

**Chapter 109: PERFORMANCE STANDARDS FOR THE CONSTRUCTION AND ESTABLISHMENT OF ROADS IN LIMITED RESIDENTIAL AND RESOURCE PROTECTION DISTRICTS OF THE CORRIDOR**

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SUMMARY: A road is any route or track consisting of a bed of exposed mineral soil, gravel, asphalt, or other surfacing material constructed for or created by the repeated passage of vehicular traffic. This term excludes temporary logging roads that are revegetated within 12 months and private driveways less than 100 feet in length and not within 75 feet of the water.

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1. **Scope.**

This regulation shall be effective in all areas of the Saco River Corridor as defined in Title 38 M.R.S.A. Section 953 that are located in the Limited Residential and Resource Protection Districts.

2. **Definitions.**

For the purposes of these standards, the term “road” shall have the following meaning: A route or track consisting of a bed of exposed mineral soil, gravel, asphalt, or other surfacing material constructed for or created by the repeated passage of vehicular traffic. The term shall exclude temporary logging roads which do not result in substantial recontouring of the land and that are intended to be abandoned and naturally revegetated within 12 months or less. The term shall also exclude private driveways serving single family residences or other privately owned permitted uses, which private driveways do not exceed 100 feet in length and which do not extend to within seventy-five (75) feet of the normal high water line of any surface water within the corridor. Such private driveways may require a permit from the Commission, but shall not be subject to the standards governing road construction, except as may be required as a condition of any permit or variance.

3. **Criteria for Approving the Construction of a Road within the Corridor.**

- A. Roads shall be located, constructed, and maintained in such a manner that minimal erosion hazard results. Adequate provision shall be made to prevent soil erosion and sedimentation of surface waters.
- B. All roads shall be located and construction such that:
  - (a) Road crossings of watercourses shall be kept to the minimum number necessary. Where watercourse crossings are necessary, they shall be constructed to cross the watercourse at a right angle to the fullest extent possible;
  - (b) Bottoms of culverts shall be installed at stream bed elevation;
  - (c) Any bridges or culverts at stream or swale crossings shall be designed, installed

and maintained to allow the passage of maximum anticipated streamflow and, where relevant, the passage of fish; and

- (d) All cut or fill banks and areas of exposed mineral soil shall be revegetated or otherwise stabilized as soon as possible.
- C. Roads shall be designed and constructed to facilitate natural drainage by outsloping, insloping, or crowning, as appropriate. Road grades shall be kept below ten (10) percent. Culverts, water bars, turnouts, and/or ditching shall be installed and maintained to properly manage water runoff.
- D. Ditches shall be properly stabilized and shall not drain directly into any natural waterbody, but shall empty onto a filter strip of undisturbed, vegetated land. Such filter strip shall be of sufficient width to assure that sediment does not directly enter the waterbody. Where a filter strip of such sufficient size is not available, other appropriate techniques, such as settling basins sized to accommodate maximum anticipated flow in the ditches, shall be used.
- E. Roads proposed to be created to serve subdivision lots shall meet the minimum standards for dimensions and materials as required in the subdivision review standards of the municipality in which the development is proposed.
- F. Notwithstanding the construction standards set forth herein, the Commission shall review the use of any proposed road to assure that the proposed use meets the provision of the Act and its requirements for granting permits and to assure that said use is compatible with uses allowable within the district in which the road is to be located.

#### 4. **Other**

An excellent guide to planning and constructing roads is Erosion Control on Logging Jobs, which is Section 6 of the Land Use Handbook published by the Maine Land Use Regulation Commission. Although it deals primarily with logging roads, it provides useful guidelines on such aspects of road construction as road placement and layout, filter strips, culvert installation, etc. A copy may be obtained by writing to: Maine Land Use Regulation Commission, 22 Statehouse Station, Augusta, Maine 04333.

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STATUTORY AUTHORITY: 38 M.R.S.A. Section 954-C.

EFFECTIVE DATE:

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