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FILED 10/30 2018  
AT 4:20 P.M. ATTEST:

TOWN OF SKOWHEGAN *Therese Pelotte* TOWN CLERK  
TRAFFIC CALMING POLICY

**I. Statement of Purpose.**

The purpose of this Policy is to set forth a specific procedure and methodology for: citizen or Board of Selectmen requested traffic calming plans; determining that a problem exists and the need for traffic calming devices to solve it; selecting the proper device or devices to correct the problem; and monitoring the effectiveness and impact of installed devices on traffic on both the subject street and abutting streets. The Policy shall be interpreted and applied in a manner that is consistent with the Town of Skowhegan's Comprehensive Transportation Plan.

**II. Definitions.**

**Town Manager:** means the Town Manager or the Manager's designee.

**Road Commissioner:** means the Road Commissioner or designee.

**Street:** means a town-accepted street or a portion of such a street.

**Resident:** means a person at least 18 years of age who lives in a dwelling unit that is the person's principal place of living or home.

**Zone:** means area within 500 feet of petitioned street and including petitioned street.

**III. Petition or request for determination of preliminary eligibility.**

A. Petition procedure: Any ten or more residents or business owners on a specific town street may file a petition with the Town Clerk on a form supplied by the Town Clerk stating:

1. That the signers are at least 18 years of age and residents or business owners on the specific street;
2. The printed names and addresses of the person signing the petition and the person's signature;
3. The address and name of the individual to whom all notices or correspondence to the petitioners are to be sent;
4. That the signatories of the petition seek a determination of preliminary eligibility for traffic calming from the Road Commissioner for a specified street.

B. Forwarding of Petition. Copies of the petition shall be sent forthwith by the Clerk to the Road Commissioner and to each member of the Board of Selectmen.

C. Selectmen Initiated Process. Any Selectman may file a written request with the Clerk seeking a determination of preliminary eligibility from the Road Commissioner

for a specified street. That request will initiate the process for the determination of preliminary eligibility of such street. Copies of the request shall be sent forthwith by the Clerk to the Road Commissioner and to each member of the Board of Selectmen. The request may designate a person or persons to whom notices or decisions shall be sent that would otherwise be sent to petitioners.

**IV. Action by Road Commissioner upon receipt of petition or request seeking determination of preliminary eligibility.**

A. Upon receipt of a petition or a written request from a Selectman, the Road Commissioner shall determine whether the street is in a category identified in Section. XV as eligible for traffic calming.

B. If the street is in a category eligible for traffic calming, pursuant to paragraph (a), the Road Commissioner shall send a written inquiry to the Chief of Police and the Chief of the Fire Department asking whether there are public safety or convenience factors which render the petitioned street inappropriate for traffic calming.

C. The Road Commissioner shall make a determination as to whether the street is eligible for traffic calming. As part of the analysis, the Road Commissioner shall consider the speed, volume, and accident history of the street. A street shall be deemed eligible for traffic calming if it is in a category for which traffic calming is appropriate as identified in Section XVI and the designated departments conclude that traffic calming could take place in a manner consistent with public safety and convenience.

D. The Road Commissioner shall notify the petitioners in writing sent by regular mail, whether the street is eligible or ineligible for traffic calming within forty-five (45) days of receiving the petition from the Town Clerk. If the street is ineligible, the decision must state the reasons for the determination. A copy of such notice shall be provided to each selectman.

**V. Appeal of decision of ineligibility following petition for determination of preliminary eligibility.**

A. If the determination by the Road Commissioner under Section IV (C) is that the street is ineligible because the street is not in a category that is eligible for traffic calming, the determination may not be appealed.

B. If the street is determined ineligible by the Road Commissioner under Section IV (C) due to public safety or convenience factors identified by one or more of the officials designated to review the petition, the petitioners may appeal the decision to the Town Manager or designee within twenty (20) days of the date upon which the decision is mailed to the petitioners under Section IV (D). Any such appeal must be in writing and must state the grounds upon which the appealing petitioners disagree with the public safety or convenience determination. The Town Manager or designee shall hold a hearing within ten (10) business days of receiving the written appeal and shall issue a written decision within twenty (20) days of the hearing unless either time period is extended by agreement. In the event the Town Manager or designee overturns a decision on ineligibility for traffic calming, a street shall be deemed eligible for traffic calming. The decision of the Manager

or the Manager's designee may not be appealed to court. For the purpose of this ordinance, "convenience factors" means factors that would adversely affect the ability of the traveling public to use a street, would interfere with construction or maintenance activities on the street, or would divert an unreasonable amount of traffic to other streets.

**VI. Development of traffic calming plan.**

Within forty-five (45) days after a final determination that a petitioned street is eligible for traffic calming, the Road Commissioner will develop a proposed traffic calming plan for the particular street which may integrate several traffic calming methods and options as set forth in Section XVI. In developing a plan, the Road Commissioner shall consider the potential for traffic diversion and other possible impacts on the broader neighborhood in which the street is located, as well as other related public safety and convenience factors that may result from particular traffic calming measures. The Road Commissioner will submit the proposed traffic calming plan and any options in writing to the Board of Selectmen for review and comment prior to issuing a final traffic calming plan.

**VII. Neighborhood Meeting**

The Road Commissioner will hold a public hearing in or near the neighborhood affected by the proposed traffic calming plan within forty (40) days after issuing the proposed plan. Notice of the hearing shall be published in a newspaper having general circulation in the town at least ten (10) business days prior to the hearing. In addition, a notice of the hearing shall be mailed by regular mail to each petitioner, to the head of all residential households, and businesses on the petitioned street and within five hundred (500) feet of the petitioned street and to the president or designated representative of any area Neighborhood Association. The notice and mailing will be paid for by the committee filing the petition. The failure of an individual or entity to receive the notice of Public Hearing shall have no effect on the process or decision on traffic calming. At the meeting the Road Commissioner will explain the proposed plan and options and take a vote on them of those in attendance who claim to be age 18 or older and who reside or who have a business on the petitioned street and announce the results. The results shall be advisory only to the Road Commissioner. Following the meeting, the Road Commissioner will issue a final plan within thirty (30) days and mail a copy to the petitioners, the Town Manager, and to the Board of Selectmen.

**VIII. Petition approving traffic calming plan.**

A. Following receipt from the Road Commissioner of a final traffic calming plan, the plan shall be classified as approved if a petition accepting the plan is filed with the Town Clerk containing a number of signatures of residents and business owners on the petitioned street who are eighteen (18) years of age or older equal to or exceeding sixty percent (60%) of the base number applicable to that zone.

B. The petition process in a) must be initiated within ninety (90) days of the date of mailing of the traffic calming plan.

C. The Clerk shall provide the petitioners with appropriate petition forms pursuant to that Section except that the Clerk shall have twenty (20) days to prepare the petition forms to be circulated. Prior to providing the forms the Clerk shall verify the number of dwelling units on the street and the base number for the purpose of establishing the number of

signatures needed for a petition. The Clerk shall inform the Petitioners' Committee in writing of both numbers. The base number shall equal the number of dwelling units multiplied by one and one-half (1.5).

D. The petition shall be circulated, filed and processed. The petitioners shall have 120 calendar days to circulate the petition and file it.

E. The petition shall be verified with the additional requirement that the Clerk's Certificate of Sufficiency shall be sent to the Road Commissioner as well as to the Board of Selectmen. In verifying the petition the Clerk shall only have to verify that it contains the necessary number of signatures and is timely filed.

**IX. Financing traffic calming plans.**

A. Approved traffic calming plans under Section VIII shall be submitted to the Board of Selectmen for financing in accordance with subsections (B) and (C).

B. The cost of traffic calming plans approved by petitioners shall be included by the Road Commissioner with the Department's annual budget requests in the same manner that funding is requested for sidewalk work.

C. In its preparation of the annual town budget the Board of Selectmen may provide such funding for traffic calming projects as it deems appropriate. Funds allocated for traffic calming shall be disbursed in the same manner that sidewalk funds are disbursed.

**X. Elimination or modification of traffic calming plan.**

A. After six (6) months from the date on which a traffic calming plan was installed or implemented, any ten or more residents or business owners on a specific street or a selectman may file a written petition or request to eliminate or modify the traffic calming plan with the Town Clerk. The petition or request shall meet the requirements of Section III.

B. If at any time following the installation of a traffic calming plan the Road Commissioner or the Road Commissioner's designee determines that such measure is creating a hazard to public health and safety, the Road Commissioner may take immediate steps to remove or modify a traffic calming plan accordingly. There is no right to appeal such a determination; however, further modifications to a traffic calming plan on such affected street may be undertaken as provided in Section XI.

**XI. Process following filing of petition or request for elimination or modification of a traffic calming plan.**

A. Following receipt of a petition or a written request from a selectman for the elimination or modification of a traffic calming plan that has been forwarded by the Clerk, the Road Commissioner will call and conduct a neighborhood meeting on that issue pursuant to Section VII.

B. Following the neighborhood meeting, the Road Commissioner will issue a written decision regarding the elimination or modification of a traffic calming plan and file it with the Clerk who shall forward copies forthwith to the petitioners and each member of the Selectmen.

C. If the decision of the Road Commissioner is for the elimination or modification of the traffic calming plan, the decision shall go into effect if a petition is filed and certified following the process established in Section VIII, that supports the decision and that contains the signatures of fifty one percent (51%) or more of the residents and business owners on the same street that was the subject of the traffic calming plan.

D. If the decision of the Road Commissioner is to leave the traffic calming plan in place, the decision may be appealed by the petitioners or any ten residents or business owners, age eighteen (18) or over, who reside or have a business on the petitioned street pursuant to Section VIII. If the appeal is successful, the appellants must follow the petition process in (C) above in order to eliminate or modify the traffic calming plan.

**XII. Funding for elimination or modification of traffic calming plans.**

Funding for the elimination of traffic calming plans shall be done in accordance with Section IX.

**XIII. Installation of traffic calming devices.**

The physical installation of traffic calming devices shall be consistent with the traffic calming plan approved by the Road Commissioner. The associated traffic control devices must conform to design standards established by the Manual of Uniform Traffic Control Devices.

**XIV. Limitation on petitions or requests.**

The same street or one that is substantially the same may not be the subject of a petition or request for a traffic calming plan for a period of two (2) years from the date of a final decision rejecting or denying a plan pursuant to Section IV. If a plan is implemented, a petition or request to eliminate or modify it cannot be initiated for six (6) months from the date on which the plan is in place. If a plan is eliminated, a petition or request to implement a plan cannot be initiated for two (2) years from the date on which the elimination was complete.

**XV. Street categories for determining preliminary eligibility.**

A. Streets eligible for traffic calming.

1. Local streets: a street on which seventy five (75%) percent or more of the abutting properties have residential structures.

B. Streets not eligible for traffic calming.

1. Principal Arterials (National Highway System and state routed highways), minor arterials and collector streets.

2. Streets that score less than 200 points on the threshold eligibility table in Section VI (A).

**XVI. Tables.**

Thresholds for traffic calming plan.

Threshold	Criteria	Max. Pts.
Volume	Vehicles per day X .05	100 pts.
Speed Warrant	(85th percentile speed- Posted Speed Limit)	100 pts.
Children	1 pt./child for each child less than 12 years of age living on street (75 max.) 25 pts. for school on the street	100 pts.
Heavy Vehicles (HVPD)	2 pts. For each heavy vehicle defined as 2 axle-6 tire and larger. Applicable only to residential streets	100 pts.
Residential Density	75% - 25 pts.	50 pts.
	80% - 30 pts.	
	85% - 35 pts.	
	90% - 40 pts.	
	95% - 45 pts.	
	100% - 50 pts.	
	Total Points (max.)	450 pts.

Minimum of 200 pts. Required to qualify for traffic calming. Guidelines for use of traffic calming devices.

Type of Road	Description of Problem	Potential Solution Order of (In Preference)
Local/collector	Speed	Review speed limit
		Review or modify sign stop locations
		Check warrants traffic signals for
		Neighborhood watch
		Road humps
		Speed tables
		Colored paving/textured paving
		Raised intersections
		Medians
		Curb extensions vegetation or
Traffic circle/roundabout		

	Cut-through traffic	Review or modify stop sign locations
		One way streets
		Road humps
		Speed tables
		Turn or entry prohibited
	Pedestrian Safety	Check warrants for traffic signals
		Colored and textured paving
		Barrels
		Raised crosswalk
		Curb extensions
		Medians
		Raised intersection
		One way street
Arterial	Speed	Traffic circles/roundabout
		Turn or entry prohibited
		Review Speed limit
	Cut-through traffic	Review or modify stop sign locations
		Check warrants for traffic signals
		Medians, curb extensions, or vegetation
		Review or modify stop sign locations
		One way streets
		Turn or entry prohibited
	Pedestrian safety	Check warrants for traffic signals
		Barrels
		Medians
		One way streets

**XVII. Applicability.**

This Policy shall not apply to any traffic calming projects implemented before the effective date of this Policy.

**XVIII. Reserved.**

Approved and signed by the Board of Selectmen on September 25, 2018.

  
  


  
