

Town of Arundel, Maine

PRIVATE WAY EXEMPTION APPLICATION

APPLICANT INFORMATION

1. **Name of Private Way** _____

2. **Proposed Exempted Lot:** Map _____ Lot # _____ Address: _____

3. **Applicant Name** (if different): _____

Mail Address: _____

Town, State, ZIP Code _____

Telephone #: _____

Email: _____

4. **Authorized Agent** (person(s) responsible for all communication with Arundel staff)

Name: _____

Mail Address: _____

Town, State, ZIP Code _____

Telephone #: _____

Email: _____

5. **Design Consultants** (Surveyor/ Engineer)

Name: _____

Mail Address: _____

Telephone # _____ Email _____

Name: _____

Mail Address: _____

Telephone # _____ Email _____

6. **Right Title & Interest:** Please attach evidence of the applicant's right, title or interest (deed, lease agreement, purchase & sale, or letter of authorization) in the property and any deed restrictions or easements on the property.

SITE INFORMATION

7. Date the existing Private Way or Approved Subdivision Road was created _____

Please attach deed description and recorded Subdivision or Survey Plan showing layout of the Private Way or approved Subdivision Road at the time of creation

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8. Date the proposed Exempted Lot was created_____
9. Identify the Lot on the private way that is furthest from the Town and has a residential building currently on it: Map#_____ Lot#_____
- Owners Name and Address_____
- Date Certificate of Occupancy (CO) issued for this residence_____
- (Please attach copy of the CO)*
10. Please list the Map /Lot # of any other parcels that have been granted exemptions under Section 7.7.B.1.b of the Arundel Land Use Ordinance _____
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Private Way Condition Information:

11. Is the existing travel surface located entirely within the boundaries of the designated private way right-of-way? Yes_____ No_____
12. What is the minimum width of the existing travel surface of the private way?_____
13. Please state what type of terminus currently exists at the terminus of the existing private way:
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Plan & Certification Submissions

14. **Map Plan:** Please attach the survey, subdivision plan, or private way plan showing the horizontal layout of the private way and the associated lots. Plans prepared by a Maine licensed surveyor or engineer are preferred. Plans should not be more than 1”=60 feet.
15. **Load Bearing Certification:** Attach a certification sealed by a Maine licensed engineer or testing laboratory verifying that the existing road base of the private way is constructed and drained to support the year-round parking and passage of a fire apparatus with a 54,000 pounds gross vehicle weight . *Include a map showing location of roadbed borings, profiles of such borings and copies of compaction tests used to support the certification.*
16. **Terminus Plan:** Submit a plan at a scale no more than 1”=50 showing the horizontal alignment of the existing terminus of the private way or proposed turnaround space for fire apparatus. Plans should show the fire apparatus turning radius of no less than 43 feet.
17. **Remedial Action:** In the event that the existing private way fails to meet minimum bearing load standards, width requirements, drainage provisions or terminus requirements, the applicant shall submit a remedial plan of the correction sealed by a Maine licensed Civil Engineer on a plan at a scale no less than 1”=50 feet.
18. **Entrance apron:** The applicant shall submit a plan and section showing the installation of a 2” thick bituminous apron over a 12 inch minimum gravel base at the intersection of the private way with the public street for the width of the street right-of-way.

- 19. Cost Estimates:** The applicant shall submit cost estimates of any and all corrective actions proposed to bring the deficient private way in conformance of the standards of Section 7.7.B.1.b.
- 20. Notifications:** On Avery 5160 or comparable peel off mailing labels, please provide the names and mailing addresses of all property owners located within 500 feet of the existing private way, as measured from all of the property lines of the subject parcel (This includes parcel across roads, rivers, and easements).
- 21. Application Fee:** \$150 application fee plus \$250 peer review fee, refundable to the applicant if not used by the Staff Review Committee.
- 22. Waiver Requests?** (Submit in writing) Yes No

To the best of my knowledge, all of the above stated information is true and correct.

Applicant's Signature

Date

Submit four copies of this application and site plans showing or accompanied by the information required by Section 7.7.B.1.b. If plans are larger than 11" x 17", you may provide 1 full-sized set and 3 copies reduced to 11" x 17". Applications will not be placed upon the *Staff Review Agenda* until the Town Planner receives all the plans, fees, written submissions or waiver requests to be considered complete. After receipt of all the necessary information, the Town Planner shall place the application on the next available agenda.

NOTE: *If remedial construction of the private way is required by the Staff Review Committee in order to meet the eligibility requirements of Section 7.7.B.1.b, the Committee will require the posting of a Performance Surety in accordance with the requirements of Section 7.7.B.7 of the Arundel Land Use Ordinance.*

Section 7.7.B.1.b Exemption Excerpt from 2012 Arundel Land Use Ordinance

7.7.B.1.b Exemptions

Private ways or portions thereof shown on approved subdivision plans approved prior to June 14, 1995, and private ways or portions thereof providing access to lots of land upon which residential or commercial structures were granted certificates of occupancy by the code enforcement officer prior to June 9, 2010 are exempted from conformance with the design and construction criteria of Section 7.7.B., provided that the private ways meet the following performance criteria as determined by the Staff Review Committee:

- (1). Exemptions shall apply only to that portion of the eligible private way located between the public road and the structure farthest from the public road, as measured along the length of the private way as shown on the approved subdivision plan.
- (2) No more than two (2) undeveloped existing lots shall be serviced by an exempted private way constructed or recorded after June 14, 2000.
- (3) The width of the existing travelway shall be no less than 15 feet at any point along the travelway.
- (4). The applicant shall provide documentation from a Maine licensed civil engineer certifying that the existing travelway has been constructed sufficiently to support the passage and parking of a fire apparatus with a 54,000 pound gross vehicle weight during all seasons of the year.
- (5). A turnaround or pull-off space shall be provided that: (a) is sufficient to allow two fire apparatus to pass at or near the terminus of the private way; and (b) can physically support and accommodate the turning around of a standard 100-foot ladder aerial fire apparatus and the Arundel Fire Department's first-due Attack Pumper.
- (6). A paved apron consisting of two (2) inches of compressed bituminous concrete over a minimum base of twelve (12) inches of gravel shall be installed at the intersection of the private way and any Town or State highway for that portion of the travelway within the public right-of-way.

Any extension of a private way beyond the length shown on the approved subdivision plan or the approved structure farthest from the public road shall conform to the design and construction standards of Section 7.7.B.2 unless otherwise exempt by this Ordinance. (Adopted June 13, 2012)