

APPLICATION FOR DRIVEWAY/ENTRANCE PERMIT

**TOWN OF ANSON
PO BOX 297
ANSON, ME 04911-0297**

Land Owner's Name: _____ Phone #: _____

Land Owner's Mailing Address: _____

Applicant or Agent's Name: _____ Phone #: _____

Applicant/Agent Mailing Address: _____

Other Contact Information: _____

Road Name: _____ Map #: _____ Lot #: _____

Nearest Utility Pole #: _____ Side of Highway: North, East, South, West
(Circle one)

Desired Width of Driveway Entrance: _____ Type of Surface: _____
(Feet) (Gravel, pavement, etc.)

Does this property have an existing access? _____

Construction expected to begin on _____ and be completed on _____

Person/Co. constructing entrance: _____

Construction contact name: _____ Phone #: _____

By signing this application I certify that I have read and will comply with the conditions and standards listed on the back of this application.

(Signature of Owner)

Date: _____

The Board of Selectmen shall propose a suitable Town Meeting warrant article for consideration if the road meets all the appropriate standards.

- G. Conveyance of the right-of-way to the Town shall be by warranty deed with metes and bounds description. Permanent markers shall be placed at each point defined in the description.

XV. Driveway Entrance Permits

- A. The Road commissioner is responsible for reviewing driveway entrances on Town maintained roads for any parcel of land which agricultural or timber-harvesting uses will be conducted or on which will be built a new structure for a residential, commercial, or industrial unit.
- B. A driveway entrance permit will be required for new entrances (constructed) on Town maintained roads from the effective date of this Ordinance. There will be no fee for the Permit.
- C. Driveway Entrance Permit Standards
 1. Sight distance in each direction is equal to or greater than 10 times the posted speed limit for the section of the road where the driveway entrance is located.
 2. A new culvert, if required as determined by the Road Commissioner, shall be new, of approved material, at least 12 inches in diameter, and installed with a minimum of 3 feet of cover material.
 3. Inlet and outlet ditches are constructed in such a manner as to prevent ponding of the road drainage and slope ratios shall be consistent with existing ditches.
 4. Erosion control measures shall be used at the entrance site.
- D. The landowner is responsible for constructing the driveway entrance per the standards contained in this Ordinance. When the Road Commissioner determines a change to these standards is warranted due to site conditions, he may require, as applicable, the trimming of vegetation, installation of drainage, installation of larger culverts, or additional ditching.
- E. Driveway Entrance Permits will not be issued until all installation standards are met.
- F. The Town will maintain the culverts at driveway entrances for which the Road Commissioner has granted a permit.
- G. Driveways entering the road from higher grade than the road shall terminate the driveway slope at the ditch line so that any driveway surface drainage can readily enter the ditch. The roadway slope (1/2 inch per foot) shall be maintained to the ditch line.

THE OWNER HEREBY AGREES

1. Where the drive/entrance is located within a curb, curb and gutter, and/or sidewalk section, to completely remove the existing curb, curb and gutter, and/or sidewalk as may be required to create the drive/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. §12132 et seq.
2. To 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 by the Anson Road Commissioner.
3. To not alter, without the express written consent of the Anson Road Commissioner, any culverts, drainage patterns or swales within the Town of Anson right-of-way.
4. To construct and maintain the entrance side slopes to be no steeper than the adjacent roadway side slopes, but in no case to be steeper than 3 horizontal to 1 vertical, unless the side slope is behind existing roadway guardrail, in which case it shall be no steeper than 2 horizontal to 1 vertical.
5. **COMPLY WITH ALL FEDERAL, STATE AND MUNICIPAL LAWS AND ORDINANCES.**

FURTHER CONDITIONS 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 Town of Anson, its representatives, agents and employees from liability, actions against all suits, claims damages for wrongful death, personal injuries or property damage suffered by any 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 immunity or limitation of liability which may be available to the Town of Anson, its officers, agents 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 Town of Anson.