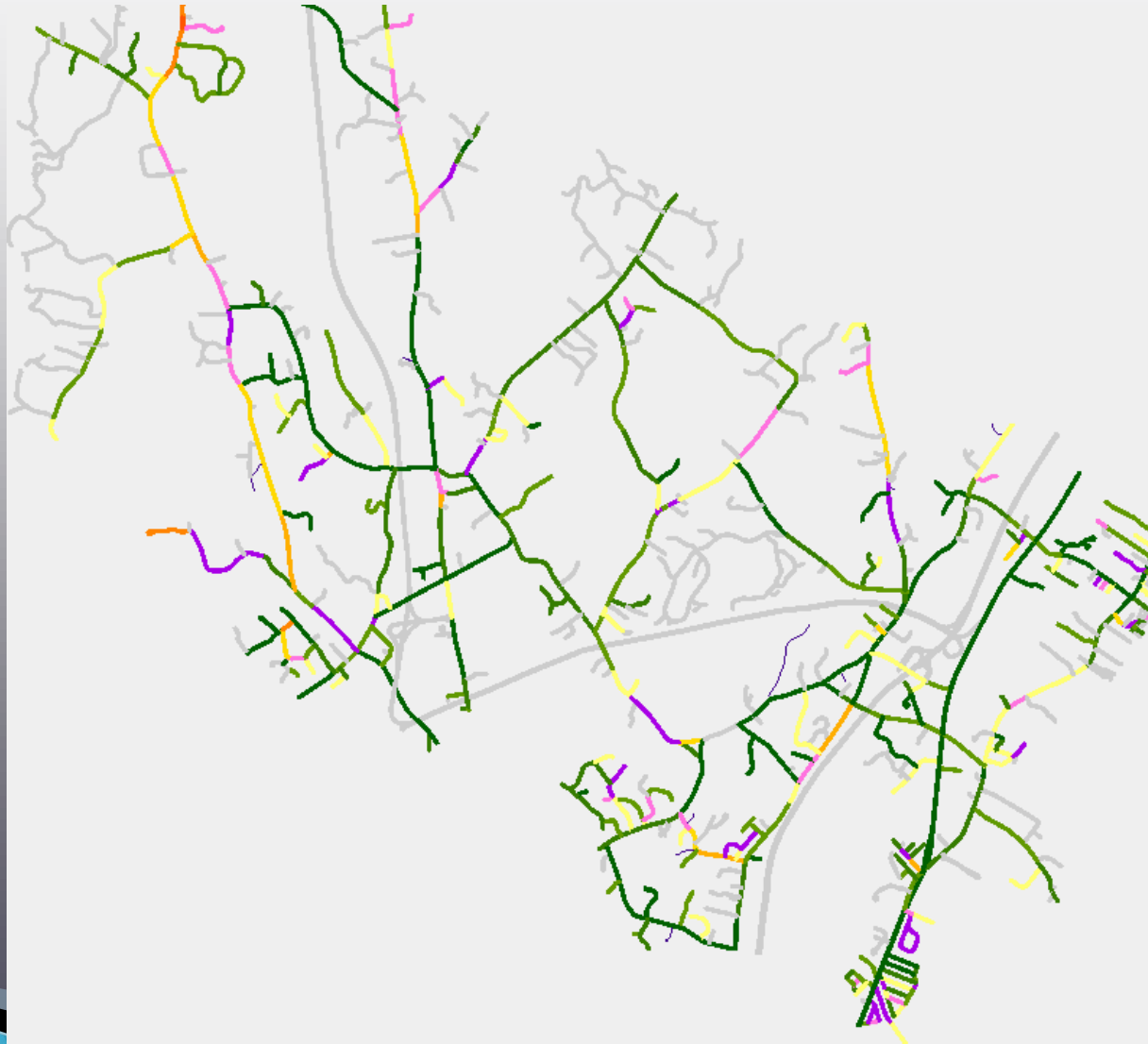


Street Acceptance Process Overview



Overview

- History
- Ordinance
- Street Connectivity Policy
- Application Process
 - Threshold Items
 - Common Application Challenges
 - Staff Reviews
 - Council Review/Action

History

- **2006-2009: The Town did not entertain any applications for street acceptance**
- **2009-2010: New Ordinance Developed**
(https://www.falmouthme.org/sites/falmouthme/files/uploads/2019.01_town_charter_and_code_of_ordinances_-_street_acceptance.pdf)
- **2009-2010: Town allowed applications to fall under existing ordinance**
- **2010: Ordinance and Connectivity Policy/Resolution Adopted**
(<https://www.falmouthme.org/sites/falmouthme/files/file/file/streetconnectivitypolicy2010.pdf>)
- **2013: Council Presentation on Street Acceptance and Street Connectivity Policy**
 - Key Finding: Each application will have its' own unique set of characteristics and circumstances with regards to 'connectivity'. Each application's ability to meet the connectivity policy will be reviewed on a 'case by case basis'.
- **2017: Council Presentation on Street Acceptance and Road Maintenance Costs**
- **2010 to Present:**
 - 13 Applications: 8 Accepted, 4 Pending, 1 Withdrawn:
2.4 Miles of New Public Streets Added:

Town Ordinance and Policy

Town Ordinance

- Sections 14-60 to 14-65 (Revised 2010)
 - Outlines Application process
 - Outlines Submittal Requirements
 - Outlines Town Council Review Criteria

Street Connectivity Policy (2010)

- Statements regarding:
 - Discouragement of dead-end public streets
 - Encouragement of interconnected public street network

Application Process

- Threshold Items
 - Project must be complete
 - Must have Town signoff and performance guarantee released
 - Must be in compliance with approvals
 - Must have 65% or greater occupancy of buildings (residential)
- Staff Reviews
 - Community Development Dept.
 - Public Safety Dept.
 - Public Works Dept.
 - Legal
- Council Reviews
 - Public Hearing – Presentation and Review
 - Order – Vote to Accept

Common Application Deficiencies and Challenges

- Not in compliance with Town approvals
 - Subdivision Approval Conditions Not Met
 - Lot line changes (post-approval)
 - New easements/rights created (post-approval)
- Legal Issues
 - Ownership of road/right-of-way
 - Deeds, Descriptions, Plans, Survey, Etc.
 - Approved Plans/easements/documents not recorded (or not recorded correctly)
 - Conveyance(s) between HOA and Developer
 - Establishment of HOA
- Street Connectivity
 - Allows for flexibility in Council decision making, however, there is not a clear direction/position for applicants on what is required to meet the street connectivity policy.

Street Connectivity Policy

FALMOUTH TOWN COUNCIL
Policy on Street Connectivity
Public hearing June 21, 2010

This Policy is made as of this 12 day of July, 2010 by the Town Council of the TOWN OF FALMOUTH, MAINE, a Maine municipal corporation located in Cumberland County, Maine (mailing address: 271 Falmouth Road, Falmouth, ME 04105).

WHEREAS, the Town Council has the legislative authority to accept streets in the Town; and

WHEREAS, the Town Council has an obligation to consider the overall benefits and costs of street acceptance; and

WHEREAS, interconnected streets can reduce the costs of providing municipal services, such as waste collection, snowplowing, public transit and school related transit, by decreasing travel time and mileage; and

WHEREAS, interconnected streets shorten emergency access response times and allow emergency vehicles to use alternate routes if one route is blocked; and

WHEREAS, interconnected streets provide for multiple travel routes thereby diffusing and reducing traffic impacts and congestion on public roadways and intersections; and

WHEREAS, interconnected streets reduce traffic delays and vehicle miles traveled, thereby reducing vehicle emissions and air pollution; and

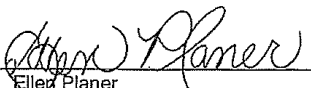
WHEREAS, a poorly-connected street network encourages use of the automobile over other travel modes, creates the need for excessive out-of-direction travel, divides neighborhoods; and limits accessibility to property; and

WHEREAS, interconnected streets provide a wider variety of travel choices to residents and foster livable, walkable, and bikeable neighborhoods;

NOW, THEREFORE, it is the policy of the Town Council to:

1. Ensure that both residential and commercial developments in the Town will be connected to each other to give a sense of connectivity and unity to the Town as it grows;
2. Encourage property owners and developers to provide for street connections wherever possible;
3. Alert the public that requests for public acceptance of streets that do not connect directly to an existing public street or publicly-dedicated street will most likely not be considered for acceptance;
4. Use this policy as a guide when considering requests for public street acceptance with the recognition that the acceptance of streets is a legislative act of the Council.

Attested Copy:


Ellen Planer
July 12, 2010

Council Review Criteria

(Sec. 14-64) The council shall consider the following when reviewing private ways proposed for acceptance:

- The land subdivision ordinance's street construction and design objectives and standards which are currently in effect;
- The street design approved by the planning board and any waivers that may have been granted;
- The deviation between the current standard and the built condition;
- The ability to provide public services along and within the private way such as school bussing, trash pick-up, emergency services and plowing; E911 street addressing conformance; and
- Street connectivity. Street connectivity may be required for streets not yet approved by the planning board as of May 23, 2005. The town council shall review the proposal against the following standards:
 - Reduction of costs to provide waste collection, snowplowing, public transit and school-related transit including decrease in travel time and mileage,
 - Shortening of emergency access response times and the provision of alternative routes;
 - Diffusion of traffic and reduction of traffic impacts and congestion on public roadways and intersections;
 - Connectivity between residential and commercial developments;
 - Trail, bike and pedestrian connections; and
 - Future connections to new developments.
- **Minimum thresholds required. Minimum thresholds required are:**
 - For private ways serving residential development, certificates of occupancy have been issued for a minimum of sixty five (65) percent of the approved units, with rounding to occur to the next highest whole number.
 - For streets in commercial developments, certificates of occupancy have been issued for a minimum of sixty-five (65) percent the number of lots or buildings whichever is greater, with rounding to occur to the next highest whole number.

Council Review Criteria

Sec. 14-65. Acceptance of streets and private ways required by the public interest.

Notwithstanding the provisions of any other section of this article, the town may at any time lay out and accept any street or way in the town as a public street whenever the public interest requires pursuant to authority granted under 23 M.R.S.A. § 3022 and 3023.

