

## § 184-4 Driveway/Entrance Permit.

### Sec 4-1. Purpose.

This Division provides for the review of any 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. A permit is not required for paving, sealing, or repairs unless the driveway is relocated.

### Sec 4-2. Permit Required.

- A. No driveway, entrance or approach or other improvement within the limits of the right-of-way for any public road may be constructed, altered or relocated except in accordance with an Entrance Permit issued by the Town upon application.
- B. The Town Selectmen may establish the fee for such permit.
- C. The entrance permit shall be valid for a period of twelve (12) 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 an Entrance Permit from the Town.
- E. The Owner is responsible for future maintenance of the entrance within the limits of the right-of-way and shall maintain the entrance in accordance with the approved permit.
- F. Some roads and streets outside the Urban Compact may require a permit from Maine Department of Transportation. You may see the Public Works Director for information.

### Sec 4-3. 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 an Entrance Permit.

### Sec 4-4. Approval Criteria.

A General. Entrances should be designed and constructed to provide safe access to the public way. Applicants are encouraged to comply with the *“Access Management Rules for Driveways and Entrances” as developed by the Maine Department of Transportation, 2001.*<sup>1</sup>

- A. Applicant. The applicant for a permit shall be the owner of the property or authorized representative being served. Any driveway or approach constructed by the Owner shall be for the bona fide purpose of securing access to the owner’s property and not for the purpose of parking or servicing vehicles on the right-of-way.

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<sup>1</sup> *“Access Management Rules for Driveways and Entrances” as developed by the Maine Department of Transportation, 2001*

B. Sight Distance Criteria:

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 way 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 (10') feet from the edge of shoulder line with the height of eye three and one-half (3.5') feet 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 and one quarter (4.25') feet is first seen.
3. Driveway placement shall be such that an exiting vehicle has an unobstructed sight distance according to the following schedule:

| <b>Highway Speed<br/>(MPH)</b> | <b>Recommend Sight<br/>Distance (in feet)</b> | <b>Minimum Sight<br/>Distance (in feet)</b> |
|--------------------------------|---|---|
| 25                             | 250   | 175   |
| 30                             | 300   | 210   |
| 35                             | 350   | 245   |
| 40                             | 400   | 280   |
| 45                             | 450   | 315   |
| 50                             | 500   | 350   |
| 55                             | 550   | 385   |

C. Geometry:

1. The entrance shall be designed such that the grade within the right-of-way does not exceed 10%.
2. For uncurbed public ways the entrance shall in general slope away from the road surface at a rate of not less than one quarter inch (1/4") per foot, nor more than one inch (1") per foot for a distance of not less than the prevailing width of the existing shoulder, but in no case less than four (4) feet from the edge of pavement.
3. The entrance should intersect the traveled way at a horizontal angle of ninety (90) degrees but in no case shall the horizontal angle be less than seventy-five (75) degrees.
4. No part of the entrance shall extend beyond the property lot frontage for the lot being served.
5. The entrance shall not be located close to an intersection and should be back at least fifty (50) feet.

D. Drainage:

1. Existing roadside drainage in gutter or ditch lines shall not be altered or impeded by the applicant. The applicant must provide at his/her expense suitable and approved drainage structures at all entrances.
2. Surface drainage shall be provided so that all surface water on the areas adjacent to the road shall be carried away from the roadway.
3. Where a drainage culvert is required to maintain roadside drainage the Town must approve the pipe diameter/length and type pipe material prior to installation. In any case, the pipe size shall be at least twelve (12) inches in diameter.

E. Construction:

1. The owner is responsible for all construction and restoration of disturbed areas for the entrance within the limits of the Right-of-way.
2. The entire portion of any entrance within the limits of the right-of-way shall be constructed with a minimum fifteen- (15) inch well-graded gravel base course (MDOT Type C).
3. If the entrance grade within the right-of-way exceeds five (5%) percent slope then the entrance shall have a paved surface within the limits of the right-of-way.

F. Curb and Sidewalk:

1. When sidewalk or curb exists at the proposed entrance the applicant shall remove and replace such materials at the applicant's expense. Any granite curb to be removed by the applicant will remain the property of the Town.
2. Where curb exists, curb tip-downs shall be provided at each side of a new entrance.
3. Where sidewalk is removed to accommodate a new entrance a new walk surface of equal type construction is to be provided. The sidewalk area at all entrances is to meet handicap accessibility requirements and conform to the American with Disabilities Act guidelines. In general sidewalks shall meet the following:
  - a.) The maximum sidewalk longitudinal transition slope is not to exceed one (1) vertical to twelve (12) horizontal.
  - b.) The maximum sidewalk cross-slope is not to exceed two percent (2%).
  - c.) No abrupt changes in grade are permitted and the maximum curb reveal crossing a walkway is one-half ( $\frac{1}{2}$ ) inch or less.

(For Office Use Only)

Application No: \_\_\_\_\_

Date Received: \_\_\_\_\_

Fee: 10.00

**Town of Topsham  
Public Works Department  
APPLICATION FOR ENTRANCE**

|  |  |   |
|--|--|---|
| Applicant:   | Contractor Performing Work:                  | Property Owner:                                   |
| Address:   | Address:                                     | Address:  |
| Applicants Phone No.:  | Contractors Phone No.:                       | Owner's Phone No.:                                |
| 24-Hour On Call Phone No:  | Contact Person (if different from applicant) |   |
| Location of Entrance:<br>_____<br>(Street/Box Number & Name of Street) |  | Lot Highway Frontage:<br>_____ FT                 |
| Tax ID of Property:  | Map Page: _____<br>Map Lot: _____            | Subdivision Name: _____<br>Subdivision Lot: _____ |

Principle Use of Property:  Residential     Commercial     Other \_\_\_\_\_  
 \_\_\_\_\_  
 (Describe Use)

| Detail Existing Entrances (distances in feet) |                 |                  |                                   |                                  |           |        |                |                             |                                   |              |                    |    |
|---|-----------------|------------------|-----------------------------------|----------------------------------|-----------|--------|----------------|-----------------------------|-----------------------------------|--------------|--------------------|----|
| ID No   | Width Entrance  |                  | Surface Type<br>(Within Town Way) | Culvert <input type="checkbox"/> |           |        |                |                             | Sidewalk <input type="checkbox"/> |              | Public Catch Basin |    |
|   | At edge of Road | At Property Line |                                   | Pipe Size                        | Pipe Type | Length | Depth of Cover | Edge of road to Pipe Center | Curb type                         | Surface type | Yes                | No |
| 1   |                 |                  |                                   |                                  |           |        |                |                             |                                   |              |                    |    |
| 2   |                 |                  |                                   |                                  |           |        |                |                             |                                   |              |                    |    |

| Detail Proposed Entrances (distances in feet) |                 |                  |                                   |                                  |           |        |                |                             |                                   |              |                    |    |
|---|-----------------|------------------|-----------------------------------|----------------------------------|-----------|--------|----------------|-----------------------------|-----------------------------------|--------------|--------------------|----|
| ID No   | Width Entrance  |                  | Surface Type<br>(Within Town Way) | Culvert <input type="checkbox"/> |           |        |                |                             | Sidewalk <input type="checkbox"/> |              | Public Catch Basin |    |
|   | At edge of Road | At Property Line |                                   | Pipe Size                        | Pipe Type | Length | Depth of Cover | Edge of road to Pipe Center | Curb type                         | Surface type | Yes                | No |
| 3   |                 |                  |                                   |                                  |           |        |                |                             |                                   |              |                    |    |
| 4   |                 |                  |                                   |                                  |           |        |                |                             |                                   |              |                    |    |

|                        |                          |                  |
|------------------------|--------------------------|------------------|
| Proposed Starting Date | Proposed Completion Date | Dig Safe Ticket# |
|------------------------|--------------------------|------------------|

**Public Works Department**  
**APPLICATION FOR ENTRANCE**

Application No: \_\_\_\_\_  
Page Two

Describe Proposed Entrance(s) on sketch below  
or attach sketch or plan to this application.

Show proposed entrance locations, width and arrangement; distance between entrances; setback (from edge of traveled way) of buildings, gasoline pumps, etc.; location of existing culverts, pipes, catch basins, manholes, curbing, gutter, and sidewalks; and the location of proposed culverts, ditches, curbing, and sidewalks.

Check here if sketch or plan is attached. Please reference the sketch or plan to this application.

**Notice To Applicant**

1. This form is an application only & no entrance work is to commence until the entrance Permit has been issued.
2. No excavation work is to commence until DIG SAFE and all underground facility operators have been duly notified of the work three (3) business days in advance in accordance with the current State of Maine statutory requirements.
3. All work must conform to the requirements of the Entrance Permit and the current copy of the Right-of-way as issued by the Town of Topsham.
4. Fee: \_\_\_\_\_

**Statement of Agreement**

I am duly authorized to execute this application and have reviewed and will comply with the above. I further agree to comply with all requirements of the Entrance Permit and agree to pay any subsequent charges which may become due as a result of my failure to comply with any of the permit requirements of the right-of-way.

Signature of Applicant \_\_\_\_\_

\_\_\_\_\_ Date

Approved by Dennis Cox, Public Works Director \_\_\_\_\_

\_\_\_\_\_ Date

Check here if Entrance Site Inspection Report is attached. (For Office Use Only)