



Street Ordinance

TOWN OF RAYMOND

ADOPTED MAY 18, 2002
WITH AMENDMENTS ADOPTED

May 17, 2003

June 7, 2011

June 4, 2013

June 3, 2015

RAYMOND PLANNING BOARD

RAYMOND, MAINE

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1. Purpose

The purpose of this ordinance is to promote public health, safety and welfare for the residents of the Town of Raymond by establishing construction standards for public ways, public easements (formerly private ways) and private roads including but not limited to streets, roads, lanes, alleys, et al, hereinafter called "street", and back lot driveways.

2. Administration and Effective Date

2.1 Administration: This ordinance shall be administered by the Planning Board, hereinafter called the "Board".

2.2 Effective Date: The effective date of this ordinance shall be May 18, 2002.

3. Applicability

3.1 New Construction: This ordinance shall apply to the construction and lengthening of all streets within the Town. A street may be accepted by the Town of Raymond only if it fully meets the design standards for public streets in Section 5 of this Ordinance. A back lot driveway need only meet the requirements of Sections 4.8 and 5.5.

3.2 Alterations: Alterations, widening and improvements shall be consistent with Section 5 of this Ordinance.

4. Application Procedures

Prior to the construction or lengthening of any street, an application shall be submitted to the Board at least 21 days prior to a scheduled meeting of the Board. The application shall include the following information:

4.1 Submission Requirements

- A. Names of applicants, owners of land for the location of the proposed street or, in the event of an existing street, the name of the existing street.
- B. A statement of any legal encumbrances on the land for the location of the proposed street.
- C. The anticipated starting and completion dates of each major phase of construction.
- D. A statement indicating the nature and volume of traffic anticipated on an average daily basis.

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4.2 Plans

Detailed construction drawings shall be submitted showing a plan view of existing streets within 300 feet of any proposed intersection and profiles and typical cross-sections of the proposed streets. The plans shall include the following information:

- A. Date, scale and magnetic or true north point.
- B. Intersections of the proposed street with existing streets.
- C. Roadway and right-of-way limits including edge of pavement, edge of shoulder, sidewalks and curbs.
- D. Kind, size, location, material, profile and cross-section of all existing and proposed drainage pipes, culverts, structures and their location with respect to the existing natural waterways and proposed drainage ways. Such structures shall be designed and sized in accordance with a stormwater management plan prepared by a registered professional engineer and shall meet the minimum stormwater design and construction standards of Article 9, section 14 of the Subdivision Regulations.
- E. Complete curve data shall be indicated for all horizontal and vertical curves.
- F. Turning radii at all intersections.
- G. Centerline gradients.
- H. Locations of all existing and proposed overhead and underground utilities including, but not limited to, water, sewer, electricity, telephone, lighting and cable television.
- I. Kind, size, location, profile and cross-section of all existing and proposed drainage ways and structures and their relationship to existing structures.
- J. A soil erosion and sedimentation control plan in conformance with the requirements of Article 5, section 2.B.17 of the Subdivision Regulations.
- K. For streets to be located within the watershed of a great pond, a phosphorous impact plan as further described in Article 9, section 14 of the Subdivision Regulations.
- L. For a new private street, or the expansion of an existing street that is to remain private, the application shall include a plan setting forth how the street and associated drainage structures and required buffers and stormwater management facilities are to be maintained. Responsibility for street maintenance may be assigned to a lot owners association or to lot owners in common through provisions included in the deeds for all lots that utilize the private street for access. The applicant shall submit appropriate legal documentation such as proposed homeowners association documents or proposed deed covenants for Board review. This documentation must address specific maintenance activities such as summer

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and winter maintenance, long-term improvements and emergency repairs and include a mechanism to generate funds to pay for such work. The documentation shall be notarized and referenced on the approved plans. *[Amended 06/03/15]*

4.3 Municipal Review

Upon receipt of plans for a proposed street or lengthening of an existing street, the Board shall forward copies to the Public Works Director and the Town's consulting engineer, if any, for review and comment. For proposed public streets or for lengthening of existing public streets, a copy shall be forwarded to the Board of Selectmen. Where the subdivider proposes alterations within existing public streets, the proposed design and construction details shall be approved in writing by the Public Works Director or the Maine Department of Transportation (MDOT), as appropriate. If the existing public right-of-way is less than 50 feet, the improved right-of-way shall include easements widened to a minimum of 50 feet at the expense of the applicant.

4.4 Street Within a Proposed Subdivision

Plans for a street proposed as part of a subdivision as defined in the Subdivision Regulations, shall be submitted to the Board as an integral part of the subdivision application. The subdivision application and plans shall conform to the full provisions of this Ordinance and the Subdivision Regulations.

4.5 Application Fee

The fee schedule for review of plans for a new street or an alteration to an existing street shall be established by the Board of Selectmen.

4.6 Application Review

The schedule for review of a proposed public or private street or lengthening of an existing public or private street proposed as part of a subdivision shall be as described in the Subdivision Regulations. For all other proposed streets or lengthening of existing streets, the following shall apply.

- A. Complete Application. Within 30 days from the date of receipt of an application, the Board shall notify the applicant in writing that either the application is complete or, if incomplete, the specific additional material needed to make it complete. A determination by the Board that the application is complete in no way commits or binds the Board as to the adequacy of the application to meet the requirements of this Ordinance.
- B. Application Approval. Within 30 days of a Public Hearing, or within 60 days of having received the complete application, or within such other time limit as may be mutually agreed to, the Board shall grant or deny approval on such terms and conditions as it may deem advisable to satisfy this Ordinance and to preserve the public health, safety and welfare. In all instances, the burden of proof shall rest upon the applicant. In issuing its decision, the Board shall make a written finding of

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fact establishing that the application does or does not meet the provisions of this Ordinance.

- C. **Public Hearing.** The Board may hold a Public Hearing within 30 days of having notified the applicant in writing that a complete application has been received and shall cause notice of the date, time and place of such hearing to be given to the applicant and all property owners abutting the proposed street, to be published in a newspaper of general circulation in the Town of Raymond at least 7 days prior to the hearing.

4.7 Acceptance of Public Street

Approval by the Board of a proposed public street shall not be deemed to constitute or be evidence of acceptance by the Town of said street. Acceptance of a street as public shall be by affirmative vote at a Town Meeting.

4.8 Back Lot Driveways

- A. **Reviewing Authority.** The Reviewing Authority is defined as the Code Enforcement Officer (CEO) or Planning Board. The CEO may grant permit approval under the provisions of this section, however Planning Board permit approval shall be required for any application seeking a waiver of any submission requirements or any criteria of this section which are allowed to be waived. The CEO may require that any application be reviewed for approval by the Planning Board if, in the opinion of the CEO, the staff review is unable to adequately resolve all relevant issues raised by the Back Lot Driveway application.
- B. A back lot driveway shall not be constructed without prior approval from the Reviewing Authority. The applicant shall submit plans to the Reviewing Authority at least 21 days prior to a scheduled meeting of the Board if the application is referred by the Code Enforcement Officer for Planning Board approval. The fee schedule for review of plans for a back lot driveway shall be established by the Board of Selectmen. The Reviewing Authority must ensure that the Back Lot Driveway application submission requirements and criteria in Article 9, Section T of the Town of Raymond Land Use Ordinance are satisfied before approving any application.
- C. Upon receipt of plans for a proposed back lot driveway, the Code Enforcement Officer shall determine whether the application is complete. If the application is determine to be complete, the Code Enforcement Officer shall decide either to review the application for approval or schedule it for review by the Board at the next regularly scheduled meeting.
- D. The Reviewing Authority shall review the application and determine whether it complies with the requirements of Sections 4.8 and 5.5 of this Ordinance as well as all other applicable ordinances of the Town of Raymond. The Reviewing Authority shall grant or deny approval on such terms and conditions, as it may deem advisable to satisfy all applicable ordinances. In all instances, the burden of proof shall rest upon the applicant. In issuing its decision, the Reviewing Authority shall make a

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written finding of fact establishing that the application does or does not meet the provisions of applicable ordinances. The Board shall sign the approved plan, which shall be recorded within 30 days of approval in the Cumberland County Registry of Deeds.

- E. **Public Hearing.** If the Board is acting as the Reviewing Authority and determines that due to site conditions, proximity of nearby uses, traffic conditions or similar circumstances that a public hearing is advisable, the Board may schedule a public hearing at its next regularly scheduled meeting. The Board shall cause notice of the date, time and place of such hearing to be given to the applicant and all property owners abutting the proposed street and lots that are to be accessed by the backlot driveway, to be published in a newspaper of general circulation in the Town of Raymond at least 7 days prior to the hearing.

- F. Should an applicant propose that a back lot driveway serve more than two back lots, such driveway must be improved to fully comply with the requirements for a private street.

5. Street Design Standards

These design standards shall be met by all proposed streets and alterations to existing streets.

5.1 Through Traffic

Streets shall be designed to discourage through traffic on minor streets within a subdivision.

5.2 Reserved

5.3 Existing Narrow Streets

Where a subdivision borders an existing narrow street not meeting the width standards of this Ordinance or when the Comprehensive Plan indicates plans for realignment or widening of a road that would require use of some of the land of a subdivision, the plan shall indicate reserve areas for widening or realigning the road marked "Reserved for Road Realignment (Widening) Purposes". Land reserved for such purposes may not be included in computing lot area or setback requirements of the Zoning Ordinance. When such widening or realignment is indicated on the Official Map, the reserve area shall not be included in any lot, but shall be reserved to be deeded to the municipality or State.

5.4 Two Street Connections

Any proposed street or lengthening or alteration to an existing street which, on the basis of a specific development proposal or on the basis of available road frontage, could generate more than 200 vehicle trips per day shall have at least two street connections with existing public streets, streets shown on an Official Map, or streets on an approved subdivision plan for which performance guarantees have been filed and accepted. The applicant may agree

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in writing, subject to Board approval, to limit development to less than 200 vehicle trips per day until such time as a second street connection is developed. For purposes of computing vehicle trips per day, the applicant shall use the latest edition of Trip Generation published by the Institute of Transportation Engineers.

5.5 Street Design Standards (amended 5-17-03)

- A. The following standards apply to new public and private streets, as well as back lot driveways (see Appendix A for illustration of typical street sections by type of street):

Description	Type of Street				
	Arterial	Collector	Minor Street	Private Street ⁽¹⁾	Back Lot Driveway
Minimum Right-of way Width	80'	60'	50'	50'	50' ⁽²⁾
Minimum Travel Way Width	44'	22'	20'	18'	12'
Sidewalk Width	N/A	N/A	N/A	N/A	N/A
Minimum Grade	.5%	.5%	.5%	.5%	N/A
Maximum Grade	5%	6%	8%	10%	12%
Minimum Centerline Radius	500'	230'	150'	150'	N/A
Minimum Tangent between Curves of reverse alignment	200'	100'	50'	N/A	N/A
Roadway Crown	¼"/ft	¼"/ft	¼"/ft	¼"/ft	N/A
Minimum Angle of Street Intersections(2)	90°	90°	75°	75°	75°
Maximum Grade within 75 ft. of Intersection 2%	2%	2%	2%	N/A	N/A
Minimum Curb Radii at Intersections	30'	20'	15'	15'	N/A
Minimum ROW Radii at Intersections	20'	10'	10'	10'	10'
Minimum Width of Shoulders (each side)	5'	5'	5'	3'	1'

1. A private street which will serve fewer than 4 residences shall have a minimum travel way of 12 feet with two-2 foot shoulders and a maximum grade of 12% (3% for the first 50 ft).. A private street which will serve 4-10 residences will have a minimum travel way of 16 feet with two 3-foot shoulders and a maximum road grade of 12%.
2. Street intersection angles shall be as close to 90° as feasible but no less than the listed angle.
3. Unless a right-of-way of lesser width is approved by the Reviewing Authority pursuant to Article 9, Section T.1 of the Land Use Ordinance

5.6 Reserved

5.7 Dead End Streets

In addition to the design standards above, the design of the turn-around for dead end streets proposed as public ways shall be approved by the Director of Public Works. The Board may require the reservation of a 20-foot easement in line with the street to provide continuation of pedestrian traffic or utilities to the next street. The Board may also require the reservation of a 50-foot easement in line with the street to provide continuation of the road where future subdivision is possible.

5.8 Grades, Intersections and Sight Distances

- A. Grades of all streets shall conform in general to the terrain so that cut and fill are minimized while maintaining the grade standards above.

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- B. All changes in grade shall be connected by vertical curves in order to provide the following minimum stopping sight distances based on the street design speed.

Design Speed (mph)	20	25	30	35
Stopping Sight Distance (ft)	125	150	200	250

Stopping sight distance shall be calculated with a height of eye at 3½ feet and the height of object at 4½ foot.

- C. Where new street intersections or driveway curb-cuts are proposed, sight distances, as measured along the road onto which traffic will be turning, shall be based upon the posted speed limit and conform to the table below. Sight distances shall be measured from the driver's seat of a vehicle standing on that portion of the exit with the front of the vehicle a minimum of 10 feet behind the curblineline or edge of pavement, with the height of the eye 3½ feet, to the top of an object 4½ feet above the pavement. Required sight distances may be reduced upon recommendation of the Public Works Director if he determines that the reduction will not significantly impact public safety, the sight distance is maximized to the greatest extent possible, and there is no feasible alternative location. In making this determination the Public Works Director may consult the Maine Department of Transportation.

Posted Speed Limit (mph)	25	30	35	40	45	50
Sight Distance (ft)	250	300	350	400	450	500

Where necessary, corner lots shall be cleared of all growth and sight obstructions, including ground excavation, to achieve the required visibility.

- D. Cross (four-cornered) street intersections shall be avoided insofar as possible, except as shown on the Comprehensive Plan or at other important intersections. A minimum distance of 200 feet shall be maintained between centerlines of side streets.

5.9 Sidewalks

If sidewalks exist on the project site or adjacent properties or if significant pedestrian traffic is present or anticipated in the future, the Planning Board may require the installation of sidewalks that meet the following minimum requirements:

- A. Bituminous Sidewalks. The crushed aggregate base course shall be no less than 8 inches thick. The hot bituminous pavement surface course shall be no less than 2 inches after compaction.

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- B. Portland Cement Concrete Sidewalks. The aggregate base shall be at least 6 inches thick. The Portland cement concrete shall be 4 inches thick and be reinforced with 6-inch square, no. 10 wire mesh.

5.10 Street Construction Standards

Street Materials	Minimum Requirements				
	Arterial	Collector	Minor	Private Street	Back Lot Driveway
Aggregate Sub-base Course (maximum sized stone 4")	18"	18"	18"	12"	12"
Crushed Aggregate Base Course	4"	3"	3"	3"	
Hot Bituminous Pavement					
Total Thickness	3¼"	2½"	2½"		
Surface Course	1½"	1"	1"		
Base Course	1¾"	1½"	1½"		

A. The following are minimum thicknesses after compaction (see Appendix A for illustration of typical street sections by type of street).

B. Bases and Pavements

1. Bases. The aggregate sub-base course shall be sand or gravel of hard durable particles free from vegetative matter, lumps, balls of clay and other deleterious substances. The gradation of the part that passes a 4-inch square sieve shall meet the following grading requirements:

Sieve Designation	Percentage by Weight Passing Square Mesh Sieves
¼ inch	25-70%
No. 40	0-30%
No. 200	0-7%

Aggregate for the sub-base shall contain no particles of rock exceeding 6 inches in any dimension. The aggregate base course shall be sand or gravel of hard durable particles free from vegetative matter, lumps, balls of clay and other deleterious substances. The gradation of the part that passes a 3-inch square mesh sieve shall meet the following grading requirements:

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Sieve Designation	Percentage by Weight Passing Square Mesh Sieves
½ inch	45-70%
¼ inch	30-55%
No. 40	0-20%
No. 200	0-5%

Aggregate for the base shall contain no particles of rock exceeding 2 inches in any dimension.

2. Pavement Joints. Where pavement joins an existing pavement, the existing pavement shall be cut along a smooth line and form a neat, even vertical joint.
3. Pavements. Minimum standards for the base layer of pavement shall be the MDOT specification for plant mix grade B. Minimum standards for the surface layer of pavement shall meet the MDOT specifications for plant mix grade C.

6. Additional Improvements and Requirements

6.1 Erosion Control

The procedures outlined in the erosion and sedimentation control plan shall be implemented during site preparation, construction and cleanup stages.

6.2 Cleanup

Following street construction, the developer or contractor shall conduct a thorough cleanup of stumps and other debris from the entire street right-of-way. If on-site disposal of the stumps and debris is proposed, the site shall be indicated on the plans and be suitably covered with fill and topsoil, limed, fertilized and seeded.

6.3 Street Names, Signs and Lighting

All new streets and extensions of existing streets shall be named in accordance with the requirements of the Street Naming and Property Numbering Ordinance of the Town of Raymond. The developer shall reimburse the town for the costs of installing street name, traffic safety and control signs. Street lighting shall be installed as approved by the Board.

7. Certification of Construction

As-built plans shall be submitted to the Board of Selectmen. Upon completion of street construction and prior to a vote by the Board of Selectmen to submit a proposed public way to the legislative body, a written certification signed by a registered professional engineer shall be submitted to the municipal officers at the expense of the applicant, certifying that the proposed town way meets or exceeds the design and construction requirements of this ordinance.

8. Performance Guarantees

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Performance guarantees shall be as described in Article 8 of the Subdivision Regulations.

9. Inspection

- A. **Notification of Construction:** At least 5 days prior to commencing construction or alteration of a road, the applicant shall notify the Code Enforcement Officer in writing of the proposed commencement date of construction. The Town shall cause inspection to be made either by a professional retained by the Town or, at the Town's discretion, by the applicant's engineer, in order to ensure that all municipal specifications and requirements shall be met during construction. If the Town retains a professional to inspect road construction, the applicant shall be assessed a fee to cover the costs of such inspection.
- B. **Noncompliance with Plan:** If it is found upon inspection of the improvements that they are not being or have not been constructed in accordance with approved plans and specifications, the inspector shall so report to the Board of Selectmen and the Planning Board. The Board of Selectmen shall then notify the applicant and, if necessary, the bonding company, and take all necessary steps to preserve the municipality's rights under the guarantee, security or bond.
- C. **Modification during Construction:** If at any time before or during construction of the Street or back lot driveway it is demonstrated to the satisfaction of the appointed inspector that unforeseen conditions make it necessary or preferable to modify the location or design of the Street, the appointed inspector may authorize modifications provided such modifications are within the spirit and intent of the Board's approval. The appointed inspector shall issue any authorization under this section in writing and shall transmit a copy of such authorization to the Board as its next regular meeting.

10. Waivers

- A. Where the Board makes written findings of fact that there are special circumstances, it may waive portions of the submission requirements, the standards, or other requirements, to permit a more practical and economical development provided the waivers do not have the effect of nullifying the intent and purpose of the Official Map, the Comprehensive Plan, the Zoning Ordinance, or this ordinance.
- B. Where the Board makes written findings of fact that, due to special circumstances, the provision of certain required improvements is inappropriate because of inadequate or lacking connecting facilities adjacent to or in proximity of the proposed road, it may waive or modify the requirement for such improvements, subject to appropriate conditions.
- C. In granting waivers to any of these standards, the Board shall require such conditions as will assure the objectives of this ordinance are met

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- D. When the Board grants a waiver to any of the standards of this ordinance, the Final Plan shall indicate the waivers granted and the date on which they were granted.

11. Separability

Should any section or provision of this ordinance be declared by the courts to be invalid, such decision shall not invalidate any other article, section or provision of this ordinance.

12. Appeals

Any party aggrieved by a decision of the Board under this ordinance may appeal the decision to Superior Court as provided by law within thirty (30) days of the date of the decision.

13. Conflict With Other Ordinances

This ordinance shall not repeal, annul or in any way impair or remove the necessity of compliance with any other rule, regulation, permit or provision of law. Whenever the requirements of this ordinance are in conflict with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions or covenants, the most restrictive shall govern.

14. Definitions

Arterial Street. A major roadway serving long distance traffic through and between municipalities and carrying traffic to major centers of activity.

Collector Street. A principal roadway that conveys traffic between arterial streets.

Back Lot Driveway. A driveway within a defined location serving access and frontage purposes for no more than two back lots and which originates from a street constructed in accordance with the Town of Raymond Street Ordinance standards for a public or private Street.

Street. A public way which affords the principal means of access to abutting properties, or a proposed way that is intended to be accepted by the Town as a public way in accordance with this Ordinance, or a private street as defined in this Ordinance. The word “street” means and includes such ways as alleys, avenues, boulevards, highways, roads, streets and other rights-of-way. The term “street” shall also apply to areas on subdivision plans designated as “streets”, etc.

Minor Street. A street designed to serve as primary residential access, and which meets the design standards for public streets in Section 5.5 of this Ordinance.

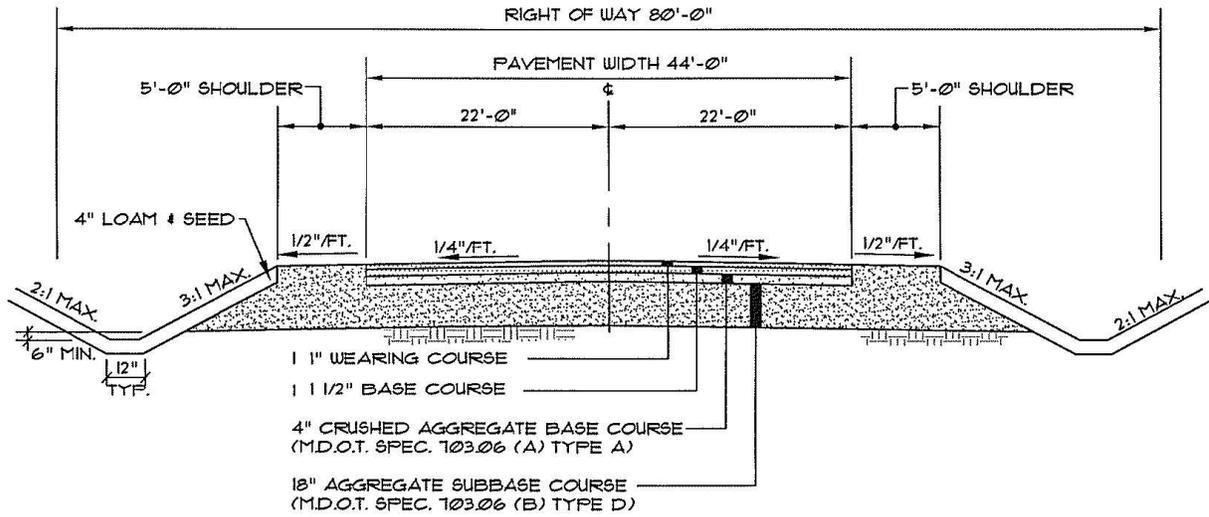
Private Street- A street designed to serve as primary access to two or more residential lots, which meets the design standards for private streets in Section 5.5 of this Ordinance. Private streets are to be maintained by an owner, or ownership such as a

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homeowners association, and shall not be accepted as a public street unless the street is proven to meet the public road standards as determined by the Public Works Director and a State of Maine Professional Engineer.

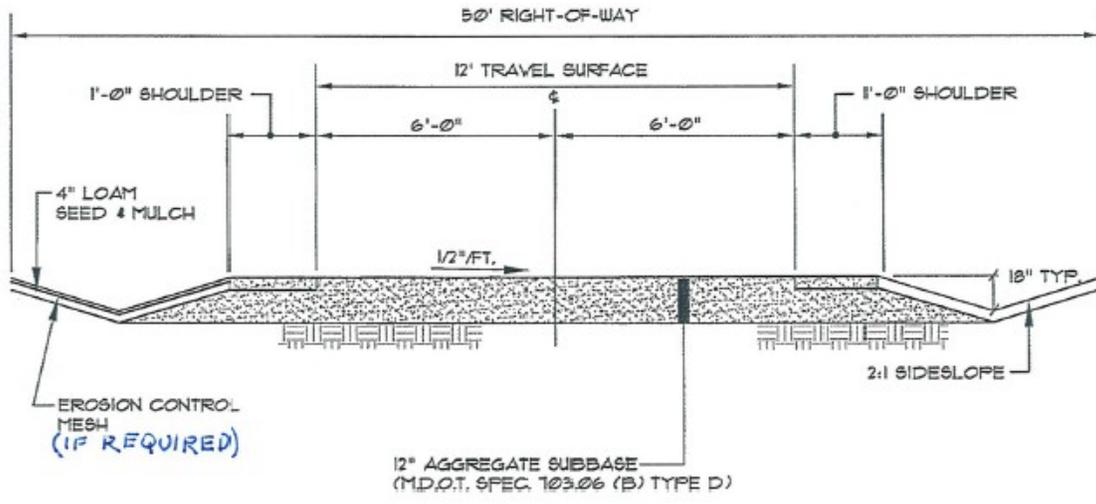
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Appendix A

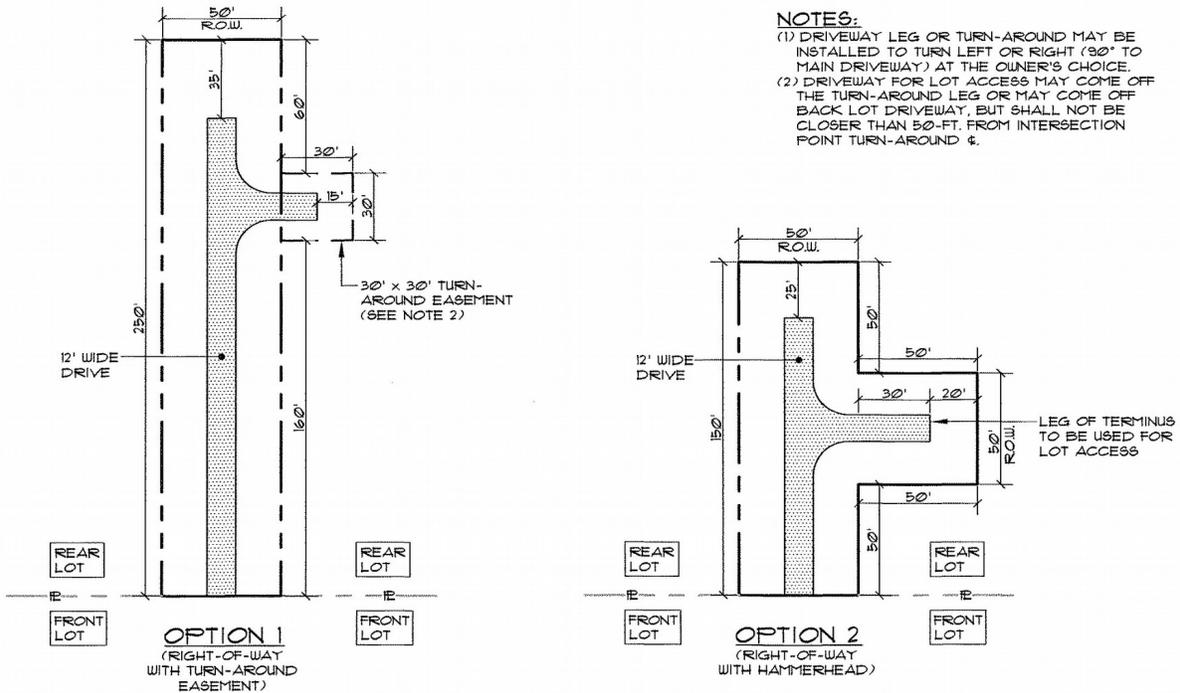


ARTERIAL STREET SECTION
NOT TO SCALE

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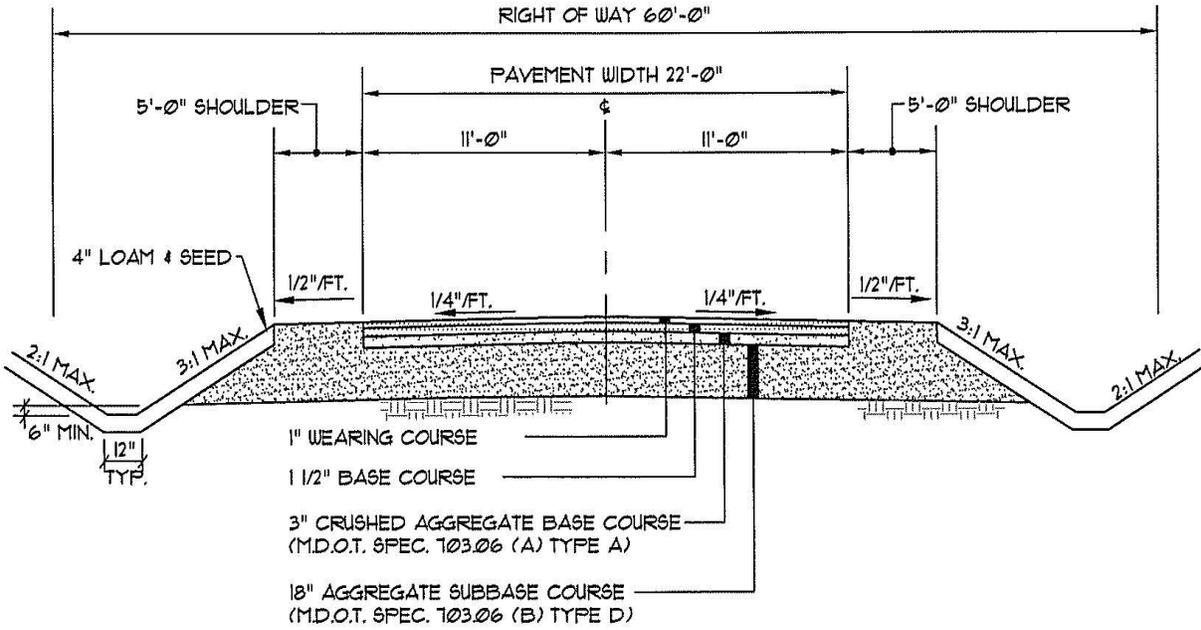
BACK LOT DRIVEWAY SECTION
 NOT TO SCALE



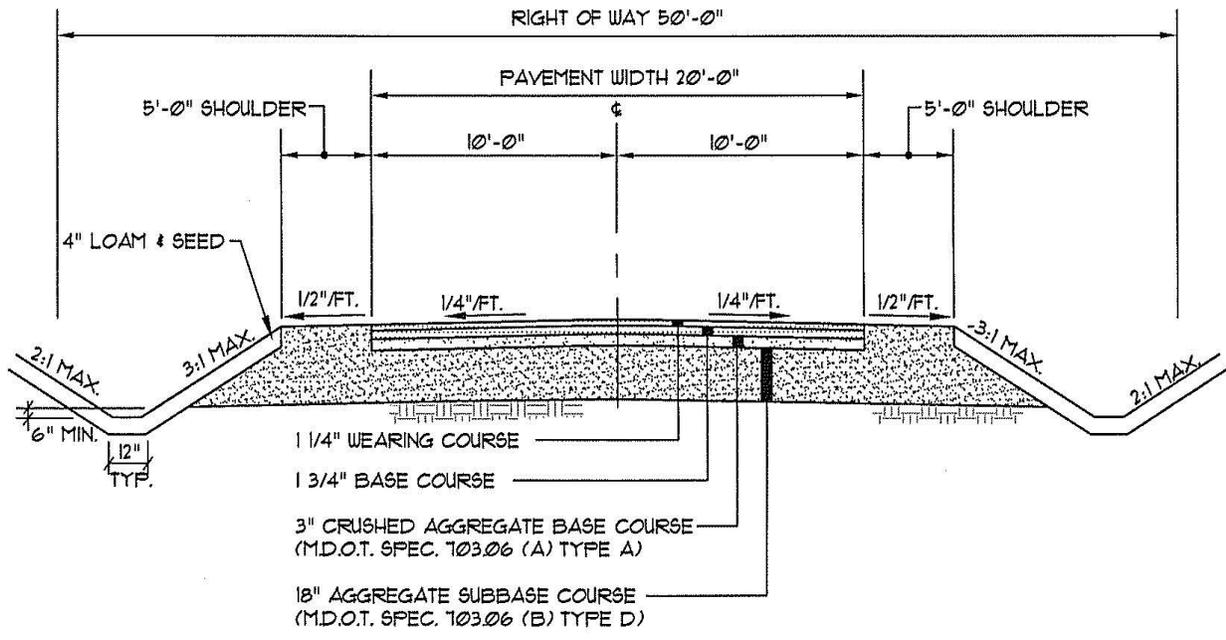
- NOTES:**
- (1) DRIVEWAY LEG OR TURN-AROUND MAY BE INSTALLED TO TURN LEFT OR RIGHT (90° TO MAIN DRIVEWAY) AT THE OWNER'S CHOICE.
 - (2) DRIVEWAY FOR LOT ACCESS MAY COME OFF THE TURN-AROUND LEG OR MAY COME OFF BACK LOT DRIVEWAY, BUT SHALL NOT BE CLOSER THAN 50'-FT. FROM INTERSECTION POINT TURN-AROUND &.

BACKLOT DRIVEWAY TERMINUS
 NOT TO SCALE

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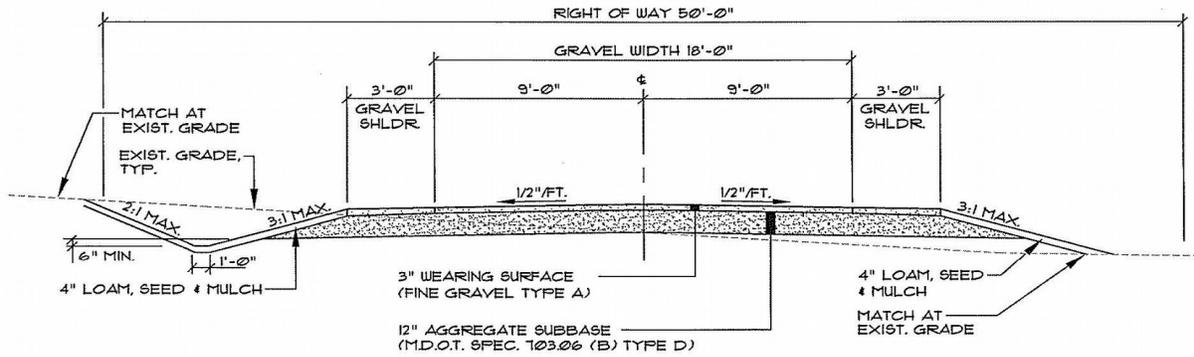


COLLECTOR STREET SECTION
 NOT TO SCALE



MINOR STREET SECTION
 NOT TO SCALE

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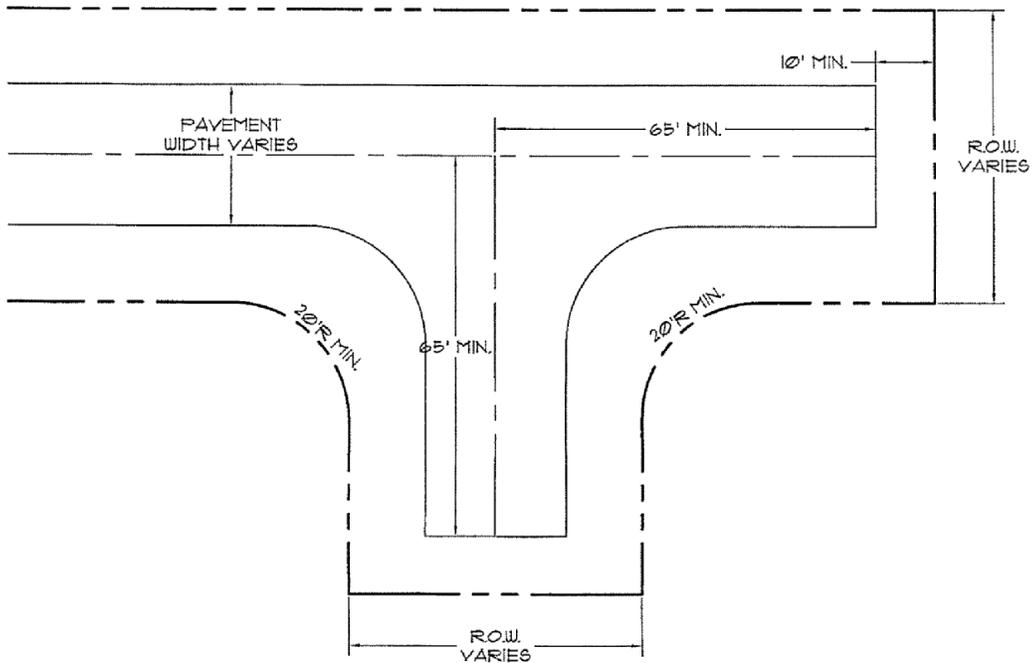


PRIVATE STREET SECTION
 NOT TO SCALE

(M.D.O.T. SPEC. 103.06 (A) TYPE A)

18" AGGREGATE SUBBASE COURSE GRAVEL
 (M.D.O.T. SPEC. 103.06 (B) TYPE D)

STREET WITH SIDEWALK SECTION
 NOT TO SCALE



TYP TURN-A-ROUND DETAIL
 NOT TO SCALE