

TOWN OF GRAY
ZONING BOARD OF APPEALS
AGENDA • JUNE 26, 2024

**Zoning Board of
Appeals Regular
Meeting**

Henry Pennell Municipal Complex
24 Main Street
Gray, Maine

7:00 PM

I. MEETING COMMENCES

Roll Call

II. CONTINUED BUSINESS

- a. SRB PROPERTY HOLDINGS LLC is requesting a Practical Difficulty Variance from the standards established in the zoning ordinance to reduce a 50-foot required front setback down to 15-feet, to reduce a required 50-foot rear setback down to 15-feet, to reduce a required 25-foot side setback down to 15- feet, and to reduce a required 10-foot side setback for a driveway down to 5-feet located on their property at North Raymond Road, Gray Tax Map 013-101-007-000, in a Rural Residential & Agricultural Zoning District.

- b. Acknowledgement of Site Walk at Map/Lot 013-101-007.

III. ADJOURNMENT

** The Town of Gray is an equal opportunity employer and complies with all applicable equal access to public accommodations law. If you are planning to attend a Town Council or Town committee or board meeting and need assistance with a physical disability, please contact the Town Manager's office at least 48 hours in advance of the meeting to have the Town assist you. 657-3339. TTY 657-3931.*

TOWN OF GRAY
ZONING BOARD OF APPEALS
AGENDA • JUNE 26, 2024

**Zoning Board of
Appeals Regular
Meeting**

Henry Pennell Municipal Complex
24 Main Street
Gray, Maine

7:00 PM

I. MEETING COMMENCES

Roll Call

II. CONTINUED BUSINESS

- a. SRB PROPERTY HOLDINGS LLC is requesting a Practical Difficulty Variance from the standards established in the zoning ordinance to reduce a 50-foot required front setback down to 15-feet, to reduce a required 50-foot rear setback down to 15-feet, to reduce a required 25-foot side setback down to 15- feet, and to reduce a required 10-foot side setback for a driveway down to 5-feet located on their property at North Raymond Road, Gray Tax Map 013-101-007-000, in a Rural Residential & Agricultural Zoning District.

- b. Acknowledgement of Site Walk at Map/Lot 013-101-007.

III. ADJOURNMENT

** The Town of Gray is an equal opportunity employer and complies with all applicable equal access to public accommodations law. If you are planning to attend a Town Council or Town committee or board meeting and need assistance with a physical disability, please contact the Town Manager's office at least 48 hours in advance of the meeting to have the Town assist you. 657-3339. TTY 657-3931.*



PLAN REFERENCES

1. "State of Maine Department of Transportation Right of Way Map State Highway 16 ~ Route 26/Shaker Rd./S.A. Hwy. No. 9/No. 107 ~ Gray ~ Cumberland County ~ Federal Aid Project No. STP-1876(600) ~ D.O.T. File No. 3-639 dated April 2019 Sheets 1-5 of 5.
2. "Sketch Plan/Working Drawing for Dana Stetson, North Raymond Road ~ Gray, Maine" dated 2002 by Wayne T. Wood & Co.
3. "Standard Boundary Survey ~ Plan of Land on North Raymond Road in Gray, Maine for James A. Dyer, Jr. and Patricia M. Dyer dated 06-13-1986 by Daniel T. C. LaPoint.
4. "Plan of Property in Dry Mills ~ Gray, Maine made for Roman Catholic Bishop of Portland ~ Parish of Saint Gregory the Great Camp Gregory undated portion of plan by H. I. & E. C. Jordan.

NOTES

1. Owner of record is SRB Property Holdings, LLC. by warranty deed King's Investors, LLC. recorded in the Cumberland County Registry of Deeds in Book 40031 on Page 293.
2. All bearings are referenced to Grid North Maine 2000 West Zone per the plans referenced in Plan Reference #1 and are calculated from angles of on on the ground survey.
3. The subject parcel is shown on the Town of Gray, Maine Tax Map #13 as Lot #101-7.



Plan of Land
 North Raymond Road & Shaker Road
 In
 Gray, Maine
 For Owner of Record:
SRB Property Holdings, LLC.
 247 Allen Rd., Pownal, ME 04669

WAYNE WOOD & CO.
 Gray, Maine 04039 (207)657-3330
 Drawn By: K.L.W./W.T.W. Date: April 2024
 Scale: 1" = 20' Job No.: 22-4018
 Checked By: W.T.W. Field Crew: JW/BL

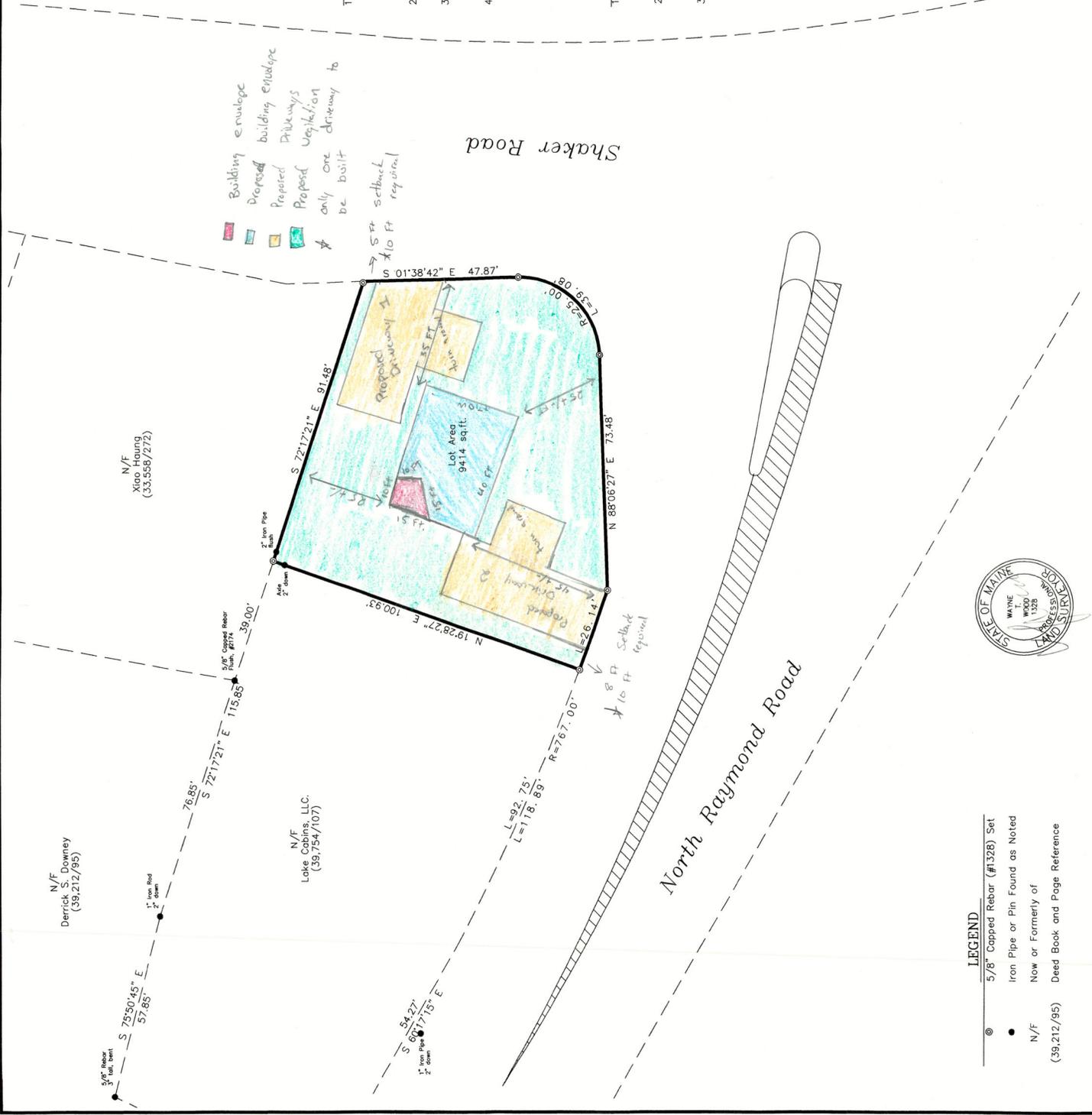
- Building envelope
- Proposed building envelope
- Proposed Driveways
- Proposed Vegetation
- Only one driveway to be built

Shaker Road

North Raymond Road



- LEGEND**
- ⊙ 5/8" Capped Rebar (#1328) Set
 - Iron Pipe or Pin Found as Noted
 - N/F Now or Formerly of (39,212/95) Deed Book and Page Reference



TOWN OF GRAY
ZONING BOARD OF APPEALS
AGENDA • JANUARY 31, 2024

**Zoning Board of
Appeals Regular
Meeting**

Henry Pennell Municipal Complex
24 Main Street
Gray, Maine

7:00 PM

I. MEETING COMMENCES

Roll Call

II. MINUTES APPROVAL:

- a. Zoning Board of Appeals - Regular Meeting - December 27, 2023, 7:00 PM

III. CONTINUED BUSINESS: PUBLIC HEARINGS

- a. SRB PROPERTY HOLDINGS LLC is requesting a Practical Difficulty Variance from the standards established in the zoning ordinance to reduce a 50-foot required front setback down to 15-feet, to reduce a required 50-foot rear setback down to 15-feet, to reduce a required 25-foot side setback down to 15- feet, and to reduce a required 10-foot side setback for a driveway down to 5-feet located on their property at North Raymond Road, Gray Tax Map 013-101-007-000, in a Rural Residential & Agricultural Zoning District.

IV. ADJOURNMENT

** The Town of Gray is an equal opportunity employer and complies with all applicable equal access to public accommodations law. If you are planning to attend a Town Council or Town committee or board meeting and need assistance with a physical disability, please contact the Town Manager's office at least 48 hours in advance of the meeting to have the Town assist you. 657-3339. TTY 657-3931.*

Code Office

From: Timothy Estes
Sent: Tuesday, January 30, 2024 10:29 AM
To: Code Office
Subject: North Raymond Rd and Shaker Road property.

Good morning Tammy,

I am writing in reference the property at North Raymond Rd and Shaker Rd. If a driveway variance is permitted on the driveway, the owner will need to pave the entrance of the driveway abutting the pavement on North Raymond Rd in at least 20 feet. The pavement will need to be slopped to one side or another with a drainage sluiceway beside the 20 feet of pavement that runs back towards the catch basin abutting the pavement on North Raymond Rd as well. With all this being said, the driveway entrance cannot be over the catch basin. The speed limit is 30mph, so the sight distance has to be a minimum of 250 feet. There is no where's near enough footage looking back towards Shaker Rd. (We have failed many driveways for improper sight distance, this is definitely a safety issue). Also this driveway does not meet the radius variance. The other driveway that's within the radius has been there since the early 1900's. so it is grandfathered.

Thank You.

Tim Estes

Interim Public Works Director

This electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it, may be considered public records, and may therefore be subject to public record requests for review and copying under Maine's Right to Know Law (Title 1, 401-521 of the Maine Revised Statutes).

TOWN OF GRAY
ZONING BOARD OF APPEALS
AGENDA • DECEMBER 27, 2023

**Zoning Board of
Appeals Regular
Meeting**



7:00 PM

I. MEETING COMMENCES

Roll Call

II. MINUTES APPROVAL

- a. Zoning Board of Appeals - Regular Meeting Minutes - December 6, 2023 7:00 PM

III. NEW BUSINESS: PUBLIC HEARINGS

- a. *BENTLEY MAYER PROPERTIES LLC is requesting a Practical Difficulty Variance from the standards established in the sign ordinance to reface one existing internally illuminated non-conforming sign located on their property at 263 Shaker Road, Gray Tax Map 013-101-010-000, located in a Rural Residential Agricultural Zoning District.*

- b. *Robert & Joanna Ritchie are requesting a Practical Difficulty Variance from the standards established in the zoning ordinance to reduce a 50-foot required front setback down to 33-feet in order to install a 50-foot right of way accessing the rear of their parcel located on their property at 134 Long Hill Road, Gray Tax Map 064-042-004-000, in a Rural Residential & Agricultural Zoning District.*

- c. *SRB PROPERTY HOLDINGS LLC is requesting a Practical Difficulty Variance from the standards established in the zoning ordinance to reduce a 50-foot required front setback down to 15-feet, to reduce a required 50-foot rear setback down to 15-feet, to reduce a required 25-foot side setback down to 15-feet, and to reduce a required 10-foot side setback for a driveway down to 5-feet located on their property at North Raymond Road, Gray Tax Map 013-101-007-000, in a Rural Residential & Agricultural Zoning District.*

IV. ADJOURNMENT

** The Town of Gray is an equal opportunity employer and complies with all applicable equal access to*

public accommodations law. If you are planning to attend a Town Council or Town committee or board meeting and need assistance with a physical disability, please contact the Town Manager's office at least 48 hours in advance of the meeting to have the Town assist you. 657-3339. TTY 657-3931.



VARIANCE APPLICATION - PRACTICAL DIFFICULTY
 ZONING BOARD OF APPEALS
 TOWN OF GRAY MAINE

For Office Use Only
 Date Submitted: 11-21-23
 Tent. Sched. for: 12-27-23
 Amount Paid: \$500

PROPERTY INFORMATION

Property Location/Address	4 North Raymond rd	Property Map/Lot	013 . 101 . 007 . 000
Zoning District	Rural Residential	Lot Acreage	.28
Owner Name	Shane Brady	Owner Phone Number	207-837-9482
Number of Dwelling Units	0		

APPLICANT

Name (IF different than owner)		Email Address	SBRADY94@Yahoo.com
Mailing Address		Contact Phone Number	
Mailing City/State/Zip		Alternate Phone Number	

VARIANCE INFORMATION

Per Gray Zoning Ordinance 402.9.2.B.3:

Practical Difficulty Variance: The Board may grant a variance from the dimensional standards of the Zoning Ordinance when strict application of the ordinance to the petitioner and the petitioner's property would cause a practical difficulty and when the following conditions exist:

- The need for a variance is due to the unique circumstances of the property and not to the general condition of the neighborhood;
- The granting of a variance will not produce an undesirable change in the character of the neighborhood and will not unreasonably detrimentally affect the use or market value of abutting properties;
- The practical difficulty is not the result of action taken by the petitioner or a prior owner;
- No other feasible alternative to a variance is available to the petitioner;
- The granting of a variance will not unreasonably adversely affect the natural environment; and
- The property is not located in whole or in part within shoreland areas as described in Title 38, section 435.

As used in this subsection, "dimensional standards" means and is limited to ordinance provisions relating to lot area, lot coverage, frontage and setback requirements.

As used in this subsection, "practical difficulty" means that the strict application of the ordinance to the property precludes the ability of the petitioner to pursue a use permitted in the zoning district in which the property is located and results in significant economic injury to the petitioner.

Describe request (description may be attached separately- plot plan/site map required to be attached)

I'd like to be granted a driveway entrance + reduced setbacks to build a new single family home. This property use to have two dwellings on it, one commercial store + another building. I've attached supporting documents in this packet along with a state statute that doesn't allow land locked property's.

	Current Requirement	Currently Existing	Proposed
Front Setback	50 FT	N/A	15 FT
Rear Setback	50 FT	N/A	15 FT
Side Setback	25 FT	N/A	15 FT
Other Setback (describe)			
Max. Lot Coverage	10 %	N/A	
Min. Lot Area	80,000 sq FT		
Min. Street Frontage	200 FT	220 FT	
Other (describe)	10 Driveway	5 FT	

CRITERIA- BRIEFLY DESCRIBE HOW YOUR REQUEST MEETS EACH OF THE FOLLOWING:

a. The need for a variance is due to the unique circumstances of the property and not to the general condition of the neighborhood;

When the intersection was redesigned this lot lost a decent amount of land

b. The granting of a variance will not produce an undesirable change in the character of the neighborhood and will not unreasonably detrimentally affect the use or market value of abutting properties;

By adding a new modern house it should raise abutting property's value

c. The practical difficulty is not the result of action taken by the petitioner or a prior owner;

d. No other feasible alternative to a variance is available to the petitioner;

I've attached

e. The granting of a variance will not unreasonably adversely affect the natural environment; and

Characteristics of the intersection

f. The property is not located in whole or in part within shoreland areas as described in Title 38, section 435.

This property is 1/4 mile plus outside of shoreland zones

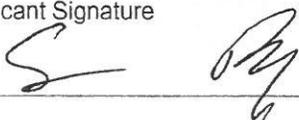
Per Gray Zoning Ordinance 402.9.2.B.4:

Variance Review Criteria: In hearing variance appeals under this section, the Board of Appeals shall determine that the applicant has demonstrated that all of the undue hardship or practical difficulty criteria in sub-Sections 2 and 3 above have been met. Additionally, the Board shall consider the following criteria in its decision to grant any variances or impose conditions:

- a. What effect will be proposed variance have on the prevailing character of the area?
- b. Does the proposed variance require special screening or fencing to separate or protect the property of abutting owners?
- c. Will the proposed variance create drainage, erosion or flooding problems?
- d. Will the proposed variance increase water pollution?
- e. Will the proposed variance generate vehicular traffic, access circulation or parking conditions which create hazardous situations?
- f. Will granting of the variance violate any of the performance standards of this Ordinance apart from the specific relief authorized by this Section?
- g. Will the proposed variance create to any degree nuisances to abutting property owners?
- h. Is the variance request the least modification of the Zoning Regulations necessary to afford relief?
- i. In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Ordinance.

PLEASE REFER TO THE CURRENT FEE SCHEDULE FOR APPLICABLE FEES TO INCLUDE REQUIRED ADVERTISING AND ABUTTER NOTIFICATIONS

Applicant Signature



Printed Name

Shane Brady

Date

11/15/23

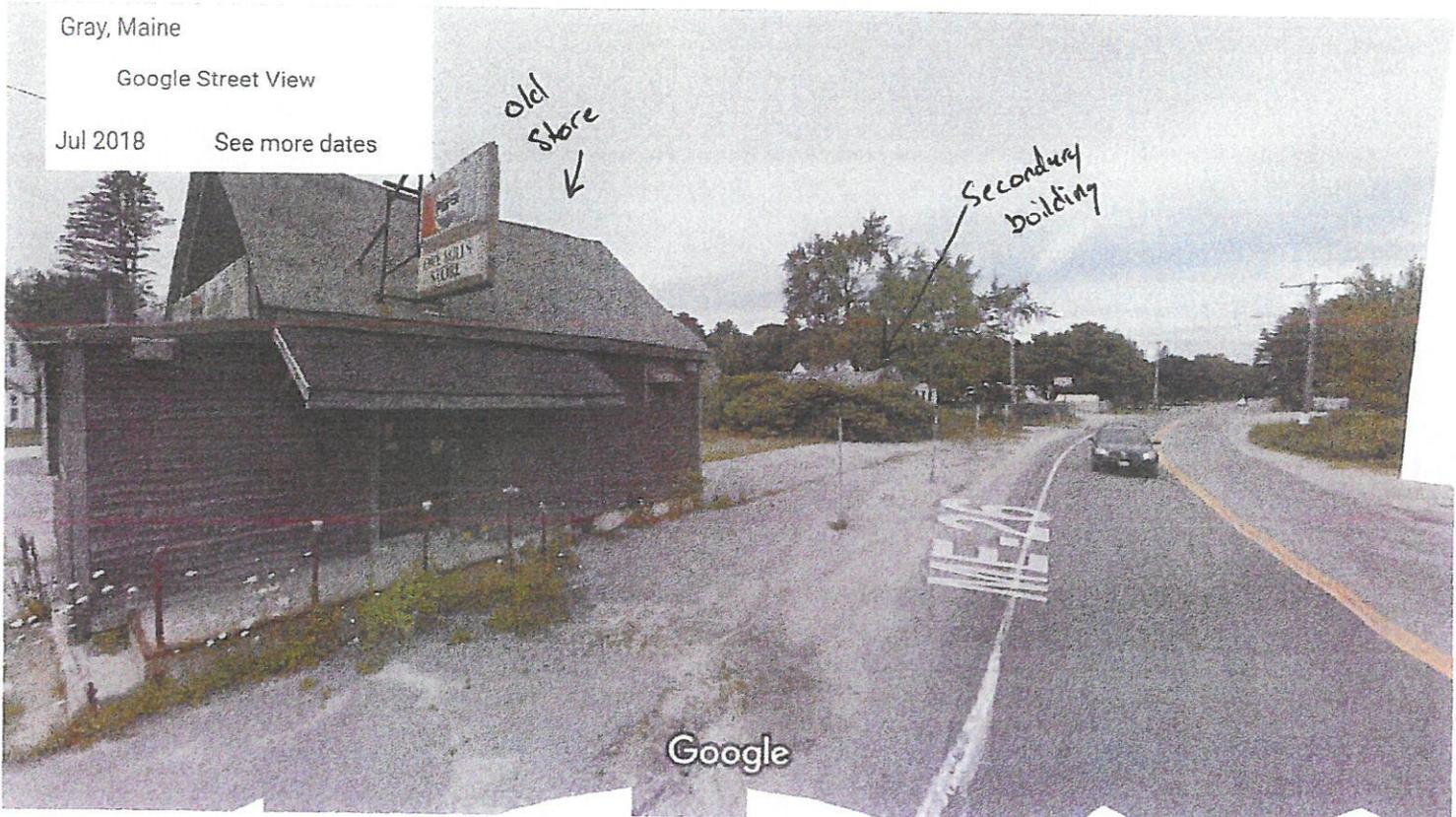
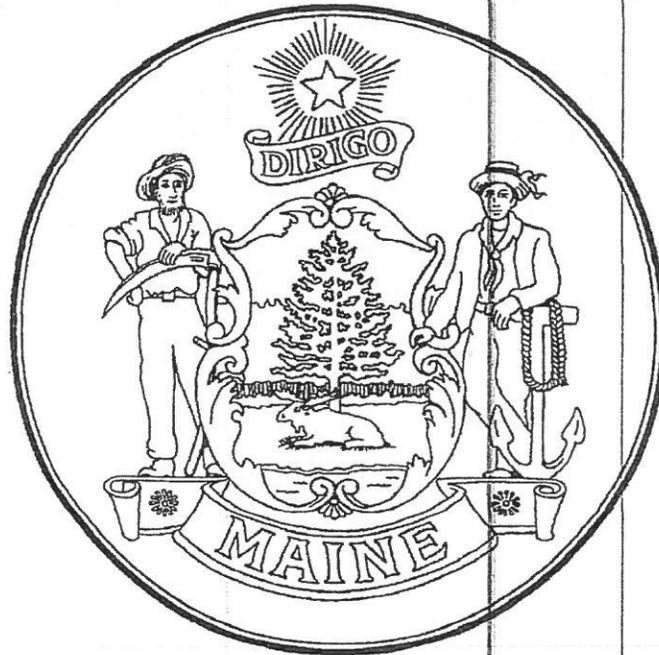


Image capture: Jul 2018 © 2023 Google



MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

R. of S.

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44

L.D. 1403

(Filing No. H-529)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1051, L.D. 1403, Bill, "An Act to Provide Access to Landlocked Property"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 23 MRSA §3022, 3rd ¶, as repealed and replaced by PL 1979, c. 127, §153, is amended to read:

The municipal officers may on petition therefor, personally or by agency, lay out a public easement for any occupant of land or for owners who have cultivated land in the municipality if the land will be connected to a town way or highway after the establishment of the public easement. The municipal officers must respond within 45 days of receipt of a petition by issuing a decision on whether to lay out a public easement or must submit the question to the voters at the next annual or special town meeting.

Sec. 2. 33 MRSA §459 is enacted to read:

§459. Private easements to landlocked parcels; special court master

An owner of real property with no apparent right of access from that property to a public way may file a complaint in Superior Court claiming that under statute or common law an easement by necessity or by implication exists over the land of an abutting landowner or landowners and requesting that a special master be appointed to hear the complaint. The rights provided by this section are in addition to any other remedies provided by law.

B.W.S.

COMMITTEE AMENDMENT "A" to H.P. 1051, L.D. 1403

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48
50
52

1. Eligibility. Prior to filing an action, the owner must have made a reasonable offer to purchase an easement from the abutting landowner or landowners and the offer was refused; and

A. In the case of land located in a town or city, petitioned the municipal officers for the establishment of a public easement pursuant to Title 23, section 3022 and the petition was denied or the municipal legislative body declined to establish an easement; or

B. In the case of land located in a plantation, township or unorganized territory, petitioned the county commissioners to establish a public easement pursuant to Title 23, section 2051 and the petition was denied.

2. Procedure. An action brought under this section is a civil action governed by the Maine Rules of Civil Procedure, except that there is no trial by jury. Upon the filing of a complaint, the court shall:

A. Establish a schedule for discovery and a schedule for filing briefs; and

B. Appoint a special master to hear and decide all issues of fact and issue a report to the court.

3. Decision. Within 30 days of receipt of the master's report, the court shall issue a final decision. If an easement is found to exist, the court shall indicate the location and all the rights and obligations associated with the easement.

4. Costs. The fees of the master and any other costs necessary for the master to issue a report must be paid by the complainant.

FISCAL NOTE

The additional workload and administrative costs associated with the minimal number of new cases filed in the court system can be absorbed within the budgeted resources of the Judicial Department. The collection of additional fees may increase General Fund revenues by a minor amount.

STATEMENT OF FACT

The amendment replaces the bill and requires that municipal officers respond within 45 days to a petition for a public easement from a landlocked property owner by establishing an easement or submitting the question to the town voters at the next election.

H.M.S.

COMMITTEE AMENDMENT "A" to H.P. 1051, L.D. 1403

2
4
6
8
10
12

The amendment also provides an option to the common law process for resolution of access to landlocked property questions. Under certain circumstances, an owner of land that does not include access to a public way may file an action in Superior Court to establish an easement by necessity or an easement by prescription. The landowner may request the appointment of a special master to hear the case, make factual determinations and report to the court within 45 days. The court will decide the case without a jury trial based on the master's report. Costs for the court to employ the master are paid by the landowner. The court issues a ruling within 30 days after receipt to the report.

Reported by the Committee on State and Local Government
Reproduced and distributed under the direction of the Clerk of the House
6/2/93 (Filing No. H-529)



Joe >

Sat, Jun 10 at 2:02 PM

Hey it's Shane

Mon, Jun 12 at 8:28 AM

Hi Shane, it is Joe, I talked to the bank on the farmhouse and I could do \$162,000

Mon, Jun 12 at 6:52 PM

Would you consider selling just a right of way for like \$5000?

Tue, Jun 13 at 11:44 AM

Hi Shane I am sorry ya I wouldn't be able to sell an easement for 5k, but let me know if you would like the farmhouse. Thanks Joe

Tue, Jun 13 at 5:05 PM

No problem Joe, thanks for getting back to me

No worries



iMessage



FW: Urban Compact information-4 North Raymond Road-Gray

From: Terrell, Van (van.terrell@maine.gov)

To: sbrady94@yahoo.com

Date: Wednesday, November 8, 2023 at 11:52 AM EST

Good morning Shane,

4 North Raymond Road in Gray, ME. including the access point on Route 26 Shaker Road in Gray are both located in the Town of Gray's Urban Compact area and outside MaineDOT jurisdiction. The Town of Gray would review access management including new entrances/driveways.

I've attached a screen shot the darker shaded areas on N Raymond Road and RTE 26 are Urban Compact.

Also attached is the **Description of the Urban Compact locations in Gray:** Beginning at the intersection of the Lewiston Road (U.S. Routes 202 and SR 4) and the Weymouth Road and extending southeast to the Yarmouth Road (Route 115) at its intersection with Partridge Lane; thence, southwesterly to the Portland Road (Route 26/100) at its intersection with the Turnpike Acres Road; thence north along the westerly right-of-way boundary of Portland Road (Routes 26/100) to the intersection of Main Street (Route 115/202/4) in the village; thence westerly along the southerly right-of-way boundary of the West Gray Road (Routes 115/202/4) to its intersection with Liberty Avenue; thence easterly along the northerly right-of-way boundary of the West Gray Road (Routes 115/202/4) to a point just east of McConkey Road; thence northwesterly to the North Raymond Road at its intersection with Mayberry Road and then southeasterly along the northerly right-of-way boundary of North Raymond Road to its intersection with the Gray Road (Route 26) in Dry Mills; thence northerly along the westerly right-of-way boundary of the Shaker Road (Route 26) to the New Gloucester town line; thence southerly along the easterly right-of-way boundary of Shaker Road (Route 26) to the Weymouth Road in Dry Mills; thence easterly along the southerly right-of-way boundary of the Weymouth Road to its intersection with the Lewiston Road (U.S. Routes 202 and SR 4) and the point of beginning.

Also attached is email correspondence with Marty Norton a realtor with Keller Williams who called on 3/20/2023 to inquire about 4 N Raymond Road in Gray. I provided Marty with the Town of Grays Urban Compact locations.

Maine's Urban Compact Municipalities are those in which the population according to the last US census:

- Exceeds 7,500 inhabitants, or
- Is fewer than 7,500 inhabitants but more than 2,499 inhabitants, and in which the ratio of people whose place of employment is in a given municipality to employed people residing in that same municipality is 1.0 or greater, and when the municipality has not exercised the opt-out provision of this section.

"Compact" or "built-up sections" mean a section of the highway where structures are nearer than 200 feet apart for a distance of 1/4 of a mile, unless otherwise defined; reference [MRSA 23 sub-](#)

Driveway Permit Denial - 013-101-007-000

From: Code Office (ceo@graymaine.org)

To: sbrady94@yahoo.com

Cc: testes@graymaine.org

Date: Monday, November 6, 2023 at 01:58 PM EST

Good afternoon, here is the section that needs to be met for that lot:

SECTION 5.4 – PRIVATE DRIVEWAY LAYOUT AND CONSTRUCTION STANDARDS

D. Private driveways shall be located not less than fifty (50) feet from the tangent point of the travel way edge radius of any intersection of streets.

Please review Table 5.2 Private Driveway Entrance Sight Distance Standards of the Town of Gray's Street Ordinance which also requires sight distance requirements.

I am writing on the behalf of Time Estes, the Director of Public Works. He is currently out of the office, but this is an appealable decision. If you would like to file an appeal of this decision, please come into the office, and file an application and the Appeal will be scheduled to be heard in front of the Town Council. Please let me know if you have any questions.

Tammy Munson
Code Enforcement Officer
657-3112

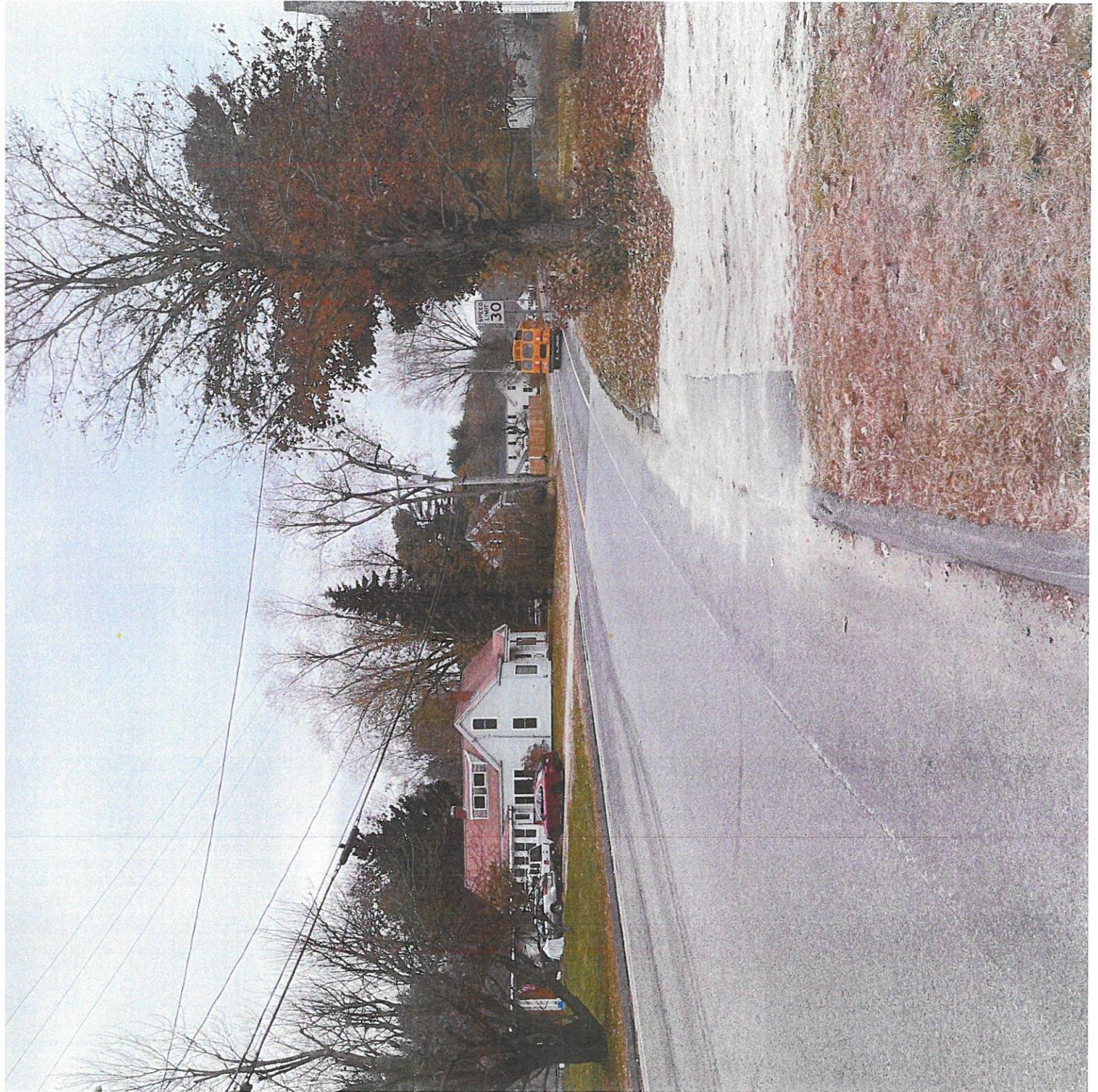
This electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it, may be considered public records, and may therefore be subject to public record requests for review and copying under Maine's Right to Know Law (Title 1, 401-521 of the Maine Revised Statutes).

1. 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.
2. Driveway placement shall be such that an existing vehicle has an unobstructed sight distance in both directions meeting the requirements of Table 5.2 unless a waiver is granted by the Town Engineer upon documentation provided by the applicant that safety conditions will be met with shorter sight distances (this review will be covered by the Town requirements for peer review escrows). Commercial driveway entrances and exits not requiring site plan review and serving traffic of over fifteen percent (15%) truck traffic shall meet the Mobility Sight Distance requirements of Table 5.2 (third column).

Posted Speed (MPH)	Sight Distance (Feet)	Mobility Sight Distance ¹
20	155	225
25	200	300
30	250	380
35	305	480
40	360	580
45	425	710
50	495	840

- C. All private driveways shall have suitable drainage facilities to provide for adequate removal of storm water to prevent flooding and erosion:
 1. When the Public Works Director determines that a culvert is necessary, culverts shall be of adequate size and depth to convey ditch water flows and shall be shielded with stone rip rap at inlet and outlet to prevent washouts when the ditch flow capacity is exceeded in major storms.
 2. Irrespective of the travel surface material, the intersection of the Private Driveway with the roadway shall be designed, constructed, and maintained to prevent surface drainage from flowing onto or across the roadway. The entrance surface shall slope away from the road at a rate of not less than one quarter inch (.25"/ft.) per foot, nor more than one inch (1"/ft.) 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 the travel way surface.
- D. Private driveways shall be located not less than fifty (50) feet from the tangent point of the travel way edge radius of any intersection of streets.
- E. When a corner lot is bounded by streets of two different classifications, private driveways to the corner lot shall gain access from the street of lower classification unless, in the opinion of the Town





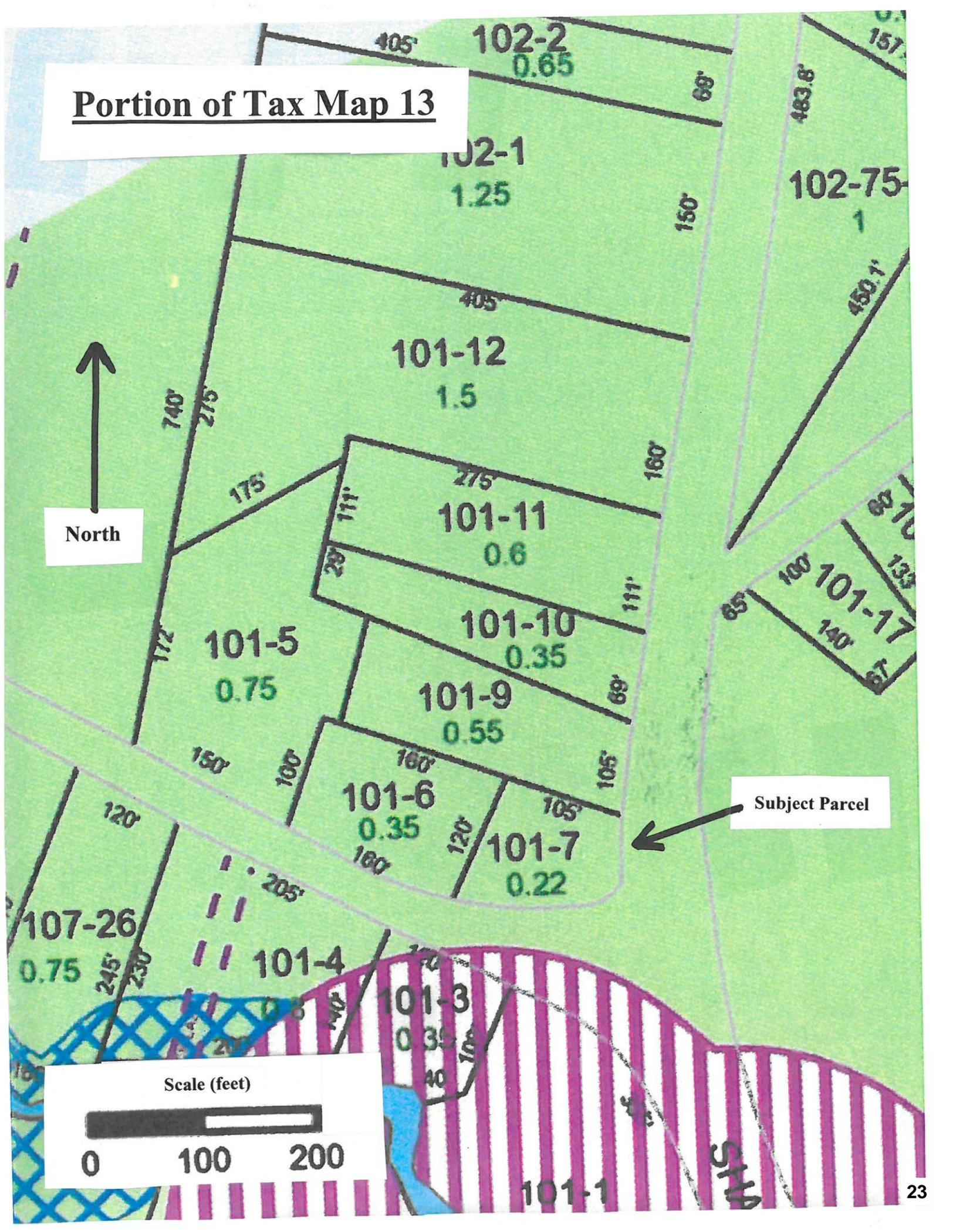


Portion of Tax Map 13

North

Subject Parcel

Scale (feet)



1. 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.
2. Driveway placement shall be such that an existing vehicle has an unobstructed sight distance in both directions meeting the requirements of Table 5.2 unless a waiver is granted by the Town Engineer upon documentation provided by the applicant that safety conditions will be met with shorter sight distances (this review will be covered by the Town requirements for peer review escrows). Commercial driveway entrances and exits not requiring site plan review and serving traffic of over fifteen percent (15%) truck traffic shall meet the Mobility Sight Distance requirements of Table 5.2 (third column).

Posted Speed (MPH)	Sight Distance (Feet)	Mobility Sight Distance ¹
20	155	225
25	200	300
30	250	380
35	305	480
40	360	580
45	425	710
50	495	840

- C. All private driveways shall have suitable drainage facilities to provide for adequate removal of storm water to prevent flooding and erosion:
 1. When the Public Works Director determines that a culvert is necessary, culverts shall be of adequate size and depth to convey ditch water flows and shall be shielded with stone rip rap at inlet and outlet to prevent washouts when the ditch flow capacity is exceeded in major storms.
 2. Irrespective of the travel surface material, the intersection of the Private Driveway with the roadway shall be designed, constructed, and maintained to prevent surface drainage from flowing onto or across the roadway. The entrance surface shall slope away from the road at a rate of not less than one quarter inch (.25"/ft.) per foot, nor more than one inch (1"/ft.) 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 the travel way surface.
- D. Private driveways shall be located not less than fifty (50) feet from the tangent point of the travel way edge radius of any intersection of streets.
- E. When a corner lot is bounded by streets of two different classifications, private driveways to the corner lot shall gain access from the street of lower classification unless, in the opinion of the Town



