder with the height of the eye three and one-half (3.5) feet to the top of an object four and one-quarter (4.25) feet above the road surface. Adjustments may be requested by the Planning Board to adjust for downgrades and upgrade. Where necessary, corner lots shall be cleared of all growth and sight obstructions, including ground excavation, to achieve the required visibility.

Allowable Speed
(MPH)

Minimum Required Sight Distance(in feet)

25	250
30	300
35	350
40	400
45	450
50	500
55	550

- M. Where, in the opinion of the Planning Board, it is desirable to provide for road access to adjoining property, proposed roads shall be extended by dedication, to the boundary of such property.
- N. Utilities shall be located in all roads as indicated within this Ordinance. (See Y)
- O. Street lighting shall be installed as required by the Planning Board. (See Y)
- P. The centerline of the roadway shall be the centerline of the right-of-way.
- Q. Dead end roads shall either be constructed to provide a cul-de-sac turn around or a hammerhead or "T" turn around. Cul-de-sac turn arounds designed with a center island shall meet the following dimensions:
- | | |
|--|--|
| 1. Property line: | seventy (70) feet; |
| 2. Outer edge of pavement or travel surface: | sixty (60) feet; and |
| 3. Maximum length of dead end road: | 1,500' (measured from the center line of the feeder road to the center of the turn around radius). |
- R. If a center island will not exist, a radius to the property line could be seventy (70) feet. The Planning Board may require the reservation of a twenty (20) foot easement in line with the road to provide continuation of pedestrian traffic or utilities to the next road. The Planning Board may also require the reservation of a seventy (70) foot easement in line with the road to provide continuation of the road where future subdivision is possible. **Hammerhead or "T" turn arounds are allowed. Cul-de-sac allowed only if meeting the criteria established by the Town of Fort Kent Public Works Director.** These turn arounds shall allow a minimum extension of sixty (60) feet perpendicular from the road centerline on each side of the proposed road.
- S. The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages. Refer to: Erosion Control, herein, for a description of minimum erosion control methods.
- T. Following road construction, the developer or contractor shall conduct a thorough clean up of stumps and other debris from the entire road right-of-way. If on-site disposal of stumps and debris is proposed, the site shall be indicated on the Plan, and be suitably covered with fill and topsoil, limed, fertilized, and seeded.
- U. Adequate provision shall be made for disposal of all surface water and underwater through ditches, culverts, under drains, and/or storm water drainage systems. Drainage design shall be based upon a ten-year storm event and shall be reviewed by the local Soil Conservation Service Office before construction. Refer to: Culverts, herein, for a description of minimum culvert standards.
- V. Catch basins (of standard design) shall be built where necessary and culverts of proper size and capacity will be installed at all watercourses, with necessary headers. Refer to: Culverts, herein, for a description of minimum culvert standards.
- W. Slopes and ditches shall slope away from the shoulders of the road at a ratio of at least four (4) horizontal feet to one (1) foot vertical and never steeper than two (2) to one (1). In cases where this is not possible or practical, as where the roadway cuts through the side of a hill, all cuts shall be made to that adjacent slopes will not slide. The tops and sides of all cuts shall be cleared of all trees, stumps, and boulders for an adequate distance so as to prevent such material from sliding into the ditches. Banks will be loomed, seeded, and mulched.
- X. The Planning Board shall have the authority to designate whether sidewalks shall be required. Sidewalk specifications shall comply with MDOT General Specifications which include a minimum sidewalk width of 5' with 2" of bituminous hot mix (Grade D) over a 12" gravel sub-base after compaction.

Y. Longitudinal runs of water and/or sewer mains shall be laid outside of the travel lanes and clear of any present or designated sidewalks. Utility poles shall be so placed that any present or designated sidewalks may be contained within the boundaries of the road or way without obstructions by poles or appurtenances.

15 Erosion Control.

A. All slopes and ditches shall be protected to prevent erosion. All ditches having grades less than 2% shall be protected with hay or wood mulch or any of the various temporary erosion control products such as excelsior mat, jute mesh, etc. This includes sod and direct seeding.

B. For grades of 2% or steeper, waterways shall be lined with stone with diameters ranging from 4" to 12". Proper bedding of the stone should be provided by at least 6" of bank-run gravel or an Erosion Control Geotextile meeting MDOT Specifications.

C. Construction operations should be scheduled to allow immediate seeding within channels during optimum grass-growing periods (mid-April to late June or August through September). All seeding should be completed within 24 hours after excavation of a ditch.

D. For a more detailed presentation on erosion control, refer to DOT Best Management Practices.

E. Dust control shall be approved by the Code Enforcement Officer prior to being applied and shall be applied at time of construction with either calcium chloride, or an approved alternative, by being mixed with the gravel or sprayed on at completion of the driveway.

16 Driveways/Culverts/Pipes. (amended 12/14/09)

This section shall apply to all driveway construction:

- associated with NEW home or NEW accessory building
- associated with EXISTING home or EXISTING accessory building or modification of an EXISTING driveway with no structures
- driveways that connect to town owned roads

The landowner is responsible for all costs associated with installation of new driveway culverts.

Refer to Sketch for Matching Driveway into a Town Road as a reference.

Culvert Material:

A. Minimum diameter of all driveway pipes is 15 inches and road crossing pipes is 18 inches. These minimums may be altered by the Planning Board, and the Public Works Department.

B. Approved plastic pipes are allowed. Smooth lined polyethylene double wall is also acceptable. See Public Works Director for approved list.

C. Aluminum-coated corrugated steel pipes are preferred and accepted 1 gauge thinner than comparable size of those described in D & E.

D. Zinc-coated (galvanized) and aluminum/zinc alloy coated ("galvalume") corrugated steel pipes are accepted on an equal gauge basis.

E. Corrugated aluminum alloy pipes are accepted but greater caution is necessary during installation. They must be properly backfilled and compacted.

F. It is recommended to use pipes with a 50+ year life in fills larger than 10 feet in height. Types of pipe include concrete pipe, polymer coated galvanized corrugated steel pipe, PVC pipe, and corrugated aluminum alloy pipe.

G. All culverts to be new.

Culvert Length:

The maximum single culvert length will not exceed thirty (30) feet. If a culvert length greater than thirty (30) feet is desired, a variance from the Zoning Board of Appeals must be obtained. For additional culverts on a lot, the total length of all culverts is not to exceed forty five (45) feet.

Culvert Diameter

Driveway: Minimum diameter of all driveway pipes is 15 inches.
Road Crossing Minimum diameter of all road crossing pipes is 18 inches

These minimums may be altered by the Planning Board, and the Public Works Department.

Driveway Location:

Driveways shall be located not less than forty (40) feet from the tangent point of the curb radius at an intersection.

Driveways to corner lots shall gain access from the road of lower classification when a corner lot is bounded by roads of two different classifications.

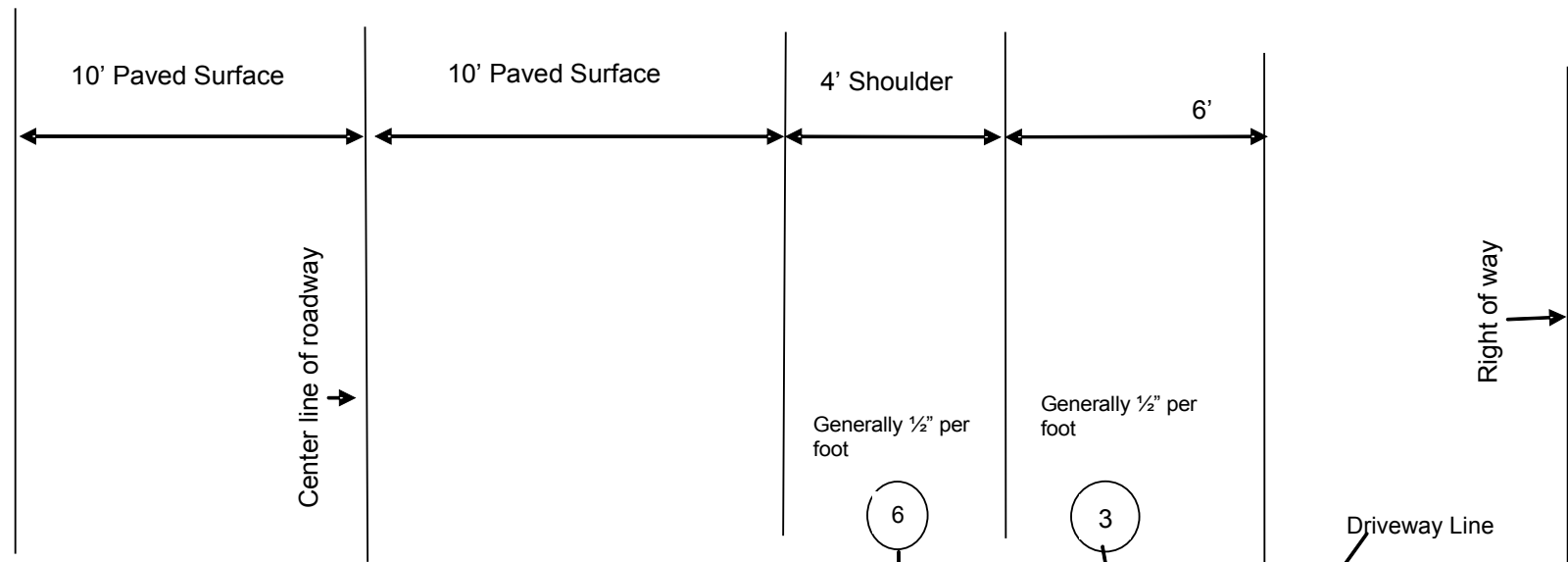
Driveways, whenever possible, should be located no closer than five (5) feet from adjacent property lines and fifty (50) feet to an adjacent driveway.

Number of Driveways:

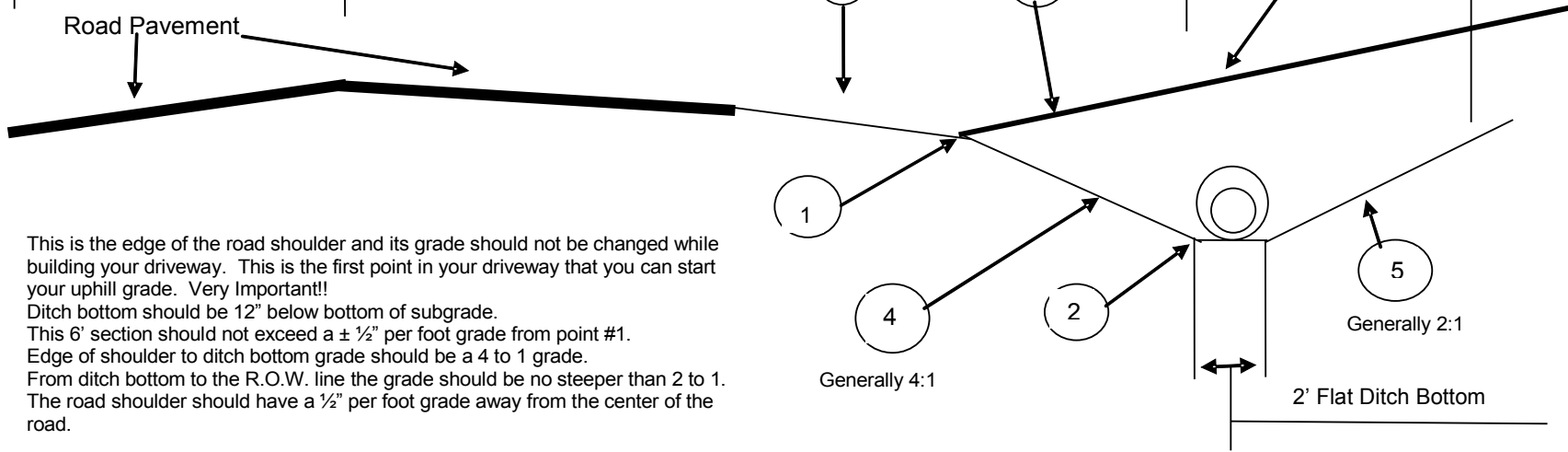
The maximum number of driveways onto a single road is controlled by the available site frontage as noted Driveway Location details above.

Matching the Driveway to a Town Road

The best guide for matching a driveway to a Town Road is the following sketch:



Generally ½" per foot Generally ½" per foot



Notes:

1. This is the edge of the road shoulder and its grade should not be changed while building your driveway. This is the first point in your driveway that you can start your uphill grade. Very Important!!
2. Ditch bottom should be 12" below bottom of subgrade.
3. This 6' section should not exceed a $\pm 1/2$ " per foot grade from point #1.
4. Edge of shoulder to ditch bottom grade should be a 4 to 1 grade.
5. From ditch bottom to the R.O.W. line the grade should be no steeper than 2 to 1.
6. The road shoulder should have a $1/2$ " per foot grade away from the center of the road.

Ditching in the area of a Driveway

See guidelines in Roadway Design and Construction Details, Section 13 in this Ordinance.

In the event that these Guidelines can not be met, landowner is responsible for matching existing ditch lines

Right of Way (ROW)

The Right of Way is that area of land, adjacent to both sides of paved or unpaved Town roadways, that the Town has access to for maintenance; snow plowing, and storm water run-off

Once an approved culvert installation is established, the Town will maintain (clean, de-ice) only that portion that is in the Right of Way.

Replacement or repairs of the culvert are at the discretion of the Public Works Director. Typically the Town will be responsible for culverts in a driveway if the following occurs:

- Major road repair

Paving in the Right of Way

Landowner is responsible for matching driveway pavement to existing paved Town roads. See Design Sketch for additional details

In the event that a roadway is not paved, the landowner is responsible for matching their driveway to any future paving.

Obstacles in the Town Right of Way

The Town is not responsible for any obstructions placed by a landowner in a Town Right of Way. Obstructions include, but not limited to:

- Stone work, bricks, concrete, asphalt around culvert ends
- Landscaping such as flowers or plants or trees
- Mailboxes fixed in cement or stones or similarly fixed installations
- Ornamental Objects

Application: See Appendix VI.

17 Roads in Mobile Home Parks.

Roads in a mobile home park shall be design and constructed in accordance with the Mobile Home Park standards contained in the Fort Kent Subdivision Ordinance.

Appendix I: Definitions

Aggrieved Party: An owner of land whose property is directly or indirectly affected by the granting or denial of a permit, waiver, or variance under these Ordinances; a person whose land abuts land for which a permit, waiver, or variance has been granted; or any other person or group of persons who have suffered particularized injury as a result of the granting or denial of such permit, waiver, or variance.

Alteration: Any change, addition, or modification in construction, other than cosmetic or decorative, or any change in the structural members of buildings such as bearing walls, columns, beams, or girders.

Applicant: The person applying for approval.

Aquifer: A geological unit in which porous and permeable conditions exist and thus are capable of yielding usable amounts of water.

Aquifer Recharge Area: An area that has soils and geological features that are conducive to allowing significant amounts of surface water to percolate into groundwater.

Area of Special Flood Hazard: The land in the floodplain having a one percent or greater change of flooding in any given year.

Average Daily Traffic (ADT): The average number of vehicles per day that enter and exit the premises or travel over a specific section of road.

Base Flood: Means the flood having a one percent chance of being equaled or exceeded in any given year, alternately referred to as the 100 year flood

Buffer: A part of a property or an entire property, which is not built upon and is specifically intended to separate and thus minimize the effects of a land use activity (e.g. noise, dust, visibility, glare, etc.) on adjacent properties or on sensitive natural resources.

Building: Any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals, or personal property.

Business Directional Sign: A sign erected and maintained in accordance with the Maine Traveler Information Services Act, 23 MRSA 1901, et. seq. which points the way to public accommodations and facilities or other commercial facilities.

Business, Commercial, or Industrial Sign: An attached or freestanding structure which directs attention to a business or profession conducted on that premises.

Certificate of Compliance: A document signed by the Code Enforcement Officer stating that a structure is in compliance with all of the provisions of the Floodplain Management Ordinance.

Change of Use: A change from one category in the land use table to another or the addition of a new category of use to an existing use.

Code Enforcement Officer (CEO): A person appointed by the Town Officers to administer and enforce Ordinances.

Commercial Use: Commercial shall include the use of lands, buildings, or structures, other than home occupations, the intent and result of which activity is the production of income from the buying and selling of goods and services, exclusive of rental of residential buildings and dwelling units.

Common Driveway: A vehicle access way serving two dwelling units.

Common Open Space: Land within or related to a development, not individually owned, which is designed and intended for the common use or enjoyment of the residents of the development or the general public. It may include complementary structures and improvements, typically used for maintenance and operation of the usable open space, such as for outdoor recreation.

Complete Application: An application shall be considered complete upon submission of any required fee, a signed application, and all information required by the appropriate application, except as validly waived by the vote of the Planning Board to waive the submission of required information. The Planning Board shall issue a written statement to the applicant upon its determination that the application is complete.

Comprehensive Plan: A document or interrelated documents adopted by the Town's legislative body, containing an inventory and analysis of existing conditions, a compilation of goals for the development of the community, an expression of policies for achieving these goals, and a strategy for implementation of the policies.

Conforming: A building, structure, use of land, or portion thereof, which complies with the provisions of the Zoning Ordinance.

Conservation Easement: A nonpossessory interest in real property imposing limitations or affirmative obligations, the purposes of which include retaining or protecting natural, scenic, or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; or maintaining air and water quality.

Constructed: Includes built, erected, altered, reconstructed, moved upon, or any physical operations on the premises which are required for construction. Excavation, fill, paving, drainage, and the like, shall be considered as part of construction.

Density: The number of units per acre of land.

Developed Area: Any area on which a site improvement or change is made, including buildings, landscaping, parking areas, and roads.

Development: Any man-made changes to improved or unimproved real estate, including but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

Dimensional Requirements: Numerical standards relating to spatial relationships including but not limited to setback, lot area, shore or road frontage, and height.

Direct Watershed: That portion of the watershed which does not first drain through an upstream lake.

District: A specified portion of the Town, delineated on the Official Fort Kent Zoning Map, within which certain regulations and requirements or various combinations thereof apply.

Driveway: A vehicular access-way less than five hundred (500) feet in length serving two (2) lots or less.

Easement: A right, such as a right-of-way, afforded a person to make limited use of another's real property.

Emergency Operations: Operations conducted for the public health, safety or general welfare, such as protection of resources from immediate destruction or loss, law enforcement, and operations to rescue human beings, property and livestock from the threat of destruction or injury.

Essential Services: The construction, alteration, or maintenance of gas, electrical, or communication facilities; steam, fuel, electric power or water transmission or distribution lines, towers and related equipment; telephone cables or lines, poles and related equipment; gas, oil, water, slurry or other similar pipelines; municipal sewage lines, collection or supply systems; and associated storage tanks. Such systems may include towers, poles, wires, mains, drains, pipes, conduits, cables, fire alarms, and police call boxes, traffic signals, hydrants and similar accessories, and shall include service drops or buildings which are not necessary for the direct furnishing of such services.

Fence: Any artificially constructed barrier of any material, or combination thereof, erected to enclose or screen areas of land. To further distinguish types of fences: (a) a boundary fence encloses a parcel of property; and (b) a privacy fence blocks part or all of the property from the view of the neighbors.

Filling: Depositing or dumping any matter on or into the ground or water.

Final Plan: The final drawings on which the applicant's plan of development is presented to the Planning Board for approval and which, if approved, shall be recorded at the Aroostook County Registry of Deeds, Northern Office.

Flood Insurance Rate Map: The official map on which the Dept. of Housing and Urban Development or the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to Fort Kent.

Floodplain: The lands adjacent to a body of water which have been or may be covered by the base flood.

Floodplain Soils: The following soil series as described and identified by the SCS in the Soil Survey for Aroostook County, Maine:

Alluvial Hadley Medomak Winooski

Forest Management Activities: Timber cruising and other forest resource evaluation activities, pesticide or fertilizer application, management planning activities, timber stand improvement, pruning, regeneration of forest stands, and other similar or associated activities, exclusive of timber harvesting and the construction, creation or maintenance of roads.

Forested Wetland: A freshwater wetland dominated by woody vegetation that is six (6) meters tall or taller. (6 meters = 19.865 feet)

Forestry: The operation of timber tracks, tree farms, forest nurseries, the gathering of forest products, or the performance of forest services.

Freshwater Wetland: Freshwater swamps, marshes, bogs and similar areas, other than forested wetlands, which are:

1. Of ten (10) or more contiguous acres; or of less than ten (10) contiguous acres and adjacent to a surface water body, excluding any river, stream or brook, such that in a natural state, the combined surface area is in excess of ten (10) acres; and
2. Inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and which under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils. Freshwater wetlands may contain small stream channels or inclusions of land that do not conform to the criteria of this definition.

Frontage: The horizontal distance, measured in a straight line, between the intersections of the side lot lines with the front lot line.

Frontage, Road: The horizontal distance, measured in a straight line, extending between the side lot lines and the road right-of-way.

Gravel Pit: (See: Mineral Extraction)

High Intensity Soil Survey: A soil survey conducted by a Certified Soil Scientist, meeting the standards of the national Cooperative Soil Survey, which identifies soil types down to 1/10 acre or less at a scale equivalent to the development plan submitted. The mapping units shall be the soil series, Single soil test pits and their evaluation shall not be considered to constitute high intensity soil surveys.

Industrial Use, Heavy: The use of real estate, building, or structure, or any portion thereof, for assembling, fabricating, manufacturing, packaging, or processing operations.

Industrial Use, Light: The use of real estate, building, or structure, or any portion thereof, which main processes involve the assembly of pre-fabricated parts and which will not create a nuisance by noise, smoke, vibration, odor, or appearance.

Inland Wetlands: Land, including submerged land, which consists of any of the soil types designated as poorly drained, very poorly drained, and alluvial soils by the SCS in the Soil Survey for Aroostook County, Maine.

Level of Service: A description of the operating conditions a driver will experience while traveling on a particular road or highway calculated in accordance with the provisions of the Highway Capacity manual, latest edition, published by the National Academy of Sciences, Transportation Research Board. There are six (6) levels of service ranging from Level of Service A, with free traffic flow and no delays to Level of Service F, with forced flow and congestion resulting in complete failure of the roadway. Livestock: Domestic animals kept or raised for use or profit, such as, but not limited to, cattle, horses, sheep, or pigs, that are typically kept outside of the home

Lot: A parcel of land occupied or capable of being occupied by one building and the accessory buildings or uses customarily incidental to it, including such open spaces as are required, and having frontage upon a public road, right-of-way or private way.

Mineral Exploration: The hand sampling, test boring, or other methods of determining the nature or extent of mineral resources which create minimal disturbance to the land and which include reasonable measures to restore the land to its original condition. Mineral exploration shall not include testing for a quarry.

Mineral Extraction: Any operation which removes soil, topsoil, loam, sand, gravel, clay, rock, peat, or other like material from its natural location and to transport the product removed, away from the extraction site. Mineral extraction shall not include the term quarry.

New Construction: Structures for which the "start of construction" commenced on or after the effective date of these Ordinances.

Non-Conforming Use: Use of buildings, structures, premises, land or parts thereof which is not permitted in the District in which it is situated or which does not meet the performance standards prescribed for it by these Ordinances, but which is allowed to remain solely because it was in lawful existence at the time these Ordinances or subsequent amendments took effect.

Normal High-Water Line of Waters: That line which is apparent from visible markings, changes in the character of soils due to prolonged action of the water or changes in vegetation, and which distinguishes between predominantly aquatic and predominantly terrestrial land

(by way of illustration, aquatic vegetation includes but is not limited to the following plants and plant groups: Upland grasses, aster, lady slipper, wintergreen, partridge berry, sarsaparilla, pines, cedars, oaks, ashes, alders, elms and maples). In the case of wetlands adjacent to rivers and Great Ponds, the normal high-water line is the upland edge of the wetland, and not the edge of the open water. In places where the shore or bank is of such character that the high water line cannot be easily determined (rock slides, ledges, rapidly eroding, or slumping banks) the normal high water line shall be estimated from places where it can be determined by the above method.

Off-Street, Loading: Accommodations off the street for loading and unloading of vehicles.

Off-Street, Parking: Accommodations for the parking of motor vehicles off the street.

100 Year Flood: The flood having a one percent chance of being equaled or exceeded in any given year.

Open Space Use: A use not involving: a structure; earth-moving activity; or the removal or destruction of vegetative cover, spawning grounds, or fish, aquatic life, bird and other wildlife habitat.

Ordinance: Any legislative action of the Town's legislative body which has the force of law, including but not limited to, any amendment or repeal of any ordinance.

Parcel or Tract, of Land: All contiguous land in the same ownership, provided that lands located on opposite sides of a public or private road shall be considered each a separate tract, or parcel, of land unless such road was established by the owner of land on both sides thereof.

Parking Lot: An area not within a building where vehicles may be stored for the purposes of temporary, daily, or over-night off-street parking.

Parking Space: An area on a lot intended for the use of temporary parking of a personal vehicle. Each parking space shall be nine feet by nineteen feet (9' X 18'), exclusive of drives or aisles for the parking of vehicles, and have a means of access to a public road.

Permitted Use: Uses which are listed as permitted uses in the various Districts set forth in the Zoning Ordinance. The term shall not include prohibited uses.

Person: An individual, corporation, governmental agency, municipality, trust, estate, partnership, association, two (2) or more individuals having a joint or common interest, or other legal entity.

Personal Property: Property which is owned, utilized and maintained by an individual or members of his or her residence and acquired in the normal course of living in or maintaining a residence. It does not include merchandise which was purchased for resale or obtained on consignment.

Planning Board: The Planning Board for the Town of Fort Kent.

Preliminary Plan: The preliminary drawings indicating the proposed layout to be submitted to the Planning Board for its consideration.

Principal Use: The primary use other than one which is wholly incidental or accessory to another use on the same premises.

Private Road: A private way not meeting Fort Kent's road design and construction standards for preparation, sub-base, and base.

Public Facility: Any facility, including, but not limited to, buildings, property, recreation areas, and roads, which are owned, leased, or otherwise operated, or funded by a governmental body or public entity.

Public Improvements: The furnishing, installing, connecting, and completing all of the road grading, paving, storm drainage, and utilities or other improvements specified by the Planning Board.

Public Utility: Any person, firm, corporation, municipal department, board, or commission authorized to furnish gas, steam, electricity, waste disposal, communication facilities, transportation, sanitary sewage disposal, or water to the public.

Quarry: A place where stone is excavated from rock.

Reconstructed: The rebuilding of a road or section of a road to improve its serviceability.

Recording Plan: A copy of the Final Plan which is recorded at the Aroostook County Registry of Deeds, Northern Office.

Repair: To take necessary action to fix normal damage or storm damage.

Right-of-Way: A strip of land occupied or intended to be occupied by a road, crosswalk, railroad, electrical transmission line, oil or gas pipeline, water main, sanitary sewer main, storm water main, shade trees, or other auxiliary uses, either public or private, on which an irrevocable right-of-passage has been recorded for the use.

Riprap: Rocks, irregularly shaped, and at least six (6) inches in diameter, used for erosion control and soil stabilization, typically used on ground slopes of two (2) units horizontal to one (1) unit vertical or less.

River: A free-flowing body of water including its associated floodplain wetlands from that point at which it provides drainage for a watershed of twenty-five (25) square miles to its mouth.

Riverine: Means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Road: A public or private thoroughfare used, or intended to be used, for passage or travel by motor vehicles, consisting of a bed of exposed mineral soil, gravel, asphalt, or other surfacing material.

Setback: The horizontal distance from a lot line to the nearest part of a structure, road, parking space, or other regulated object or area.

Setback from Water: The horizontal distance from the normal high water line to the nearest part of a structure.

Shopping Center: Any concentration of two or more retail stores or service establishments under one ownership or management containing 15,000 square feet or more of gross floor area.

Shore Frontage: The length of a lot bordering on a water body measured in a straight line between the intersections of the lot lines with the shoreline at normal high-water line.

Shoreland Zone: The land area located within two hundred and fifty (250) feet, horizontal distance, of the normal high-water line of any great pond, river; within 250 feet of the upland edge of a freshwater wetland; or within seventy-five (75) feet of the normal high-water line of a stream.

Sight Distance: The length of an unobstructed view from a particular access point to the farthest visible point of reference on a roadway.

Sketch Plan: Conceptual maps, renderings, and supportive data describing the project proposed by the applicant for initial review prior to submitting an application for approval. May be used by the applicant as the basis for preparing the plans as part of the application for approval.

Stream: A free-flowing body of water from the outlet of a great pond or the confluence of two (2) perennial streams as depicted on the most recent edition of a United States Geological Survey 7.5 minute series topographic map, or if not available, a 15-minute series topographic map, to the point where the body of water becomes a river, or flows to another water body or wetland within a shoreland zone, or as depicted on the Official Fort Kent Zoning Map, or as further described in the applicable overlay District standards, whichever is applicable.

Structure: Anything built for the support, shelter or enclosure of persons, animals, goods or property of any kind, together with anything constructed or erected with a fixed location on or in the ground, exclusive of fences. The term includes structures temporarily or permanently located, such as decks and satellite receiving dishes, but in land areas outside of Shoreland Areas, including signs, sidewalks, fences, patios, driveways, and parking lots are not defined as structures.

Sustained Slope: A change in elevation where the referenced percent grade is substantially maintained or exceeded throughout the measured area.

Trail: A route or path, other than a roadway, and related facilities, developed and used primarily for recreational or transportation activities, including but not limited to, hiking, walking, cross-country skiing, snowmobiling, horseback riding, bicycling, and dog sledding.

Tributary Stream: A channel between defined banks created by the action of surface water, whether intermittent or perennial, and which is characterized by the lack of upland vegetation or presence of aquatic vegetation and by the presence of a bed devoid of topsoil containing waterborne deposits on exposed soil, parent material or bedrock, and which flows to a water body or wetland as defined. This definition does not include the term "stream" and only applies to that portion of the tributary stream located within the Shoreland Zone of the receiving water body or wetland.

Usable Open Space: That portion of the common open space which due to its slope, drainage characteristics and soil conditions can be used for active recreation, horticulture or agriculture. In order to be considered usable open space, the land must not be poorly drained or very poorly drained, have ledge outcroppings, or areas with slopes exceeding 10%.

Variance: A variance is a relaxation of the terms of the Zoning Ordinance. Variances permissible are limited to dimensional and area requirements. No variance shall be granted for the establishment of any use otherwise prohibited, nor shall a variance be granted because of the presence of nonconformities in the immediate or adjacent areas.

Vegetation: All live trees, shrubs, ground cover, and other plants including without limitation, trees both over and under 4 inches in diameter, measured at 4 1/2 above ground level.

Waiver: A waiver is a relaxation of the submission requirements of the Subdivision Ordinance.

Water Body: Any great pond, river, stream, or brook.

Water Crossing: Any project extending from one bank to the opposite bank of a river or stream, whether under, through, or over the watercourse. Such projects include but may not be limited to roads, fords, bridges, culverts, water lines, sewer lines, and cables as well as maintenance work on these crossings.

Wetlands Associated with Great Ponds and Rivers: Wetlands contiguous with or adjacent to a great pond or river, and which during normal high water are connected by surface water to the great pond or river. Also included are wetlands which are separated from the great pond or river by a berm, causeway, or similar feature less than 100 feet in width, and which have a surface elevation at or below the normal high water line of the great pond or river. Wetlands associated with great ponds or rivers are considered to be part of that great pond or river.

Wetland: See: Freshwater Wetland or Forested Wetland

Review Criteria

The following lists the review criteria for Roadway Permit Issuance:

	Y	N	Notes
Have all submittal requirements been met?			
Is the application complete?			
Are any State or Federal Agency permits problematic or cause conflict with the project or Town?			
Are there any issues regarding property deeds, easements, or access?			
Is there unanimous approval from all Municipal Departments, and Ambulance Service?			
Has the Applicant/Developer been responsive to abutter's questions and concerns?			
Does the Applicant/Developer agree to the requirement of deeding the road to the Town?			
If there is a multi-party arrangement in effect, does this pose immediate or future conflict or problems?			
Does the Roadway Plan/Drawing(s) contain basic information (name, directions, dimensions, property info, topo features, etc)?			
Does the roadway design and construction details conform to the specifications (widths, materials, ROW, etc)?			
Are there specific design/construction details pending resolution?			
Has the Applicant/Developer submitted a stormwater management plan? Has there been external review of the A/D SW management approach?			
Are there unresolved SW issues?			
Are there any abutter concerns?			

Appendix II: Roadway Classification and Average Daily Trips (ADT)

A road is classified into distinct categories, based upon the Roadway's design intent or ultimate purpose. The Town of Fort Kent will use State of Maine Department of Transportation classifications to describe its roadways.

The roadway classification will be used by the Planning Board to aid in the review process. This information is important when considering minimum surfacing requirements, line of sight, and other design and construction features.

Fort Kent currently has three road classification types. Listed below is detailed information of each type.

Minor Arterial – Rural	A series of continuous routes that should be expected to provide for relatively high overall travel speeds with minimum interference to through movement
Examples	Route 161 Fort Kent to Caribou; Route 1 Fort Kent to Madawaska; Route 11 to points south
Ownership	These road designations are State Highways and are not Town roads

New Development	<ul style="list-style-type: none"> The likelihood of development of this type of roadway is considered low, and will require Maine Department of Transportation (MDOT) input and possibly Maine Department of Environmental Protection (DEP) New Minor Arterial – Rural development must conform to the requirements set forth in MDOT specifications
Connecting/intersecting /influencing a Minor Arterial-Rural	The developer is responsible for contacting MDOT if their project will interact with a State roadway or highway

Minor Collector – Rural	Generally serve travel of primarily intra-county rather than statewide importance and travel distances are shorter than arterial routes
Examples	Market Street, Pleasant Street, and to some extent Main Street
Ownership	All minor collectors within Town boundaries are Town owned (not including those portions maintained by the State)
Connecting/intersecting /influencing a Minor Arterial-Rural	The developer is responsible for contacting MDOT if their project will interact with a State roadway or highway
New Development	<ul style="list-style-type: none"> A roadway of this type would likely be associated with a significant development project Will likely require Maine Department of Transportation (MDOT) input and possibly Maine Department of Environmental Protection (DEP) Roadway development of this type will be a significant and lengthy process
Surfacing Requirements	In the event that a roadway of this type is not State owned, the Town will require construction and surfacing to conform to MDOT specifications for this type of roadway consistent with anticipated traffic counts.

Local	Roads not classified as above. Most roads in Town are considered local, although there is a wide range of traffic counts depending upon specific roadway.
Examples	North, South Perley Brook Road, Charette Hill Road, Violette Settlement Road, Page Road, Belle Street
Ownership	All local roads within Town boundaries are Town owned (by deed or implied)
New Development	A roadway of this type will most likely be the type developed in Town, and would likely be associated with a new subdivision
Surfacing Requirements	Surfacing of this roadway type will range from a minimum of chip-seal to standard asphalt pavement, and will depend upon the Average Daily Trips.

AVERAGE DAILY TRIPS

In addition to the roadway classification, another important parameter for roadway design and review will be Average Daily Traffic count (see also Appendix I – Definitions). Average Daily Traffic shall be defined as the number of daily vehicle trips generated by a particular use as established by the *Trip Generation Manual*, published by the Institute of Transportation Engineers (**latest edition**).

A brief listing of ADT for various land uses is given below:

Land Use Type			<i>Trips per Dwelling Unit</i>
Residential	Single Family Detached		10
	Condo/Town House		6
	Mobile Home Park		5
	Recreational Home/Camp		3
			<i>Per 1000 gross square feet of building area</i>
Commercial Office Building	General Office <10,000 sq. ft.		24
	General Office 10,001 - 50,000 sq. ft.		16
	Medical Office Building		34
			<i>Per 1000 gross square feet of building area</i>
Retail	Specialty Retail		41
	Discount Store		71
	Shopping Center 10,000 sq. ft. gross leasable area		166
			<i>Per 1000 gross square feet of building area</i>
Industrial	Light Industrial	Per employee = 3	Per 1000 sq.ft. = 7
	Heavy Industrial	Per employee = 2	Per 1000 sq.ft. = 2
	Industrial Park	Per employee = 3	Per 1000 sq.ft. = 7
Lodging	Hotel	Per employee = 14	Per Room = 9
	Motel	Per employee = 13	Per Room = 10

Refer to *Trip Generation Manual*, published by the Institute of Transportation Engineers (**latest edition**) for land uses not cited in this table. This text is available at the Fort Kent Town Office.

Average Daily Trip figures will be used to determine the degree of surfacing required on new roadways, as well as a trigger for road acceptance. The table below indicates the minimum ADT for various land use types that must be demonstrated in order for a roadway to be considered for acceptance:

Land Use Type	Minimum ADT threshold for Roadway Acceptance
Residential	60
Commercial/Office	500
Retail	1000
Industrial	500
Lodging	1000
Institutional	1000
Recreation	1500

The applicant/developer must demonstrate that the minimum ADT for a particular land use has been attained before a roadway will be considered for acceptance. The minimum ADT can be demonstrated by providing a valid traffic count survey/report prepared by a qualified engineering professional in good standing with the Maine Office of Licensing & Registration, or by providing the following information:

Residential	Real Estate Transfer Tax Declaration for the required number of dwelling units to meet the minimum ADT
Retail	Real and Property Tax exceeds \$5000
Industrial	A letter signed by a company (or companies) executive(s) indicated that the aggregate number of employees is greater than 150
Lodging	Verification that Real and Property Tax exceeds \$2500 or an occupancy rate exceeding 60% for a 1 year period
Institutional	Verification that enrollment or attendance exceeds 300 per day

In instances where a roadway may have more than one land use type, the developer must demonstrate that the highest ADT threshold level has been achieved.

If the developer believes that the estimated number of trips per day generated by their proposed plan conflicts with published figures, the developer has the opportunity to propose alternate figures. Alternate figures must be supported and substantiated by a developer commissioned traffic study/survey/report utilizing a qualified professional in good standing with the Maine Office of Licensing & Registration.

Appendix III. Roadway Permit Documentation Specifications and Requirements

The following identifies the required documentation for the Permit Application process. Further, standard forms are attached.

Document / Information			Number of copies										
State of Maine and Federal Permits (if applicable)	Maine Department of Environmental Protection	Each permit application the developer is responsible for submitting Any communication from the Department with regards to decisions, approvals, or denials	1 (signed) 1 of each										
	Maine Department of Transportation	Each permit application the developer is responsible for submitting Any communication from the Department with regards to decisions, approvals, or denials	1 (signed) 1 of each										
	Other State Agencies that the developer must work with	Each application, request for variance, decisions, and/or approvals	1 of each										
	Federal Agencies that the developer must work with	Each application, request for variance, decisions, and/or approvals	1 of each										
Property Deeds	Aroostook County Registry of Deeds, Northern Office	<ul style="list-style-type: none"> • A deed for every land parcel that is part of the project. This would include adjacent properties held by the developer/owner, but not part of the current project. • For every land parcel directly involved in the project, a deed from the previous land holder 	1 of each										
Municipal Letters	see attached template	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; width: 20%;">Police</td> <td style="text-align: center; width: 20%;">Fire</td> <td style="text-align: center; width: 20%;">Public Works</td> <td style="text-align: center; width: 20%;">Water/Wastewater</td> <td style="text-align: center; width: 20%;">Ambulance</td> </tr> <tr> <td colspan="5" style="text-align: center;">The developer need only ask each dept to fill in the form, Each dept will be responsible for returning to the CEO</td> </tr> </table>	Police	Fire	Public Works	Water/Wastewater	Ambulance	The developer need only ask each dept to fill in the form, Each dept will be responsible for returning to the CEO					1 from each dept
Police	Fire	Public Works	Water/Wastewater	Ambulance									
The developer need only ask each dept to fill in the form, Each dept will be responsible for returning to the CEO													
List of abutting landowners	Contact The Office of Planning for assistance	A list prepared by the developer to include Map/Lot, name, address	1										
Letters sent to abutter announcing the developer's intentions		A letter to each abutter briefly describing project, estimated timeframe, and a means to contact the developer	1 of each										
Acknowledgment of Deed or Easement Agreement	see attached form	Original copy of this form	Signed original										
Multi-party agreement (if applicable)		The Applicant is responsible for providing a legal copy of any agreement between multiple parties that are involved in the Roadway project.	1 (signed original)										
Completed	see attached form	All answers and information must be provided. If answers or information is withheld, a written											

Application Form	summary of why must be included with the Application	1 (signed original)
Plans / Drawing(s)	<ul style="list-style-type: none"> • A draft/working copy of the project plan/drawing is acceptable at time of Application submittal. It is understood that this is a work in progress • <i>Prepared by a Registered Land Surveyor or Professional Engineer in good standing with the State of Maine</i> • Scale 1" = 50' horizontal and 1" = 10' vertical • Direction of magnetic north • Plan profile and typical cross section views of all proposed roads • Starting and ending point with relation to established roads, ways, and any planned or anticipated future extensions of the roads. All terminal points and the center line alignment shall be identified by survey stationing • The roadway and roadway limits with relation to existing buildings and established landmarks • Lineal and angular dimensions, necessary for locating boundaries, and necessary for locating subdivisions, lots, easements, and building lines • Any lots, laid out and numbered on said road, showing the names of all owners of abutting property • Natural waterways and watercourses in or on land contiguous to the proposed roads • Type, size, location, profile and cross section of all <i>existing</i> drainage ways and structures with their relationship to existing natural waterways • Type, size, location, profile and cross section of all <i>proposed</i> drainage ways and structures with their relationship to existing natural waterways • Topographic contours compatible with drawing scale • Curve data for all horizontal and vertical curves: centerline radius, arc length, beginning of curve and end of curve points • centerline gradients shall be shown and expressed as a percent • All curve and property line radii of intersections • The limits and location of any proposed sidewalks and curbing • The location of all existing overhead and underground utility equipment (storm drain, telephone, cable TV, electrical, street lights) • The location of all proposed overhead and underground utility equipment (storm drain, telephone, cable TV, electrical, street lights (if necessary, show as approximate) • Easement details (if applicable) • Road names (proposed) • Paper copies are acceptable for the Permit Application 	3

Appendix III-a. Roadway Permit Documentation Specifications and Requirements

Letter to Municipal Departments

Municipal Department Circle One	Police	Fire	Public Works	Water & Wastewater	Ambulance
--	---------------	-------------	---------------------	-----------------------------------	------------------

Department Representative	
Title	
Date	

	YES	NO	Notes
Did the Applicant clearly describe the Roadway project?			
Site Visit?			
Will the location of the Roadway project contribute to unusual/ excessive financial or personnel burden to the department or Town?			
Will the nature of the Roadway project contribute to unusual/ excessive financial or personnel burden to the department or Town?			
Do you foresee specific or particular problems with the Roadway project?			
Based on information currently available, do you support this Roadway project?			

COMMENTS

Signature

Date

Appendix III-b Roadway Permit Documentation Specifications and Requirements

Acknowledgement of Deed or Easement

- A. **As a condition of acceptance** the Applicant / Developer / Owner(s) shall give the to Town of Fort Kent Town Council a warranty deed to the property within the boundaries of the right-of-way or; a Public Easement describing the Roadway and Right of Way
- B. Any roadway that is intended to become a Town owned property, whether through deed or easement, shall be designed and constructed in accordance with the Roadway Ordinance.
- C. Applicant/Developer bears the responsibility, including cost, of generating and obtaining an easement or warranty deed, including proof of clear title
- D. The deed or a document describing the public easement shall be recorded in the Aroostook County Registry of Deeds, Northern Office, as a condition of acceptance
- E. The easement or deed process must be completed in its entirety two (2) weeks before the Applicant/Developer' scheduled Town Council Meeting (see Roadway Acceptance process checklist)
- F. This form is to be signed and submitted as part of the Permit Application process

Project Name	
Project Location	Map/Lot
Road Developer Name	
Road Developer Address	
Road Developer Phone	
Alternate contact Person	
Property Owner Name (if different from Developer)	
Property Owner Address	
Property Owner Phone	

Applicant / Developer / Owner(s) understands that if a new Roadway or Modified Roadway is to be turned over to the Town of Fort Kent, a warranty deed or easement must be granted to the Town.

Printed Name	Signature	Date

Appendix III – c. Roadway Permit Documentation Specifications and Requirements

New Road Construction Permit – Application

Project Name	
Project Location	Map/Lot
Road Developer Name	
Road Developer Address	
Road Developer Phone	
Road Developer cell Phone	
Alternate contact Person	
Property Owner Name (if different from Developer)	
Property Owner Address	
Property Owner Phone	

Project Type	New construction	Modification
Notes		

Road Type	Subdivision	Through way	Connector	By-Pass	Other
Notes					

Road Length	Miles	Feet	Surfaced Width (feet)	Square footage
Notes				

Surface Type	Asphalt	Chip Seal	Cement	Other
Notes				

Termination Type	Cul-de-Sac	Other	N/A
Notes			

Connecting Road Names	
Notes	

New Road Name(s)																		
Utilities	<table border="0"> <tr> <td>Water</td> <td rowspan="2">Carrier</td> <td rowspan="2">Above Grade</td> <td rowspan="2">Buried</td> </tr> <tr> <td>Sewer</td> </tr> <tr> <td>Phone</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Electricity</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Cable</td> <td></td> <td></td> <td></td> </tr> </table>	Water	Carrier	Above Grade	Buried	Sewer	Phone				Electricity				Cable			
Water	Carrier	Above Grade				Buried												
Sewer																		
Phone																		
Electricity																		
Cable																		

Road Construction Start Date	
Road construction End	

Date

Are there Legal Encumbrances on the Land?

YES

NO

If Yes, please explain
Provide copies of any pertinent documents

Check all categories that the New Roadway or Modified Roadway is designed for

Residential Dwelling Units

Commercial / Office

Retail

Industrial

Lodging

Institutional

Recreation

Other

Existing development will
substantially use this
new/modified roadway

Describe the Project and what the intended purpose is:

What is the Applicant's working estimate for the number of Average Daily Trips?

Where does this figure come from?

Figures listed in the
Roadway Ordinance

Project Specific
Commissioned Report
or Study

Other

If the figure used for the ADT is not from the Town Ordinance, the developer must provide justification for the figure that is reported.

Printed Name

Signature

Date

Appendix IV. New Roadway or Roadway Modification Permit Process Checklist and Timelines

Listed below are the specific steps necessary for a Roadway Permit to be granted. **BOLD** items are the responsibility of the Applicant. *ITALICIZED* Items are the responsibility of the Town of Fort Kent.

		Details and Guidance	Date	
Pre Application Process Information conveyed to the Applicant by the Town	Pre Application Meeting	Applicant responsible for scheduling this meeting. Contact the Office of Planning for assistance		
	<i>Date Pre application Meeting held</i>	Meeting will include: Director of Public Works, Director of Water/Wastewater, and Code Enforcement Officer		
	<i>Copy of Ordinance provided?</i>	Provided by the Town		
	<i>Reference materials provided?</i>			
	<i>Process checklist provided?</i>			
	<i>Municipal Letter Template provided?</i>			
	<i>Chart of Deadlines/Timelines provided?</i>			
	<i>Notification of State Agencies</i>			
Application Process	State Approvals (if applicable) – copies of all permit applications, and pertinent documentation		The Applicant is responsible for contacting pertinent State agencies. Applicant is also responsible for obtaining permits and providing copies of said permits as part of the Application package. CEO will supply a basic list	
Applicant's Submittal Requirements	Completed Application Form		The Applicant is responsible for filling out the entire application form. Signature and date required	
	Working Sketch/Drawing(s) 3 Copies	The Applicant is responsible for generating all drawings. It is recommended that the Applicant enlist the series of a qualified professional who is in good standing with the State. Work-in-progress sketches/drawings are allowed at the time of Application submittal		
	Copy of Deed(s)	The Applicant is responsible for providing clean copies of <u>all deeds</u> associated with the Roadway project.		
	Municipal Letters (fire, police, ambulance, public works, water/sewer)	The Applicant is responsible for contacting and meeting with the listed Municipal officials to solicit their input and comments. A site visit with each official is recommended. A template letter is provided.		
	List of abutting landowners and copies of letters sent to them announcing their intentions	The Applicant is responsible for providing a list of abutters, including map and lot numbers, as part of the application package. Further the Applicant is responsible for making contact with the abutters and announcing their intentions. Applicant/developer contact information must be made available to the abutters		
	Acknowledgment of Deed or Easement Agreement	The Applicant is responsible for submitting a signed acknowledgement demonstrating their understanding of this particular requirement. This requirement may be waived in very specific cases. CEO will alert applicant if this requirement may be waived.		
	Copy of multi-party agreement (if applicable)	The Applicant is responsible for providing a legal copy of any agreement between multiple parties that are involved in the Roadway project. Examples could be: the property owner and Applicant are different entities; the Applicant has assigned an agent to work on their behalf.		
	<i>Application deemed complete</i>	The CEO will review all application materials prior to deeming the application complete. The Town will contact the Applicant within 3 business days to request additional information or notify applicant that the application is complete		

	Application Fee Paid	One the application is deemed complete, the Applicant is responsible for paying the associated application fee (\$200). This may be paid at the Town Office during regular business hours. Applicant is responsible for providing a copy of the receipt to the CEO	
Preliminary Review Process Conducted by the Town with Applicant's Participation	Date Preliminary Roadway Review with the Planning Board is <i>scheduled</i>	Applicant responsible for scheduling this meeting. The Planning Board typically meets on the first Wednesday of the month. A minimum of two weeks of lead time is necessary so that the required postings can be put in place. Contact the Office of Planning for assistance	
	<i>Notices and postings</i>	The Town will be responsible for generating and posting meeting notices in Town and the local paper	
	<i>Date of Preliminary Roadway Review with the Planning Board</i>	Meeting will include: Town Planning Board (quorum of 3 required), Code Enforcement Officer, and possibly the Director of Public Works and Director of Water/Wastewater. Members of the public are invited. The developer, or his approved agent, must attend. It is the responsibility of the developer to be prepared for this meeting with respect to updated drawings and other critical information. If significant design details have changed since the time the application was submitted, the developer is responsible for submitting these changes to the Town one (1) week in advance of the Preliminary Meeting. The developer is at risk of having their application rejected or rescheduled for a future meeting if they are not prepared.	
	Information and/or modifications that must be submitted by the Applicant (if applicable)	The applicant is responsible for submitting any information that the Planning Board may request at the Preliminary Review in a timely fashion. This could include drawing changes. The developer is responsible for submitting this information to the Town no later than one (1) week in advance of the Final Review	
Final Review Process Conducted by the Town with Applicant's Participation	Date Final Roadway Review with the Planning Board is <i>scheduled</i>	The Applicant is responsible for scheduling this meeting. The Applicant must demonstrate that information requests or changes stemming from the Preliminary Review are in-process and will be ready for submittal one (1) week before the Final Review. The Planning Board typically meets on the first Wednesday of the month. Two weeks of lead time is necessary so that the required postings can be put in place. Contact the Office of Planning for assistance	
	<i>Notices and Postings</i>	The Town will be responsible for generating and posting meeting notices in Town and the local paper	
	<i>Date of Final Roadway Review with the Planning Board</i>	Meeting will include: Town Planning Board (quorum of 3 required), Code Enforcement Officer, and possibly the Director of Public Works and Director of Water/Wastewater. Members of the public are invited. The Applicant, or his approved agent, must attend. It is the responsibility of the Applicant to be prepared for this meeting with respect to updated drawings and other critical information. If significant design details have changed since the time of the Preliminary Review, the Applicant is responsible for submitting these changes to the Town one (1) week in advance of the Preliminary Meeting. The Applicant is at risk of having their application rejected or rescheduled for a future meeting if they are not prepared.	
	<i>Status</i>	The Town will work to keep the Applicant informed of all decisions and findings in a timely fashion. Further, the Applicant will be notified within 5 business days whether the Roadway Permit Application has been approved/or denied.	

Permit Issuance Planning Board	<i>Roadway Permit issue date</i>	If the Application has been approved, a permit will issued and available within 2 business days. The permit may be picked up at the Town Office during regular business hours.	
	<i>If the Permit is denied</i>	In the case where a New Roadway or Roadway Modification permit is not granted, the Applicant has the option to appeal the process. Contact the CEO for more details	
Post Permit Process Applicant	Pre construction Meeting	The applicant is responsible for scheduling and conducting a pre construction meeting. See Roadway Acceptance Process checklist and Timeline for details.	
	Commence Construction	The Applicant/developer may commence construction activities as soon as the permit is picked up at the Town Office	
	Conformance to other codes, standards, and ordinances	The Applicant/developer is responsible for adhering to any and all requirements that may apply from other local ordinances, or State regulating agencies	
	Commence the Roadway Acceptance Process	The applicant is responsible for initiating all requirements of the Roadway Acceptance Process. Note that some requirements must be addressed at or near the start of construction. See Roadway Acceptance Process checklist and Timeline for details.	

Estimated Timeframe for Permit Process	Estimate	Limitations	Notes
Pre-Application	1 week	This step can occur at any time throughout the year	This step can be accomplished in the amount of time it takes to coordinate a meeting between interested parties
Application Process	2+ weeks	Last application accepted by August 1 to ensure Town involvement with inspections in the same calendar year	The length of time for this process is governed by the Applicant and how long it takes to compile and prepare all required information
Preliminary Review Process	1 month	No reviews will be scheduled after August 15 for roadways to ensure Town involvement with inspections in the same calendar year	Depending upon the day of month the application is deemed complete, as many as 30 days could pass to schedule the next Planning Board Meeting with its required notification process
Final Review Process	1 month	No reviews will be scheduled after September 1 to ensure Town involvement with inspections in the same calendar year	Depending upon the day of month the Preliminary Review is complete, as many as 30 days could pass to schedule the next Planning Board Meeting with its required notification process
Permit Approval	1 week	No permits issued after September 15 to ensure Town involvement with inspections in the same calendar year	The Planning Board could give approval at the meeting, but reserves the right to take 1 week for a decision
Commencement of Construction Activities	As soon as a permit is picked up at	Within 2 business of Approval	

	the Town Office		
File for an Appeal			Within 30 days of permit denial
Appeal Process	Minimum 1 month		The Applicant will be responsible for a \$400 Appeal process fee, as well as covering the expenses accrued by the Town during the process (legal, consultants, etc)

Notes:

1. A requirement for Roadway Acceptance is that several Town supervised inspections occur during the construction process. The latest date that these inspections can be *scheduled* is September 1. Final Inspection can occur no later than **October 15**.
2. The developer/constructor is responsible for contacting the asphalt supplier to determine the last day of production. This information must be made available for the Pavement Coordination Meeting.

Appendix V. Roadway Acceptance Documentation Specifications and Requirements

The following identifies the required documentation for the acceptance process. Further, standard forms are attached.

Document / Information			Number of copies
State of Maine and Federal Permits (if additional or modified since Permit Application process)	Maine Department of Environmental Protection	Each permit application the developer is responsible for submitting Any communication from the Department with regards to decisions, approvals, or denials	1 (signed) 1 of each
	Maine Department of Transportation	Each permit application the developer is responsible for submitting Any communication from the Department with regards to decisions, approvals, or denials	1 (signed) 1 of each
	Other State Agencies that the developer must work with	Each application, request for variance, decisions, and/or approvals	1 of each
	Federal Agencies that the developer must work with	Each application, request for variance, decisions, and/or approvals	1 of each
Property Deeds (if additional or modified since Permit Application process)	Aroostook County Registry of Deeds, Northern Office	<ul style="list-style-type: none"> • A deed for every land parcel that is part of the project. This would include adjacent properties held by the developer/owner, but not part of the current project. • For every land parcel directly involved in the project, a deed from the previous land holder 	1 of each
Warranty Deed or Easement Documents	Prepared by Applicant	Ready for filing at Registry of Deeds upon Final Acceptance. Can be forward dated	1 of each
Multi-party agreement (if there have been changes since Permit Application)		The Applicant is responsible for providing a legal copy of any agreement between multiple parties that are involved in the Roadway project.	1 (signed original)
Completed Application Form	see attached form	All answers and information must be provided. If answers or information is withheld, a written summary of why must be included with the Application	1 (signed original)
Plans / Drawing(s)	<ul style="list-style-type: none"> • A final revision of the as-built project plan/drawing is required • Prepared by a Registered Land Surveyor or Professional Engineer in good standing with the State of Maine • Scale 1" = 50' horizontal and 1" = 10' vertical • Direction of magnetic north • Plan profile and typical cross section views of all proposed roads • Starting and ending point with relation to established roads, ways, and any planned or anticipated future extensions of the roads. All terminal points and the center line alignment shall be identified by survey stationing • The roadway and roadway limits with relation to existing buildings and established landmarks • Lineal and angular dimensions, necessary for locating boundaries, and necessary for locating subdivisions, lots, easements, and building lines • Any lots, laid out and numbered on said road, showing the names of all owners of abutting property • Natural waterways and watercourses in or on land contiguous to the proposed roads 		2 mylars and 3 paper copies

- | | | |
|--|--|--|
| | <ul style="list-style-type: none">• Type, size, location, profile and cross section of all <i>existing</i> drainage ways and structures with their relationship to existing natural waterways• Topographic contours compatible with drawing scale• Curve data for all horizontal and vertical curves: centerline radius, arc length, beginning of curve and end of curve points• centerline gradients shall be shown and expressed as a percent• All curve and property line radii of intersections• The limits and location of sidewalks and curbing• The location of all pre-existing overhead and underground utility equipment (storm drain, telephone, cable TV, electrical, street lights)• The location of all new overhead and underground utility equipment (storm drain, telephone, cable TV, electrical, street lights)• Easement details (if applicable)• Road names• Mylar required | |
|--|--|--|

Appendix V-a Roadway Acceptance Documentation Specifications and Requirements

Roadway Acceptance – Application

Project Name	
Project Location	Map/Lot
Road Developer Name	
Road Developer Address	
Road Developer Phone	
Road Developer cell Phone	
Alternate contact Person	
Property Owner Name (if different from Developer)	
Property Owner Address	
Property Owner Phone	

Project Type	New construction	Modification
--------------	------------------	--------------

Road Type	Subdivision	Through way	Connector	By-Pass	Other
-----------	-------------	-------------	-----------	---------	-------

Road Length	Miles	Feet	Surfaced Width (feet)	Square footage
Notes				

Surface Type	Asphalt	Chip Seal	Cement	Other
--------------	---------	-----------	--------	-------

Termination Type	Hammerhead/Tee	Cul-de-Sac	Other	N/A
------------------	----------------	------------	-------	-----

Connecting Road Names	
Notes	

New Road Name(s)	
Notes	

Utilities	Water			
	Sewer	Carrier	Above Grade	Buried
	Phone			
	Electricity			
	Cable			

Road construction End Date	
----------------------------	--

Are there Legal Encumbrances on the Land?	YES	NO
---	-----	----

If Yes, please explain
Provide copies of any pertinent documents

Check all categories that the New Roadway or Modified Roadway is designed for

Residential Dwelling Units

Industrial

Recreation

Commercial / Office

Lodging

Other

Retail

Institutional

Existing development will substantially use this new/modified roadway

What is the Applicant's working estimate for the number of Average Daily Trips?

Where does this figure come from?

Figures listed in the Town Ordinance

Project Specific Commissioned Report or Study

Other

Explain

If the figure used for the ADT is not from the Town Ordinance, the developer must provide justification for the figure that is reported.

Printed Name	Signature	Date

Appendix V-b Roadway Acceptance Process Checklist and Timelines

Listed below are the specific steps necessary for a Roadway to be accepted. **BOLD** items are the responsibility of the Applicant. *ITALICIZED* Items are the responsibility of the Town of Fort Kent.

		Details and Guidance	Date
Pre Construction Stage	Pre Construction Meeting	Applicant responsible for scheduling this meeting. Contact the Office of Planning for assistance	
	<i>Date Pre Construction Meeting held</i>	Meeting will include: Director of Public Works, Director of Water/Wastewater, and Code Enforcement Officer, plus contractors as required	
	State Approvals (if different from the Permit Application stage)	Applicant is responsible for obtaining permits and providing copies of said permits as part of the Acceptance package.	
Construction Stage	Scheduled Inspections		
	Verification of Materials		
	Pavement Coordination Meeting		
	Conformance to other codes, standards, and ordinances	The Applicant/developer is responsible for adhering to any and all requirements that may apply from other local ordinances, or State regulating agencies	
	As Built Drawing(s) 2 Copies Mylar 3 copies paper	The Applicant is responsible for generating all drawings. Final revisions illustrating as-built conditions are required	
	Copy of Deed(s) if there have been changes since Permit Application	The Applicant is responsible for providing clean copies of <u>all deeds</u> associated with the Roadway project.	
	Warranty Deed Paperwork	Applicant must prepare and provide deed paperwork ready to sign and register at the time of Final Acceptance	
	Copy of multi-party agreement (if applicable and/or if changes have been made since Permit Application stage)	The Applicant is responsible for providing a legal copy of any agreement between multiple parties that are involved in the Roadway project.	
	Final Sign-off of Engineer and/or Department of Public Works		
	Completed Application Form	The Applicant is responsible for filling out the entire application form. Signature and date required	
	<i>Application deemed complete</i>	The CEO will review all application materials prior to deeming the application complete. The Town will contact the Applicant within 3 business days to request additional information or notify applicant that the application is complete	
	Post Construction Stage/Application Stage		
Acceptance Review Process	Date of Roadway Acceptance Review with the Planning	Meeting will include: Town Planning Board (quorum of	

Conducted by the Town with Applicant's Participation	Board	3 required), Code Enforcement Officer, and possibly the Director of Public Works and Director of Water/Wastewater. Members of the public are invited. The developer, or his approved agent, must attend. It is the responsibility of the developer to be prepared for this meeting with respect to updated drawings and other critical information. The developer is responsible for submitting all documentation to the Town one (1) week in advance of the Acceptance Review Meeting. The developer is at risk of having their application rejected or rescheduled for a future meeting if they are not prepared.	
	Information and/or modifications that must be submitted by the Applicant (if applicable)	The applicant is responsible for submitting any information that the Planning Board may request at the Acceptance Review in a timely fashion. This could include drawing changes. The developer is responsible for submitting this information to the Town no later than one (1) week in advance of the Town Council Review	
	Date Roadway Acceptance Review with the Town Council is scheduled	The Applicant is responsible for scheduling this meeting. The Applicant must demonstrate that information requests or changes stemming from the Planning Board Acceptance Review are in-process and will be ready for submittal one (1) week before the Town Council Review. The Town Council typically meets on the second and fourth Monday of the month. Two weeks of lead time is necessary so that the required postings can be put in place. Contact the Office of Planning for assistance	
	<i>Notices and Postings</i>	The Town will be responsible for generating and posting meeting notices in Town and the local paper	
	Date of Roadway Acceptance Review with the Town Council	Meeting will include: Town Council (quorum of 3 required), Code Enforcement Officer, and possibly the Director of Public Works and Director of Water/Wastewater. Members of the public are invited. The Applicant, or his approved agent, must attend. It is the responsibility of the Applicant to be prepared for this meeting with respect to updated drawings and other critical information. The Applicant is responsible for submitting all requested information to the Town one (1) week in advance of the Roadway Acceptance Review Meeting. The Applicant is at risk of having their application rejected or rescheduled for a future meeting if they are not prepared.	
	<i>Status</i>	The Town will work to keep the Applicant informed of all decisions and findings in a timely fashion. Further, the Applicant will be notified within 5 business days whether the Roadway Acceptance has been recommended to be brought forth as a warrant article.	
Annual Town Meeting			
	<i>Date of Annual Town Meeting</i>	Fourth Monday in March	

Estimated Timeframe for Permit Process	Estimate	Limitations	Notes
Pre-Construction Stage	open	This step occurs after a Roadway Permit is issued, but before significant construction activities begin	This step can be accomplished in the amount of time it takes to coordinate a meeting between interested parties
Construction Stage	open	Substantial work must be completed by October 15 to ensure Town involvement with inspections in the same calendar year	The length of time for this process is governed by the Developer
Post Construction Stage/Application Stage	1-2 weeks	Acceptance Application can commence once construction is substantially completed, inspected, and signed off	All documentation requirements must be satisfied
Acceptance Review with the Planning Board	1 month	All information must be submitted prior to scheduling a meeting	Depending upon the day of month the documentation is submitted, as many as 30 days could pass to schedule the next Planning Board Meeting with its required notification process
Planning Board Recommendation to Accept Roadway	Within 5 business days		The Planning Board could recommend acceptance at the meeting, but reserves the right to take 5 business days for decision
Acceptance Review with the Town Council	As soon as the next scheduled Town Council meeting after Planning Board recommendation	The latest meeting to ensure that a warrant is generated in a timely fashion is the last Town Council Meeting of the calendar year (December)	Town Council Meetings in January and February are dominated by the annual budget process.
Town Council Recommendation to include the Roadway on Annual Town Meeting Warrant	Within 5 business days of Town Council meeting		The Town Council could recommend a warrant article at the meeting, but reserves the right to take 5 business days for decision
Annual Town Meeting	Fourth Monday of March	Warrant Articles must be submitted no later than February 1	The warrant article must be approved by the Legislative body in order for the roadway to be accepted. The developer must be present at this meeting.
Registering of Deeds	5 business days		The developer must register the necessary deeds within 5 business days of acceptance. Failure to do so could result in a null and void transaction, with ownership of roadway held by developer.

Appendix VI
TOWN OF FORT KENT

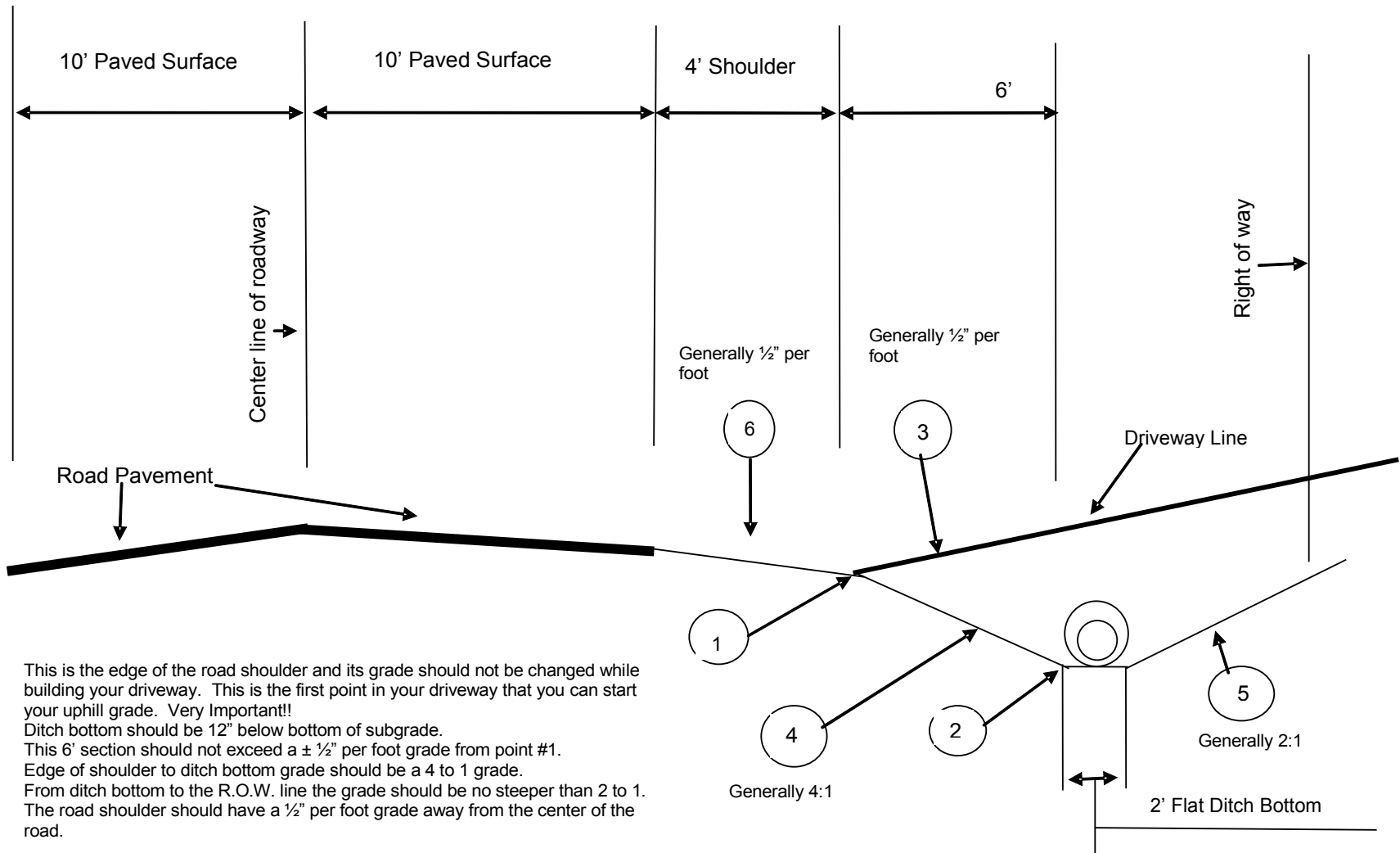
APPLICATION & PERMIT TO BUILD DRIVEWAY AND OR INSTALL CULVERT

Name of Applicant		Date:
Address of Applicant:		
Road Name:	Location:	
Map:	Lot:	
Purpose of Application:		
Work To Be Done By:		
Starting Date:	Utilities: Are there any utilities in the area of this opening () Yes () No If yes, has Dig Safe and the utility been advised () Yes () No	
Completion Date:		
Type, Size and Length of culvert to be used (must be new):		
Describe your proposed backfilling and surface restoration activity:		
Any work in addition to placing of driveway and its culvert: (Specify)		
PERMIT FEE MUST ACCOMPANY THIS APPLICATION BEFORE AN APPLICATION & PERMIT TO BUILD DRIVEWAY AND OR INSTALL CULVERT IS ISSUED. A PERMIT FEE OF \$20.00 IS REQUIRED IN THE FORM OF A CHECK MADE PAYABLE TO THE TOWN OF FORT KENT.		
NOTES: Copies of the Town of Fort Kent Road Design, Construction, and Acceptance Ordinance are available at the Town Office for a fee or online at www.fortkent.org .		
STATEMENT OF AGREEMENT I UNDERSTAND THAT THE DRIVEWAY AND OR CULVERT WILL BE INSPECTED BY A REPRESENTATIVE OF THE PUBLIC WORKS DEPARTMENT. I AGREE TO BE RESPONSIBLE FOR ALL FINAL RESTORATION WITH THE TERMS OF THE ROAD DESIGN, CONSTRUCTION, AND ACCEPTANCE ORDINANCE. THIS PERMIT DOES NOT EXEMPT THE APPLICANT FROM ANY OTHER STATE OR FEDERAL PERMITS THAT MAY BE REQUIRED.		
SIGNATURE OF APPLICANT:		
The holder of this permit is authorized to build driveway and or install culvert in accordance with the terms, conditions, and location as stated above and in the Road Design, Construction, and Acceptance Ordinance.		
Town of Fort Kent Public Works Department Head:		Date:
Code Enforcement Officer:		Date:

1st Copy- Town's Copy

2nd Copy – Public Works

3rd - Applicant's Copy



Notes:

1. This is the edge of the road shoulder and its grade should not be changed while building your driveway. This is the first point in your driveway that you can start your uphill grade. Very Important!!
2. Ditch bottom should be 12" below bottom of subgrade.
3. This 6' section should not exceed a $\pm 1/2"$ per foot grade from point #1.
4. Edge of shoulder to ditch bottom grade should be a 4 to 1 grade.
5. From ditch bottom to the R.O.W. line the grade should be no steeper than 2 to 1.
6. The road shoulder should have a $1/2"$ per foot grade away from the center of the road.