

## TOWN OF NEW GLOUCESTER

Provisions, Rules & Regulation relating to Entrance to Town Ways, or other changes within Town Ways.

Dated: New Gloucester, Maine March 14, 1981  
This Ordinance will take effect when approved.

The Town of New Gloucester does hereby adopt the following provisions, rules and regulation relating to Entrances to Town Ways or other improvements and/or changes within Town Ways.

Approval of applications submitted for Permits on form supplied by Town of New Gloucester for Entrances to Town Ways, or other improvements and/or changes within Town Ways will be subject to the following provisions:

First:

Any alteration, re-location or construction on an entrance way may not begin without first obtaining an approved permit from the Town of New Gloucester Road Commissioner or his agent.

Second:

That the applicant and permittee agrees to hold harmless, the Town of New Gloucester, and it's duly authorized agent and employees, against any action for personal injury or property damage sustained by reason of the exercise of an entrance permit.

Third:

The location, design and construction of the entrances and improvements, and/or changes shall be in accordance with the following rules and regulations:

### RULES AND REGULATIONS:

- (A) All entrances shall be so located so that vehicles approaching, or using the entrances, will have adequate sight distance in both directions along the roadway.
- (B) The grade of entrances shall in general, slope away from the highway surface at a rate of not less than one quarter ( $\frac{1}{4}$ ) inch per foot, for a distance of not less than the prevailing width of the shoulder, plus three (3) feet, but in no case less than five (5) feet from the edge of the pavement, or graded road.
- (C) When constructing an entrance if the sidewalk, curbing, or curb and gutter is to be removed, the applicant or permittee shall replace at his expense, the necessary sidewalk, curbing, or curb and gutter at the break points of the entrance.
- (D) Drainage in roadway side ditches shall not be altered or impeded, and the applicant or permittee must provide, at his expense, suitable drainage structures, culverts, or other constructed drainage at all entrances approved by the Road Commissioner, or his agent.
- (B) Surface drainage shall be provided so that all surface water on the areas adjacent to the roadway will not drain onto the roadway.
- (F) Any excavating, grading, digging, planting, or change within the Town roadway right-of-way to provide utilities, water, drainage, beautification, must first be approved by the Road Commissioner, or his agent. Also, the road surface must be replaced, or repaired, equal to the existing natural or paved road surface.
- (G) The entrances and exits to any public gathering or commercial place shall be considered special cases, and special studies and the issuance of permits will be made by the Town of New Gloucester Road Commissioner or his Agent, after detailed plans and specifications have been submitted for approval.
- (H) After approval and acceptance of Entrance by the Road. Commissioner or his agent, the Town of New Gloucester agrees to maintain that portion of entrance within town right-of-way.

AN ORDINANCE TO AMEND THE COMPOSITION  
OF THE NEW GLOUCESTER PLANNING BOARD

"Shall an ordinance amending the composition of the New Gloucester Planning Board, and formally establishing guidelines for appointments, terms, rules, and duties" be enacted?

1. Establishment. Pursuant to Art. VIII, pt. 2, Section 1 of the Maine Constitution, the Town of New Gloucester hereby establishes the New Gloucester Planning Board.

2. Appointment

A. Board members shall be appointed by the municipal officers and sworn by the clerk or other person authorized to administer oaths.

B. The Board shall consist of seven (7) members.

C. The term of each member shall be three (3) years, except that the present Board members and alternates shall serve as Planning Board members for the remainder of their appointed terms.

D. When there is a permanent vacancy, the municipal officers shall within 60 days of its occurrence appoint a person to serve for the unexpired term. A vacancy shall occur upon the resignation or death of any member, or when a member ceases to be a voting resident of the town, or when a member fails to attend four (4) unexcused consecutive regular meetings, or fails to attend at least 75% of all meetings during the preceding twelve (12) month period. When a vacancy occurs, the chairman of the Board shall immediately so advise the municipal officers in writing. The Board may recommend to the Municipal Officers that the attendance provision be waived for cause, in which case no vacancy will then exist until the municipal officers disapprove the recommendation. The municipal officers may remove members of the Planning Board by unanimous vote, for cause, after notice and hearing.

E. A municipal officer may not be a member.

3. Organization and Rules

A. The Board shall elect a chairperson and vice chairperson from among its members. The term of all offices shall be one (1) year with eligibility for re-election. The Board may hire a secretary who is not a Planning Board member to keep the minutes.

B. Any question of whether a member shall be disqualified from voting on a particular matter shall be decided by a majority vote of the members except the

member who is being challenged.

- C. The chairman shall call at least one regular meeting of the Board each month.
- D. No meeting of the Board shall be held without a quorum consisting of four (4) members authorized to vote. The Board shall act by majority vote, calculated on the basis of the number of members present and voting.
- E. The Board shall adopt rules for transaction of business and the secretary shall keep a record of its resolutions, transactions, correspondence, findings and determinations. All records shall be deemed public and may be inspected at reasonable times.

#### 4. Duties; Powers

- A. The Board shall prepare or supervise the preparation of a Comprehensive Plan, as defined by 30A MRSA Section 4502.
- B. The Board shall perform such duties and exercise such powers as are provided by New Gloucester ordinances, and the laws of the State of Maine.
- C. The Board may obtain goods and services necessary to its proper function within the limits of appropriations made for the purpose.

#### 5. Severability and Effective Date:

- A. This ordinance shall become effective when adopted by the majority of the voters at any regular or special Town meeting.

If any provision of this ordinance is found by a court of competent jurisdiction to be unenforceable, the remaining provision shall continue in full force and effect.

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