

Chapter 802

DRIVEWAYS AND DRIVEWAY ENTRANCES

§802-1. Purpose

This Ordinance provides for the review of any driveway and driveway entrance onto a public way for compliance with sound construction and design practices to ensure that traffic safety, drainage, and public improvements are not adversely affected. Provisions shall be made for convenient and safe emergency vehicle access to all buildings and structures at all times. A permit is not required for paving, sealing, or repairs unless the driveway is relocated.

§802-2. Effective Date

This Ordinance shall be effective upon adoption by the Town of Damariscotta.

§802-3. Permit Required

(a) No driveway, entrance or approach or other improvement within the limits of the right-of-way for any public or approved private road may be constructed, altered or relocated except in accordance with a Driveway and Driveway Entrance Permit issued by the Town of Damariscotta Road Commissioner upon application.

(b) The application fee shall be the amount included in the Town's fee schedule. The Board of Selectmen shall determine the application fees based on the Town's average administrative cost to process permit and license applications. These costs shall reflect the Town's estimated costs associated with the permitted or licensed activity including the administrative time for processing the application, any required initial and follow-up inspections, legal and other professional fees and the cost for public notices.

(c) The driveway/driveway entrance permit shall be valid for a period of twelve months from the date of original issue.

(d) No entrance, approach or other improvement constructed on the right of way shall be relocated or its dimensions altered without a Driveway/Driveway Entrance Permit from the Town.

§802-4. Town Held Harmless

The applicant shall hold harmless the Town and its duly authorized agents and employees against any action for personal injury or property damage sustained by reason of the exercise of a Driveway/Driveway Entrance Permit.

§802-5. Approval Criteria

(a) General. Driveways and driveway entrances shall be designed and constructed in accordance with the latest Maine Department of Transportation's Manual for Standard Specifications.

(b) Sight Distance

(1) All entrances shall be so located such that vehicles approaching or using the entrance will be able to obtain adequate sight distance in both directions along the public or private road or to maneuver safely and without interference with traffic.

(2) Measurements to determine sight distance shall be made in the proposed entrance at a point ten feet (10') from the edge of the shoulder line with the height of eye four feet (4') above the pavement. The sight distance shall be computed from this point measuring along the roadway to a point where an approaching height of object four feet (4') is first seen.

(3) Driveway placement shall be such that an exiting vehicle has an unobstructed sight distance according to the following schedule.

Highway Speed (MPH)	Minimum Sight Distance (In feet)
20	155
25	200
30	250
35	305
40	360
45	425
50	570
60	645

(c) Geometry

(1) If the driveway elevates above the traveled way, then the first 25 feet of the driveway shall be sloped to a negative 3 percent, unless otherwise approved by the Road Commissioner, and constructed to prevent run-off onto the traveled way. If the driveway descends from the traveled way, the first 25 feet of driveway shall not exceed -3 percent slope unless approved by the Road Commissioner.

(2) The entrance should intersect the traveled way at a horizontal angle of 90 degrees but in no case shall the horizontal angle be less than 75 degrees without approval from the Road Commissioner. The entrance width at the traveled way shall be wide enough to allow emergency vehicles to enter from either direction. Radii for the edge of the driveway for 90 degree intersections shall be 35 feet. Less than 90 degree intersection, radii shall be 35 feet.

(3) No part of the entrance shall extend beyond the property lot frontage for the lot being served unless approved by the Damariscotta Planning Board.

(4) The entrance shall not be located closer than 75 feet to an un-signalized intersection and 125 feet for a signalized intersection.

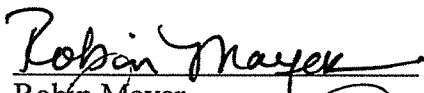
(d) Side Slopes. Driveway side slopes and banks shall not be steeper than a slope of two (2) horizontal to one (1) vertical.

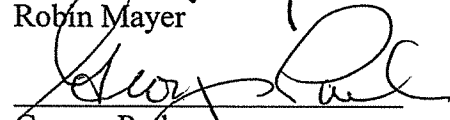
(e) Shared Driveways. Shared driveways shall be encouraged for adjacent sites, in order to minimize the number of driveways along the arterial.

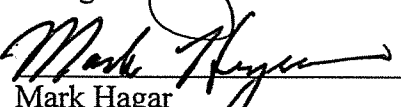
§802-6. Appeals

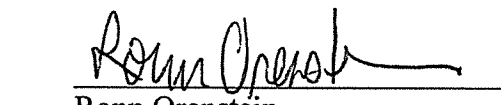
Whenever a person shall deem themselves aggrieved by an order made by the Code Enforcement Officer or Road Commissioner, the person may file an appeal to the Board of Appeals within ten (10) days of the date of the order., and the person shall be afforded a hearing on the matter before the Board of Appeals, and unless by their authority the aggrieved order is revoked, such order shall remain in force and be forthwith complied with by the person.

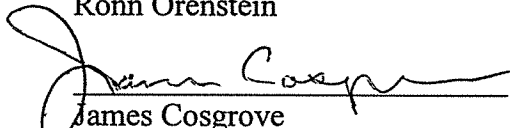
Board of Selectmen


Robin Mayer

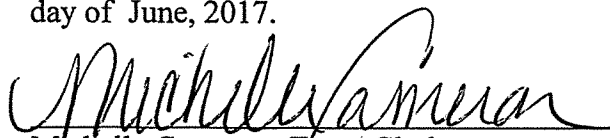

George Parker


Mark Hagar


Ronn Orenstein


James Cosgrove

Attest: A true copy of an Ordinance entitled: "Driveways and Driveway Entrances." Enacted June 14, 2017, as certified to me by the Municipal Officers of Damariscotta, Maine on the 14th day of June, 2017.


Michelle Cameron, Town Clerk
Damariscotta, Maine



Legislative History

Enacted January 21, 2009, effective January 21, 2009
Revised June 14, 2017, effective June 14, 2017

