

Amendments Adopted by the Town Council on April 22, 2025

Effective on May 22, 2025

## **ARTICLE VI. STREET STANDARDS AND ACCEPTANCE ORDINANCE**

### **Sec. 14-181. Title.**

The ordinance from which this article was derived shall be known and may be cited as the "Street Standards and Acceptance Ordinance" of the Town of Brunswick, Maine.

(Ord. of 3-1-10(2); Ord. of 10-17-11(2); Ord. of 3-2-20(2) )

### **Sec. 14-182. Statement of purpose.**

The purpose of this article is to promote the health, safety, and public welfare of the residents of the Town of Brunswick by the means of establishing minimum standards for streets. Nothing in this article shall be interpreted to mandate road acceptance by the town council.

(Ord. of 3-1-10(2); Ord. of 3-2-20(2) )

### **Sec. 14-183. Authority, administration and effective date.**

- (a) This article is enacted pursuant to 30-A M.R.S.A. § 3001, Ordinance Power. Limited and Section 2151, Police Power Ordinances.
- (b) With the exception of road acceptance, which is administered by the town council, this article shall be administered by the planning board who shall consult with the town engineer and the fire department.
- (c) The effective date of the ordinance from which this article is derived is January 1, 2020.

(Ord. of 3-1-10(2); Ord. of 3-2-20(2) )

### **Sec. 14-184. Definitions.**

*Dead-end Street* means a street that has only one combined inlet and outlet. The length of a dead-end street shall be measured from the centerline of the intersecting street to the terminal point of the dead-end street. Dead-end streets that originate from another dead-end shall be measured as one continuous street.

*Driveway* means an entrance to a property from a public or private street.

*Driveway, common* means an entrance jointly owned and maintained by abutting owners providing access to no more than two (2) lots, nor more than two (2) dwelling units both having frontage on the same street that the entrance originates from. The maximum length of a common driveway shall be one hundred and fifty (150) feet.

*Driveway, rear lot* means a common or shared driveway, as defined herein, providing access to a single lot or single dwelling unit through a dedicated or recorded right of way from a fronting parcel from a public or private street.

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*Driveway, residential parking lot* means a driveway accessing a parking lot for multi-unit residential building(s). The maximum length of a residential parking lot driveway shall be one hundred and fifty (150) feet with a minimum width of twenty (20) feet.

*Driveway, shared* means an entrance through an easement to no more than two (2) lots, nor more than two (2) dwelling units. The maximum length of the shared portion of the driveway shall be five hundred (500) feet with a turnaround and shall have a minimum width of twenty (20) and a maximum width of twenty-four (24) feet unless previously approved by the fire chief and town engineer.

*Easement* means the right to use or restrict the use of land of another for or to specified purposes.

*MaineDOT* shall mean the Maine Department of Transportation.

*Street, private* means a street privately owned and maintained that is used as the principal means of access to three (3) or more dwelling units. See table for maximum dwelling units and designs standards.

*Street, proposed public* means a street under design or construction intended to be offered as a public street. See table for maximum dwelling units and designs standards.

*Street, public* means a public way accepted by the town.

*Street classifications* means the size and design needs of new streets shall be based upon the projected number of vehicles they are to carry. All streets proposed for town acceptance shall be classified by the town engineer in accordance with MaineDOT policy.

*Town* shall mean the Town of Brunswick.

Note: For non-residential or mixed used developments the town engineer will determine the classification based on equivalent peak hour vehicle trips for the development as compared to the peak hour trips generated for the above residential unit developments.

(Ord. of 3-1-10(2); Ord. of 3-2-20(2) ; Ord. of 3-15-21)

## **Sec. 14-185. Applicability.**

- (a) This article shall apply to all streets within the town not currently under review or previously approved by the planning board as of the effective date of this article.
- (b) Nothing in this article shall be construed to prevent the design and construction of streets which meet higher standards, use improved methods or use higher quality materials. The determination of the acceptability of other standards, methods or materials shall be made by the town council with advice of the planning board and the town engineer.
- (c) Any work completed on a state roadway will be required to meet current federal and state standards in addition to any local standards that may apply.
- (d) Additional zoning ordinance standards may apply.

(Ord. of 3-1-10(2); Ord. of 10-17-11(2); Ord. of 3-2-20(2) ; Ord. of 3-15-21)

## **Sec. 14-186. Acceptance and application requirements.**

- (a) No street shall be laid out and accepted as a public street by the Town of Brunswick except in accordance with the provisions of this article. This article shall prevail over all other ordinances, or parts thereof, in conflict or inconsistent with the provisions of this article.

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- (b) Streets can be offered for town acceptance only if they meet the requirements of a public street as detailed in section 14-187 of this article. Where a street section is offered for acceptance that is part of a phased development the street section offered shall be complete and function in full compliance with this article independent of the future phases of construction.
- (c) An application shall be submitted to the town council for acceptance of a new or extended town way upon a form prescribed by the town engineer after satisfactory completion of all public improvements. The application shall contain the following information and certifications:
- (1) A copy of a boundary survey plan that has been recorded in the Cumberland County Registry of Deeds prior to the time of acceptance and the plan book and page reference shall be provided in the application.
  - (2) The project surveyor shall provide a certificate that all monuments have been set and any monuments disturbed during construction have been replaced, and that all monuments exist and are in good condition as of the acceptance date. Disturbed or high monuments along the street and public easements must be re-set flush with grade prior to any offer for acceptance.
  - (3) The project surveyor shall certify that the roadway and its appurtenances as-built lie within the bounds of the roadway being conveyed, and that any drainage structures or other improvements as-built lie within their respective easements. An as-built plan shall be submitted detailing the street features as built.
  - (4) A letter from the landowner's attorney certifying that the landowner has clear title to the property and that there are no encumbrances on the property. Executed "lien waivers" shall be provided from all contractors, subcontractors and material suppliers involved with the street improvements with the request for street acceptance.
  - (5) A letter from each public utility in the roadway, including the Brunswick Sewer District and the Brunswick and Topsham Water District, indicating that all work has been completed in a satisfactory manner for their acceptance and operation of the respective utility.
  - (6) A letter from the town engineer certifying he/she has made a final inspection of the street and found all work has been satisfactorily completed in accordance with the approved subdivision plans and the requirements of this article.
    - a. If, in the opinion of the town engineer, the street has faults or is not performing properly the town engineer may recommend against acceptance until such issues have been corrected by the applicant to the satisfaction of the town engineer. The applicant can request the town engineer submit a letter to the town council detailing any such deficiencies for review and consideration by the town council where the applicant has a difference of opinion regarding such findings of the town engineer.
  - (7) The project surveyor shall provide a metes and bounds legal description of the bounds encompassing the proposed town way and any associated public easements for review and approval by the town engineer.
  - (8) Once the proposed legal description has been reviewed and approved by the town engineer, the applicant's attorney shall prepare a warranty deed conveying the parcel of land encompassing the roadway in "fee simple" suitable for recording at the registry of deeds. The deed shall include a signature block for town council acceptance listing each of the current town councilors.
  - (9) The landowner conveying the street parcel with improvements shall warrant all such public improvements to be free of defects in workmanship or materials for a period of two (2) years from the date of acceptance.

(Ord. of 3-1-10(2); Ord. of 3-2-20(2) )

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## Sec. 14-187. Design standards.

All streets shall meet the design standards detailed herein.

- (1) For any streets to be offered that have not been reviewed and approved by the planning board as part of a subdivision development, the applicant must submit full engineering plans for review and approval detailing the road construction including centerline profile, drainage facilities with elevations and pipe sizes, boundary lines and related information as required by the town engineer to indicate compliance with these requirements. The applicant must also submit field test information as required by the town engineer to indicate compliance with these standards. Street pavements over two (2) years old shall be evaluated by a professional engineer as to condition and distress. Streets to be offered for town acceptance must have a performance condition rating (PCR) of "very good" (3.61 to 5.00).
- (2) Permanent survey monumentation (four-inch by four-inch by four-foot granite monument or approved equal) is to be provided and set by a State of Maine Professional Land Surveyor along the street at all changes in direction (including point of curvature and point of tangency for curved) on both sides of the street parcel. Monument location and type at all other points must conform to standard State of Maine survey practices.
- (3) The street developer shall provide and install street name signs of the type, size and location as approved by the town engineer. Proposed street names shall first be reviewed and approved by the town assessor for compliance with E911 naming criteria.
- (4) A digitized electronic drawing file of the complete final planning board approved plans, in an approved format, must be furnished to the town engineer.
  - a. An "as-built" or set of record drawings shall be submitted in a form acceptable to the town engineer upon completion of each phase of the project prior to any acceptance offer.
- (5) The following street standards shall be met for town acceptance. All workmanship, methods of construction and materials for the public street improvements shall have been completed in compliance with the Maine Department of Transportation, Standard Specifications, latest edition unless otherwise specifically approved by the town engineer.
  - a. For all streets to be constructed for town acceptance the town engineer shall be notified of all such construction work in advance. The town shall have the right to inspect and test all materials and workmanship. All materials to be used for the street construction shall first be submitted with appropriate design information or laboratory test data to indicate compliance with the standards contained herein.
  - b. In addition to the below standards, all roads offered for town acceptance shall meet current state and local requirements for stormwater management. The owner shall provide engineering certification by a licensed professional engineer that the road and associated drainage structures meet these requirements and protect water quality.
- (6) *Private streets.*
  - a. *New streets.* For those streets not to be constructed for town acceptance, the roadway will be constructed to meet the private road standard in the below table as a minimum.
  - b. *Existing streets.* The Planning Board shall review all development proposals that create a new lot of record if the existing street does not conform to the street standards found in this Article, including, but not limited to: the standards for minimum right-of-way width, roadway slope, environmental constraints, maximum length of dead end street, and maximum number of units served by dead end street. The Planning Board may approve a proposal if it receives

recommendation from the Engineering Department and the Fire Department that the standards should be waived and finds that the layout and design of the street conforms to the standards to the maximum extents practicable. These standards may be modified only where: (1) there are restrictions that prevent the standards from being met; or (2) prior conveyances or construction abutting the street make it impossible or an undue hardship to meet the standards; or (3) the reviewing authority has determined that the modifications to the standards would be reasonably safe. The reviewing authority may consider reasonable alternatives to meeting the standards such as the availability of hydrants in proximity to the development and may place reasonable conditions on the development as deemed necessary as a result of waiving the street standards associated with the development proposal. ***All lots of record as of April 1<sup>st</sup>, 2023 with access off existing streets, that are intended for use as single or two-family, and not subject to subdivision review are exempt from this requirement. Any proposed new construction is still subject to minimum fire protection standards as required by NFPA 1(2018), 18.2.3b.***

#### STREET STANDARDS

Item	Public			Private
	Collector	Minor	Local	
1a. Minimum right-of-way width, curbed	66 feet	50 feet	50 feet	50 feet
1b. Minimum right-of-way width, uncurbed	66 feet	60 feet	50 feet	50 feet
2a. Minimum pavement width, curbed	34 feet <sup>1</sup>	28 feet <sup>1</sup>	24 feet <sup>1</sup>	24 feet
2b. Minimum pavement width, uncurbed	30 feet <sup>1</sup>	24 feet <sup>1</sup>	20 feet <sup>1</sup>	20 feet
2c. Minimum surface width of unpaved private	n/a	n/a	n/a	20 feet
3. Maximum grade	8%	8%	8%	10% <sup>2</sup>
4. Minimum centerline radius	200 feet	175 feet	125 feet	125 feet
5. Minimum tangent between reverse curves	100 feet	75 feet	50 feet	50 feet
6. Minimum shoulder width	4 feet	4 feet	4 feet	0 feet
7a. Maximum length of dead end street	1,500 feet	1,500 feet	1,500 feet	1,500 feet

7b. Maximum number of units served by dead end street without additional review <sup>4</sup>	25	25	25	Paved: 25 Unpaved: 5
8. Minimum braking sight distance for vertical and horizontal curves	150 feet	150 feet	n/a	n/a
9. Road base (total, minimum)	24 inches	24 inches	18 inches	18 inches
Sub-base (MDOT Grade D)	18 inches	18 inches	15 inches	15 inches
Base (MDOT Grade A)	6 inches	6 inches	3 inches	3 inches
10. Pavement courses (total)	4.0 inches	4.0 inches	3.50 inches	Paved: 3.50 inches Unpaved: not required <sup>3</sup>
Binder course (MDOT Item 403.207, 19.0 mm HMA or Item 403.208, 12.5mm HMA)	2.5 inches	2.5 inches	2.25 inches	Paved: 2.25 inches Unpaved: not required <sup>3</sup>
Top course (MDOT Item 403.209 9.5 mm HMA)	1.5 inches	1.5 inches	1.25 inches	Paved: 1.25 inches Unpaved: not required <sup>3</sup>
11. Sidewalk construction (where sidewalks are req'd <sup>5</sup> )				
Width (minimum)	5 feet	5 feet	5 feet	n/a
Gravel base (MDOT grade A)	12 inches	12 inches	12 inches	n/a
Surface material	Asphalt	Asphalt	Asphalt	n/a
Pavement thickness: (2 passes, MDOT D Mix)	3.0 inches	2.5 inches	2.5 inches	n/a

Comply w/28 CFR Part 36 (ADA Design Standards)	Yes	Yes	Yes	n/a
12. Curbing material (if curbs are provided) as determined by the town engineer	Slipform concrete or granite	Slipform concrete or granite	Slipform concrete or granite	n/a
Straight sections	Mold 1 (s/w) Mold 2 (No s/w)	Mold 1 (s/w) Mold 2 (No s/w)	Mold 1 (s/w) Mold 2 (No s/w)	n/a
Radius sections (< 50' R) as determined by the town engineer	Slipform concrete or granite	Slipform concrete or granite	Slipform concrete or granite	n/a
13. Storm drainage				
Road culverts (minimum size)	18 inches	18 inches	18 inches	18 inches
Driveway culverts (min. size)	15 inches	15 inches	12 inches	12 inches
Storm drain piping	ADS N-12 or equal	ADS N-12 or equal	ADS N-12 or equal	ADS N-12 or equal
14. Street lighting (if required) shall meet the Town's streetlight policy	Yes	Yes	Yes	Not required <sup>6</sup>
All wiring runs in conduit for underground installations	Yes	Yes	Yes	Not required <sup>6</sup>

<sup>1</sup> The minimum **vehicle** travelway width on town roads shall be eleven (11) feet, **unless approved by the Town Engineer or Public Works Director, in accordance with the Town's Complete Streets Policy and reducing the vehicle travelway width where possible.**

<sup>2</sup> Any roadway section with a grade in excess of six (6) percent shall be paved for a minimum of fifty (50) feet beyond the limits of the grade in excess of six (6) percent in each direction.

<sup>3</sup> Paving of private streets is not required except as noted in note 2 above, however, the road must be designed to support the loads of fire apparatus and maintained with an all-weather driving surface. The entire roadway surface must be maintained at twenty (20) feet wide year round.

<sup>4</sup> The maximum number of units on an unpaved private street may be increased to 25 provided that the private street meets all the other minimum requirements of an unpaved private street and provided that each lot served by the private street is covered by a street maintenance association agreement. The agreement must cover all

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contiguous lots on each side of the street, shall require each lot owner to contribute to the annual maintenance of the private street, and shall be recorded in the Registry of Deeds.

<sup>5</sup> Required sidewalk locations are as determined by the planning board during subdivision review or for existing private streets offered for dedication, sidewalks (one (1) side or both sides) are to be provided if determined necessary by the town engineer.

<sup>6</sup> If street lighting is installed it shall meet the standards of a public road.

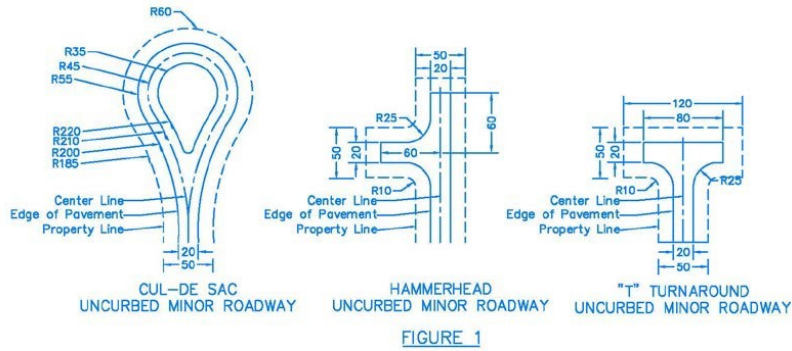
#### INTERSECTION STANDARDS

Item	Public			Private
	Collector	Minor	Local	
1. Minimum/maximum angle	90 degree	90 degree	90 degree	90 degree
2. Maximum grade within 100 feet of centerline intersection	3%	3%	3%	3%
3. Minimum curb radius	30 feet	30 feet	25 feet	25 feet
4. Minimum property line radius	20 feet	20 feet	20 feet	20 feet
5. Minimum centerline distance between intersections, same side of street	300 feet	250 feet	250 feet	250 feet
6. Minimum centerline distance between intersections, opposite side of street	150 feet	150 feet	150 feet	150 feet
7. Minimum tangent length from intersection centerlines	50 feet	50 feet	50 feet	50 feet

#### *Standards for Turnarounds on Dead-End Streets.*

A suitable means for reversing direction shall be provided at the end of a dead-end street in the form of a center-island cul-de-sac, a hammerhead, or a "T" turnaround. No lot may be accessed from any part of a hammerhead or "T" turnaround or within 50 feet from the end of the roadway. Turnarounds shall meet the minimum design dimensions as shown below in Figure 1 unless otherwise approved by the town engineer. The town engineer may require larger dimensions for turnarounds in commercial lot subdivisions.





(Ord. of 3-1-10(2); Ord. of 3-2-20(2) ; Ord. of 3-15-21; Ord. of 7-19-22)

### Sec. 14-188. Acceptance of street required by the public interest.

Notwithstanding the provisions of any other section thereof, the town may at any time accept any street whenever the general public interest so requires. The cost of said street may be borne by said town.

(Ord. of 3-1-10(2))

### Sec. 14-189. No street to be accepted until after report by the town engineer.

No street shall be laid out and accepted by the town council until the town engineer or his/her designee shall have made a careful investigation thereof, and shall have reported to the town council their recommendations with respect thereto.

(Ord. of 3-1-10(2))

### Sec. 14-190. Waivers

Deviations from the requirements listed in the street standards table shall be addressed through a waiver process with Planning Board serving as the review authority. Requests for waivers must include the completed application form, applicable fee, and a narrative describing the proposed project and the hardships that prevent compliance with the ordinance. Maps shall also be included for context. All waiver submissions will be reviewed by the Staff Review Committee for their comments and recommendations prior to Planning Board review. Provided that plans are approved as submitted, the applicant is bound by the conditions of the approval, and they may not be modified without Planning Board consent.

### Secs. 14-191—14-200. Reserved.