

Town of Damariscotta
DRIVEWAY AND DRIVEWAY ENTRANCE ORDINANCE

Section I. Purpose

- 1.1 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.

Section II. Permit Required

2.1 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.

2.2 The selectmen shall establish the fee for such permit.

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

2.4 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.

Section III. Town Held Harmless

- 3.1 The applicant shall hold harmless the Town of Damariscotta 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.

Section IV. Approval Criteria

4.1 General. Driveways and Driveway Entrances should be designed and constructed in accordance with the latest Maine Department of Transportation's Manual for Standard Specifications. 4.3 Sight Distance Criteria

4.3.1 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.

4.3.2 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.

4.3.3 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
20	155
25	200
30	250
35	305
40	360
45	42
50	49
55	57
60	64

4 Geometry

4.4.1 If the driveway elevates above the traveled way, then the first 25 feet of the driveway shall be sloped to a negative 3%, 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% slope unless approved by the Road Commissioner and the Town of Damariscotta.

4.4.2 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, 35 feet. Less than 90 degree intersection, 35 feet.

4.4.3 No part of the entrance shall extend beyond the property lot frontage for the lot

being served unless approved by the Damariscotta Planning Board.

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

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

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

Section VI. Appeals Process

6.1 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.

Richard McLean

Joshua Pinkham

Vicki Pinkham

David Wilbur

Edwin Stelzer

Board of Selectmen
Town of Damariscotta

Attest: A true copy of an ordinance entitled "Driveway and Driveway Entrance Ordinance, Damariscotta, Maine", as certified to me by the municipal officers of Damariscotta, Maine on the 21st day of January, 2009.

Cheryl Pinkham, Town Clerk
Damariscotta, Maine