

Date Received: APPLICATION FOR DRIVEWAY/ENTRANCE PERMIT

Town of Searsmont

Application

PO Box 56

No.

Searsmont, ME 04973

Phone # 342-541 1

Application is hereby made to construct, change location, grade or use served by a driveway or entrance to property in accordance with Title 23 M.R.S.A. S 704 and S 705.

Section A
Property
Owner
Information

1. Landowner's Name: _____
2. Landowner's Mailing Address: _____
3. Applicant or Agent's Name: () Same AS Landowner () Other _____
4. Applicant or Agent's Mailing Address: () Same as Landowner () Other _____
5. Contacts Daytime Telephone: _____ Alternate Phone: _____
Cell _____ Work _____

Section B
Property
Location
Information

6. Directions to Property: _____
7. Route No. _____
- Road Name: _____
8. () North () South () East () West – side of highway
9. City/Town: _____ County: _____
10. Distance from nearest intersection _____ name of intersection: _____
(estimate in miles)
11. Nearest utility Pole # _____ Attach Survey Data (if Applicable)
12. Map # _____ Lot # _____ Road Frontage _____
(Please provide copy of tax map) Lot prior to May 25, 2002? () Yes () No
Proposed Location of Driveway/Entrance shall be staked and flagged by applicant

Section C
Driveway/
Entrance
Information

13. Desired width of Driveway/Entrance: _____ (feet). Type of Surface: _____
(gravel, pavement, etc)
14. Diameter of Driveway/Entrance Culvert _____, Length of Culvert _____
(length of culvert shall extend 2 feet beyond edge of driveway/entrance on each side)
15. Will the development associated with this driveway/entrance have more than 10,000 square feet of impervious surface draining towards the highway? () yes () no "Impervious surfaces are the footprint of buildings, pavement, gravel, or other low-permeability or compacted surfaces, Not including natural or man-made water bodies.
16. Does your property have an existing access? () yes () no (if no go to line 19)
17. if this is an existing access and you are changing its use, please describe _____

18. If this is an existing access and you are physically modifying, please describe _____

19. Proposed Driveway/Entrance Purpose: () single family residence () home business
() commercial/industrial () subdivision or development () multi-family with 5 or less units
() multi-family with more than 5 units () retail () office () school () business park () mall
() other _____ #employees per day _____ #customers/day _____ Busiest time _____

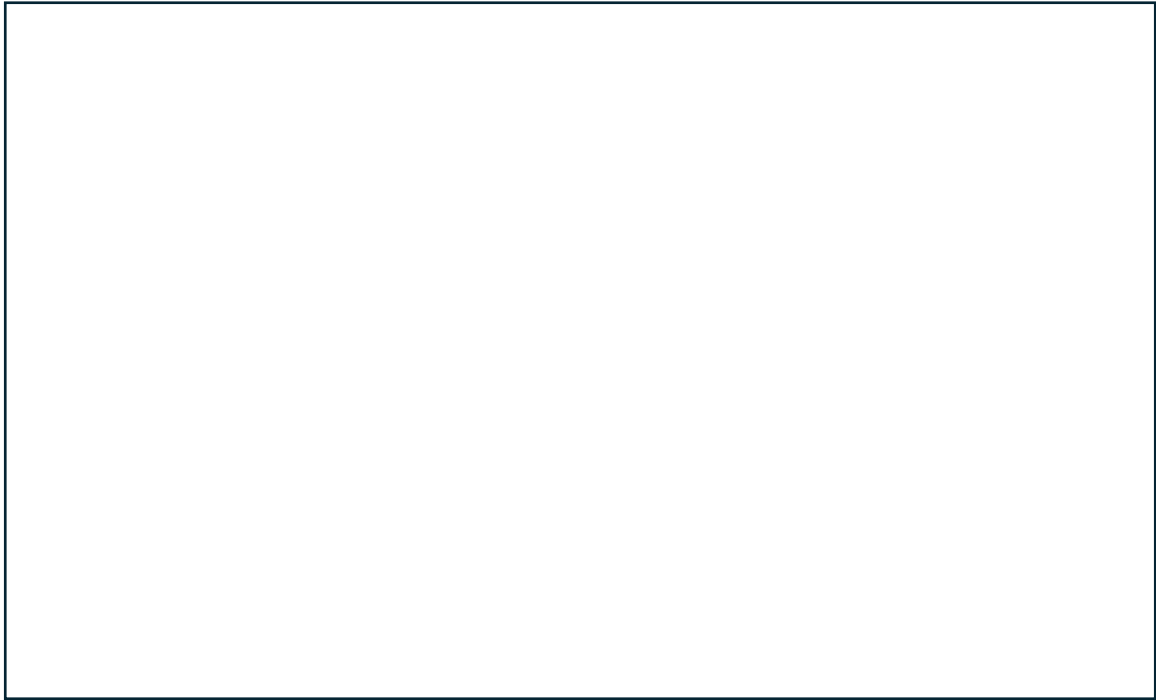
Section D
Construction
Information

20. Construction expected to begin on _____ and be completed on _____
(date) (date)

21. Person/Company constructing entrance _____

22. Construction contacts name: _____ phone: _____

SITE SKETCH OR ATTACH SITE PLAN



The owner Here by Agrees

- 1) Provide, erect and maintain all necessary barricades, lights, warning signs and other devices to direct traffic safely while the work is in progress.
- 2) At no time cause the highway to be closed to traffic.
- 3) Where the driveway/entrance is located within a curb, curb and gutter, and/or sidewalk section, completely remove the existing curb, curb gutter, and/or sidewalk as may be required to create the driveway/entrance and restore drainage. All driveways/entrances abutting sidewalk sections shall meet the requirements set forth in the Americans with Disabilities Act of 1990, 42 U.S.C. SS 12132 et seq.
- 4) Obtain, deliver to site and install any culverts and/or drainage structures necessary for drainage; the size, type and length of such culverts or structures shall be as specified in the permit pursuant to 23 M.R.S.A. § 705. All culverts and/or drainage structures shall be new, ADS type N.
- 5) Complete construction of proposed driveway/entrance within twelve months of commencement of construction.
- 6) COMPLY WITH ALL FEDERAL, STATE AND MUNICIPAL LAWS AND ORDINANCES
- 7) Not alter, without the express written consent of the municipality, any culverts, drainage patterns or swales within the municipal way.
- 8) File a copy of the approved driveway/entrance permit with the affected municipality or LURC, as appropriate prior to any construction.
- 9) Side slopes to be no steeper than the adjacent roadway side slopes, but in no case to be steeper than 3 horizontals to 1 vertical.
- 10) Notify the MeDOT (inwriting) of a proposed change to use served by driveway/entrance when increase in traffic flow is expected to occur. This does not exempt the need for obtaining a Traffic Movement Permit (TMP) if trip generation meets or exceeds 100 passenger car equivalents (pce) during the peak hour of the day.
- 11) Curbside Mailbox Installation: Size and Construction Standards; Mailbox with the Postmaster General's (PMG) seal of approval meets USPS size and construction standards. If you build your own mailbox or buy a custom-made one, it must meet the PMG standards. Show your local postmaster your mailbox plans or your custom-made box for approval.

To get drawings and measurements for building your own mailbox, write to [US Postal Service engineering](#).

Where to place the Mailbox:

Here are some helpful guidelines to follow when placing your mailbox:

- *Position your mailbox 41" to 45" from the road surface to the bottom of the mailbox or point of mail entry
- *Place your mailbox 6" to 8" bac from the curb. If you do not have a raised curb, contact your local postmaster For guidance.
- *Put Your house or apartment number on the mailbox.
- *If your mailbox is on a different street from your house or apartment, put your fill street address on the box

Installing the post

The best mailbox supports are stable but bend or fall away if a car hits them. The Federal Highway Administration Recommends:

- A 4" x 4" wooden support or a 2" diameter standard steel or aluminum pipe.
- Avoid unyielding and potentially dangerous supports, like heavy metal pipes, concrete posts, and farm equipment (e.g., mild cans filled with concrete).
- Bury your post no more than 24" deep.

1. GENERAL PROVISIONS

1.1 Definitions

For the purposes of this rule, the following definitions will apply. If not defined below, the definitions contained in companion rules, Part B, Entrances Rules, as well as in 17-229 Maine Administrative Rules, Chapter 305, Rules and Regulations pertaining to Traffic Movement Permits, will apply. If not defined in these rules, words, terms and phrases will have their commonly accepted meaning.

- **Access.** A public or private point of entry or exit from land adjacent to a public highway used by motor vehicles as defined in Title 29-A MRSA, Chapter 1, Section 101. The specific point may be described as an entrance or a driveway depending upon the land use and volume of traffic generated by that use. An access may be a driveway or an entrance depending upon the type of land use and volume of traffic generated by that use.
- **Access Point.** The intersection of an existing or proposed access with the public right of way.
- **Alteration.** A significant physical change to an access existing on or after the effective date of these rules, including significant changes to location, width, cross-section, grade, or drainage characteristics of the access. Paving a gravel access will not be considered an “alteration” unless accompanied by other such changes.
- **Applicant.** The person applying for the permit. Normally, this will be their owner of the property but can be another party provided that person (or organization) has been granted permission from the property owner to act on their behalf.
- **Change in Use.** A change in activity occurring on the property accessed by the driveway that will result in (a) an intermittent or seasonal use becoming permanent or year round, or (b) an increase in daily traffic, or (c) a “significant drainage risk” as described in section 2.1 €(3). Examples include changes in use (a) from farming or forestry to a single-family dwelling (b) more units, and (c) from residential use to commercial use; (d) an office expansion adding employee, patron or service capacity is a change in use when the daily traffic increases from under 50 trips per day to more than 50 trips per day. A change in ownership alone is not a change in use. An increase in activity from under 50 trips per day to over 50 trips per day is always considered a change in use. A change from seasonal residential to year-round residential is not considered a change in use under this definition.
- **Corner Clearance.** The minimum distance measured parallel to a highway, between the nearest curb, pavement or shoulder line of an intersecting public way and the nearest edge of a driveway excluding its radii.
- **Driveway.** A type of access that serves one of the following land uses: residential (up to five dwelling units); home-based occupations; forest management activities; farming; low impact industrial (e.g. substations), unless MaineDOT demonstrates, in accordance with the latest edition of the ITE Trip Generation Manual, published by the Institute of Traffic Engineers that the use generates 50 or vehicle trips per day. (see “ENTRANCE”). Driveways may consist of surface material such as mineral soil, gravel, asphalt or other natural or man-made material constructed or created by repeated passage of on-road vehicles.
- **Effective date of rules.** Minor Technical aspects of this rule became effective on April 5, 2002 and Major Substantive aspects became effective on May 25, 2002.
- **Entrance.** A type of access that serves one of the following land uses: residential (serving six or more dwelling units); housing developments; retail, office, or service business including department store, strip mall, convenience store, gas station, auto repair shop, restaurant, or similar use unless the applicant demonstrates to the satisfaction of the municipality, in accordance with the latest edition of the ITE Trip Generation Manual, published by the Institute of Transportation Engineers that the use generates less than 50 vehicle trips per day. Rules for Entrances are contained in Part B.
- **Forest Management Activities.** **Activities consisting of timber cruising and other forest resource evaluation activities, pesticide or fertilizer application, timber-stand improvement, pruning, timber harvesting and other forest harvesting, regeneration of forest stands and other similar or associated activities.**
- **Forest Management Road.** **A route or track consisting of a bed of exposed mineral soil, gravel or other surfacing material constructed for or created by the repeated passage of motorized vehicles and used primarily for forest management activities, including associated log yard and winter haul roads.**

- Larger vehicle. A vehicle that has a larger length, width or turning radius and/or lesser acceleration capability than standard passenger vehicles or small trucks. Larger vehicles include buses, commercial trucks, and recreational vehicles (RV's).
- Lot(s) of Record. A lot or lots for which the deed was legally recorded on or before the effective date of this rule or which was created by a plan legally recorded in the County Registry of Deeds on or before the effective date of this rule.
- Mobility Sight Distance. The sight distance required to allow a vehicle entering the highway to reach 85% of the posted speed without being overtaken by a vehicle traveling at the posted speed and approaching the entering vehicle from behind.
- Permit by rule. A simplified procedure for forest management and farming activities by which the applicant may obtain a permit for maintenance or construction of a driveway necessary for the duration of the operation or activity.
- Posted Speed. The speed limit set by MaineDOT, or limited by statute as defined in TITLE 29A, MRSA, Chapter 19, Section 2024.
- Service Center. Communities that serve the surrounding region, drawing workers, shoppers and others into the community for jobs and services. A list of Urban Compact and Service Center Communities is attached as Appendix D.
- Sight Distance. The length of unobstructed sight line of motor vehicle drivers in normal daylight conditions. Sight distance is measured from the perspective of a hypothetical person seated in a vehicle from three vantage points: (1) sitting in the access viewing vehicles traveling on the highway (both left and right), (2) traveling on the highway viewing a vehicle sitting in an access and (3) traveling on the highway viewing a vehicle turning into the access (both ahead and behind). In case of discrepancy between these measurements, the lesser measurement will be used to determine whether the sight distance standard is met. Sight distance is measured to and from the point on the centerline of the proposed access that is located 10 feet from the edge of traveled way. The height of the hypothetical person's view is considered to be 3 ½ feet above the pavement and the height of the object being viewed is considered to be 4 ¼ feet above.
- State or State Aid Highways. Highways designated by MaineDOT as a State or State Aid Highway Pursuant to 23 MRSA § 53. State 53. State and State Aid Highways are listed in Appendix C.
- Urban Compact Areas. Areas defined and established pursuant to 23 MRSA § 754 as of the effective date of this rule. A list of Urban Compact and Service Center Communities is attached as Appendix D.
- Vehicle trip. Moving from an origination point to a destination point, one-way. It is not a round trip.

1.2 Purpose and Authority

The purpose of the driveway rules is to manage access to the highway in a manner that protects the safety of access and highway users, protects the highway system from the negative impacts of drainage, preserves mobility and economic productivity related to highway capacity. This rule is authorized by 23 MRSA § 52 and § 704.

1.3 Applicability

- a. General. This rule applies (1) to all public or private accesses onto municipal roads, (2) the alteration of existing driveways onto said municipal roads, and (3) to changes in use on the property serviced by such existing driveways.
- b. Relationship to Municipal or Land Use Regulations Commission (LURC) requirements. Nothing in this rule supplants any municipal ordinance or LURC regulation. Where the requirements of this rule differ from a requirement of a municipal ordinance or LURC regulation, the most stringent or restrictive requirement as it relates to the purpose of these rules will apply.

2. TECHNICAL STANDARD

2.1 Basic Safety Standards

- a. Sight Distance. The minimum allowable sight distances for all accesses onto municipal roads are set forth in Table 1. Municipalities may require up to 50% greater sight distances when at least 30% of the traffic using the driveway will be by larger vehicles.

Table 1 – Sight distances

Posted (mph)	Sight distances (feet)
20	155
25	200
30	250
35	305
40	360
45	425
50	495
55	570
60	645

- b. Driveway Width. Unless a waiver is granted pursuant to Section 3.3 (C), driveway width within the highway right of way must be between 12 and 22 feet inclusive. The width of a driveway is the distance across the driveway, excluding radii, measured parallel to the highway.
- c. Driveway Side Slopes. Side slopes to be no steeper than the adjacent roadway side slopes, but in no case to be steeper than 3 horizontals to 1 vertical.
- d. Corner Clearance. Unless a waiver is granted pursuant to Section 3.3 (c), the minimum corner clearance for driveways is 75 feet for un-signalized intersections and 125 feet for signalized intersections except that at no time will a driveway be located on the radius of the two intersecting roadways.
- e. Turnaround Area/Parking. Driveways will be designed such that all maneuvering and parking of any vehicles will take place outside of the highway right of way and such that vehicles may exit the premises without backing onto the highway traveled way or shoulder. All driveways will have a turnaround area at least 8 feet wide by 15 feet long.
- f. Drainage Standards.
 - (1) Culvert Size. Searsmont Board of Selectmen shall determine the diameter of culverts within the highway right of way depending upon local conditions.
 - (2) Construction and Maintenance Standards. Driveways, on-site ditches, swales, pipes and other structures that direct runoff toward municipal ditches or drainage systems must be constructed, crowned, stabilized and maintained with stable materials and appropriate erosion control measures such as permanent vegetation or stone.
 - (3) Mitigation. If the proposed development poses a significant drainage risk, then the applicant must mitigate the impacts of increases in peak flow from storms into municipal drainage systems.
- g. Intersection Angle/Radius of Edges. To the maximum extent practical, the driveway will be constructed perpendicular to the highway at the access point. The minimum radius on the edge of a driveway, if any, must be 10 feet.

The homeowner is responsible for the initial installation of a culvert on a private driveway that is adjacent to a town road, after obtaining a driveway permit from the Town. If maintenance or replacement of the culvert is subsequently required, the Town will perform the maintenance or replacement of the culvert. If a homeowner has paved their driveway and a culvert must be maintained or replaced by the Town, the Town is responsible for the culvert maintenance or replacement only, and the homeowner is responsible for replacement of the asphalt.

FURTHER CONDITION OF THE PERMIT:

The owner shall assume the defense of , and pay all damages, fines, and penalties for which he/she shall become liable, and shall indemnify and save harmless said Department, its representatives, agents and employees from liability, actions against all suite, claims, damages for wrongful death, personal injuries or property damage suffered by a person or association which results from the willful or negligent action or inaction of the owner/applicant/agent and in proceedings of every kind arising out of the construction and maintenance of said entrance(s), including snow removal. Nothing herein shall, nor is intended to, waive and defense, immunity or limitation of liability which may be available to the municipality, their officer, agent or employees under the Maine Tort Claims Act or any other privileges and/or immunities provided by law.

The submission of false or misleading statements on or with this application, or the omission of information necessary to prevent statements submitted herein or herewith from being misleading, is a crime punishable under Chapter 19 of the Maine Criminal Code, and any permit issued in reliance thereon will be considered null and void without notice or further action by the Department.

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Date Filed: _____

Signature of Applicant

Signature of Property Owner

() by signing and checking this box I hereby certify that I have been granted permission from the property owner to act in their behalf

Signature of Approving Authority

