



## Town Of Durham

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### BACK LOTS & PRIVATE WAYS MINOR POLICY CHANGE

#### Summary

The proposed Ordinance changes will split authority and responsibility for approval of single back lots from approval of access roads serving multiple lots that are not part of a legal subdivision. The Code Officer will continue to review and approve individual back lots, and the required access will be reduced from a 20-foot-wide road to a 16-foot-wide driveway, subject to Fire Chief approval. Multiple back lot access roads will be treated as “private ways,” with a Planning Board review process as is done in most communities.

#### Current vs. Proposed Back Lot & Private Way Standards

Aspect	Current	Proposed
Single Back Lot	Approved by Code Officer, 5-acre lot size applied consistently.	No change.
Single Back Lot Access	Approved by Code Officer, 20-foot road required.	Approved by Code Officer, 16-foot driveway required.
Multiple Back Lots	Approved by Code Officer, 2-acre & 5-acre lot size applied inconsistently.	Approved by Planning Board. 2-acre lot size in a private way plan.
Multiple Back Lot Access	Approved by Road Commissioner. 20-foot road required.	Approved by Planning Board as a private way. 20-foot road required.
Maintenance Agreement	Approved by Planning Board.	No change.

#### Why the Changes?

The current framework for individual back lots and what are typically called “private ways” are mixed in together, which has caused confusion and inconsistent application of the regulations. Authority for various parts of the review process are split between the Code Officer, Road Commissioner, and Planning Board. The proposed changes will simplify and streamline the process with Code Officer approval of backlots and Planning Board approval of private ways, including the maintenance agreement. The Road Commissioner will provide technical assistance to the Code Officer and Planning Board for both processes.

#### We want to hear from you!

Do you support the proposed changes to separate back lots from private ways? Do you have any concerns about them? Please share your thoughts with the Planning Board during the public participation process. You can submit written comments to the Town Planner for circulation to the Board by emailing [townplanner@durhammaine.gov](mailto:townplanner@durhammaine.gov).