Town of Highgate, Vermont
P.O. Box 189, 2996 VT Route 78, Highgate Center, VT 05459

TOWN OF HIGHGATE

ROAD ACCEPTANCE POLICY

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The Selectboard of the Town of Highgate, Vermont, in accordance with the authority granted by Vermont Statutes Annotated (VSA) Title 24, Section 1972 – 1976, hereby adopts the following **ROAD ACCEPTANCE POLICY**.

This policy is in furtherance and support of the proper accomplishment of responsibilities and the discharge of authority prescribed by 19 VSA Chapter 7, Laying Out and Discontinuing Highways by Local Authorities.

RECLASSIFICATION AND STANDARDS

PURPOSE: In accordance with the provisions of 19 VSA Chapter 7, Subchapter 1, the Selectboard hereby establishes the following policy for the reclassification of Town Highways.

PROCESS: Five percent or more of the residents in Town desiring to have a road reclassified, altered or discontinued may apply by petition in writing to the Selectboard. It is also the right of the Selectboard to consider the reclassification without a petition.

1. The Selectboard must inspect the area and hold a hearing. Affected property owners must receive 30 days notice of the hearing, as must one or more of the petitioners and the Town Planning Commission. Notices will be sent by registered mail.

2. A notice of the hearing must be posted in the Town Clerk's Office and published in a local newspaper not less than 10 days before the hearing.

3. At the hearing, the Selectboard hears testimony for and against the proposed change. It then makes a written decision including the reasons for the decision. A decision is made at a duly warned meeting of the Selectboard.

4. Any person aggrieved by the decision can appeal through the court system.

DETERMINATION:

In accordance with the provisions of 19 VSA Chapter 19, Section 302, all Town highways are categorized as Class 1, 2, 3 or 4.

DEFINITIONS:

Class 1 Roads – Class 1 roads form an extension of a state highway route and carry a state highway number. The State Transportation Board determines which are to be Class 1 roads.

Class 2 Roads – Class 2 roads are the most important highways in Town. As far as practical, they shall be selected with the purpose of securing trunk lines of improved highways from town to town and to places which by their nature have a more than normal amount of traffic. The Selectboard, with the approval of the State Transportation Board, determine which are Class 2 roads.

Class 3 Roads – Class 3 roads are all traveled highways other than Class 1 or 2. They must be negotiable by a standard manufactured pleasure car under normal conditions all seasons of the year. Standards for Class 3 roads include but are not limited to sufficient surface and base, adequate drainage and sufficient width capable to provide winter maintenance. The Selectboard, after conferring with the State Transportation Board, determines which are Class 3 roads.

Class 4 Roads – Class 4 roads are all other Town highways. The selectboard shall determine which highways are class 4 town highways.

VERMONT STANDARD SPECIFICATIONS FOR CONSTRUCTION:

AVERAGE DAILY TRAFFIC	TRANSPORTATION STANDARD
0 – 250 (Class 3)	A-21
250 – 400 (Class 3)	A-22
0 – 400 (Other than Class 3)	A-23
400 – 750 (All roads)	A-24
750+ (All roads – 50 mph)	A-25
750+ (All roads – 50 mph+)	A26
STANDARDS FOR DEVELOPMENT ROADS	A-76
COMMERCIAL AND RESIDENTIAL DRIVES	B-71

GENERAL PROVISIONS

It is the policy of the Selectboard to entertain application for the acceptance of public highways and roadways and to adopt and adhere to an orderly procedure for the receipt of and acting upon such applications. The decision regarding acceptance of a highway is reserved to the sole and absolute discretion of the Selectboard who will consider the granting or denial of acceptance on the best interests of the inhabitants of the Town of Highgate.

An application shall secure all other necessary governmental permits for a land subdivision or for road construction as a condition precedent to the acceptance of a highway.

All questions arising during road construction relative to construction methods, materials or specifications shall be answered by reference to this policy and to Vermont Statutes Annotated.

The Selectboard shall make final decisions over all questions arising during construction of new roads and shall approve all field changes.

APPLICATIONS, PLANS AND PLATS

A plan of proposed streets shall be submitted to the Town for review. The plan shall be in harmony with existing or proposed streets. All streets or roads created by means of subdivision shall follow the provisions as described in the *TOWN OF HIGHGATE SUBDIVISION REGULATIONS, ARTICLE VIII, SECTION 800.*

At the request of the Selectboard, written application shall be made to the Selectboard at least 90 days before road construction. The application shall be accompanied by a survey in a form acceptable to the Selectboard for accuracy, thoroughness and legibility, along with a proposed warranty deed of the land to be conveyed for highway purposes. The grade line and minimum radii of all curves must be shown.

All monuments shall be of a reasonably permanent nature and where feasible shall be "tied" by survey to other objects of a permanent nature and said "ties" shall be shown on said map.

The applicant may, in the initial application, propose a name for the road; however the Selectboard will determine the road name. The Selectboard, in consultation with the Vermont Agency of Transportation (AOT) will also assign a number to the road.

FEES

An administrative fee as determined by the Selectboard shall accompany the application. Signs approved by the Selectboard will be billed to the owner at cost and payment must be received before final acceptance of the road.

PERFORMANCE BOND

A 100% performance bond for the estimated cost of the proposed road shall be provided to the Town prior to the stumping of the right of way, at the discretion of the Selectboard. The Selectboard shall determine the amount of the bond. Permits may be withheld pending tender of proper performance bonds or highway acceptance.

INSPECTIONS

All highway designs, including cut and fill plans, surveys, layouts, rights of way, utility locations, road construction sites, preparation and construction shall be inspected by the Selectboard or its designee. The Selectboard may require samples of materials used for construction to ensure adherence to the minimum

standards of state specifications. The Selectboard or its designee may inspect the road site as follows:

1. Before clearing.
2. Before stumping.
3. After rough grading.
4. Upon completion of sub-grading.
5. During graveling.
6. Before paved surface treatment.
7. Final inspection.

INSPECTION REQUIREMENTS

The developer shall have stakes set on centerline with finish grades marked at least every 100 feet for the entire length of the road or have the road side staked with distance and grade marks before each inspection.

Before final inspection, the developer shall remove all trash from the right of way and the center of the turn around (cul de sac) and shall repair any damage done to the roadway, shoulders, drainage structures and related road items. All slopes will be seeded and mulched.

Inspections, samples and core tests may be taken by the Town before final acceptance and all costs incurred shall be reimbursed by the developer.

COMPLETION DEADLINE

No roads will be inspected after November 1.

Road specifications in effect at the time of the initial inspection will be applicable for a period of two years from that date, after which time any new road specifications will apply. The only exception will be if the road in question at the end of the two year period is in accordance with the Acceptance Section under the 12 month maintenance period.

ACCEPTANCE

When the road has been completed and inspected, the Town may begin normal maintenance for 12 months. After 12 months of maintenance, if no serious defects have been observed, the deed will be recorded and the road will become a Town Highway in accordance with the provisions of 19 VSA Chapter 7. During the 12 month initial acceptance period, any flaws or defects which are pointed out to the developer will be his responsibility to correct. During this period, the Town will order and erect the necessary signs.

CONVEYANCE

All rights of way, easements and slope rights shall be conveyed to the Town of

Highgate by warranty deed in fee simple and free of all encumbrances.

RIGHT OF WAY WIDTH

The right of way shall be a minimum of 50 feet in width with wider slope and drainage rights if deemed necessary by the Selectboard. The center line of the road is to be located in the center of the right of way. The right of way conveyed shall intersect at least one existing Class 1, 2 or 3 Road of a state highway.

TRAVELED WAY WIDTH

The minimum traveled way width of a road shall be 22 feet, not including the shoulders.

CLEARING

Right of way is to be cleared a minimum of 40 feet of all trees, brush and stumps. Burning shall be done in accordance with State and Town fire regulations. No fallen trees shall remain in the right of way. All stumps shall be removed, so that the base of the road is hardpan, gravel, ledge or properly compacted fill.

SUB-GRADE

Ledge and boulders shall be removed to at least 18 inches below sub-grade and replaced with sand or bank run gravel. Fabric matting may be required to be installed if conditions warrant. All loam muck, stumps and other unstable materials shall be removed from within the limits of the fully extended road shoulders. In embankment areas, suitable foundation material shall be placed in one foot layers and compacted to form a stable sub-grade. The sub-grade surface shall conform exactly in cross section and grade to the finished road surface. Crowning and banking of curves shall be as required by the Selectboard. Compaction is required on any portion of the sub-grade which has been disturbed by excavation or which has been filled during the construction of the sub-grade. All ditches and drains will be constructed so that they effectively drain the sub-grade prior to the placement of any base material. An additional 6 inches of sand cushion shall be placed over any clay sub-grade.

WET AREAS

If the proposed road is in a wet area, the Selectboard may require additional gravel plus sand cushion and under drain to insure a stable road.

SUB-BASE

The sub-base shall be composed of 12 inches of compacted gravel installed in two 6 inch lifts with a maximum stone size of 4 inches. The cross section and grade of the sub base shall conform to those of the finished surface.

UPPER BASE

All streets will receive a 6 inch upper base course of compacted crushed gravel as defined by the book "Vermont Standard Specifications for Construction."

CROWN

The street shall have a cross slope from centerline to the edge of shoulder of 1/4 inch per foot and from the edge of the street to the edge of the shoulder of 5/8 inch per foot.

PAVING

The roadway shall not be paved within a year after construction and after one winter season has passed with hot bituminous concrete mix meeting all Vermont State Highway Specifications. The bituminous concrete is to be laid and rolled by experienced crews in two layers. The first, the binder course, is to be laid to a depth compacted to two inches and the second application compacted to a depth of one inch of hot bituminous concrete surface mix. All work shall be done in a professional manner.

APPLICABILITY FOR PAVED/GRAVEL ROADS

It is the expectation of the Selectboard that private development roads accepted by the Town as Town Highways will be paved. Arterial and collector roads, defined as roads which are normally and customarily used as a course of travel to destinations other than the properties fronting upon said roads, will require pavement. Non-arterial or non-collector roads are primarily used only for ingress and egress to the properties fronting on or connected to said roads. They shall also be paved when so directed by the Planning Commission and/or the Selectboard, considering such factors as area development density, rural or non-rural characteristics, terrain and safety. All gravel roads will be paved at least 20 feet up from an intersecting paved road.

DRAINAGE DITCHES

Drainage ditches shall be provided where necessary and shall be constructed to prevent infiltration of water into the gravel subbase and to conduct storm drainage to waterways and absorption areas. Accordingly, drainage ditches adjacent to roads are normally to be at least 6 inches below the gravel sub-base or 18 inches below the finished grade to minimize spring breakup conditions. Ditches shall be shaped to prevent excessive erosion on both shoulder and right of way or bank sides of the ditch cross section. Open ditches in excess of 5% grade shall be paved with stone or asphalt. Underdrain will be required where soil and water conditions make desirable.

CULVERTS

Culverts shall be installed during the construction of the highway subbase and surface preparation and placement. Backfill in excavation for culverts shall be compacted to prevent or minimize settling of surface, shoulders or slopes. Culverts should be covered with an adequate depth of material. Headers shall be installed at the inlet of all culverts and may be either reinforced concrete eight inches thick, large flat rock tightly placed or large cemented rock. The inside edge of headers shall be at least eight feet from the outside edge of the shoulder. Marker posts four to six inches in diameter shall be installed at both ends of the culvert.

Culverts shall be installed in all low spots and be of sufficient size to handle the anticipated runoff but shall not be less than 18 inches in diameter and shall extend at least one foot beyond all fill, measured at the bottom of the culvert and shall have an adequate depth of packed cover. Culverts shall be spaced no greater than 300 feet apart in one continuous ditch line.

SLOPES AND BANKS

Vertical or sharp cut faces, excepting ledge, shall not be permitted. Slopes and banks shall not be steeper than one vertical to one and one half horizontal. Soil stability of banks shall be designed to prevent instability, slides, washes or other disturbances to the slope or bank surface or subsurface. Banks shall not interfere with snow removal. After construction and final grading of banks, banks will be seeded and mulched to minimize surface erosion. Cribbing or riprap shall be provided where necessary

GUARDRAILS

Approved types of guardrails and posts will be provided to meet essential traffic control and safety needs and shall not interfere with snow removal. Normally, any highway with a slope or bank falling away on a steep slope (4:1 or greater) from the road surface and which is 10 feet or higher in elevation shall be protected with a guardrail unless such requirement is waived by the Selectboard in approving the road plan and application. Guard posts and signs shall also be provided to warn and protect traffic from ledge or other obstructions where necessary in consideration of traffic volume, road width and safety. Guardrail installation shall conform to Vermont AOT requirements.

GRADES

Highway grades shall be at least one percent but not more than 10 percent unless paved or double tacked. In no case shall grade exceed 12 percent. Finished grade (transverse and longitudinal) shall be smoother to eliminate sharp dips in the traveled surface and, as may be necessary, to permit efficient snow removal and proper drainage. Maximum grade within 50 feet of an intersection shall be 4%.

CURVES

Radius curves shall be long enough to permit easy flow of traffic, including trucks, graders and fire equipment, with at least a 100 foot radius in all cases, measured on the center line. Trees and boulders shall be removed to permit adequate sight on all curves.

DRIVEWAYS, ENTRANCES AND APPROACHES

Driveways cannot interrupt the natural or ditch line flow of drainage water. In some cases where shallow ditch lines or natural drainage courses exist, driveways may be swelled at a point beyond the road shoulder to accommodate the flow of storm water. In all cases, driveways must have sufficiently sized culverts installed and forever maintained by the homeowner or developer. In no case shall the culvert pipe under a driveway be less than 15 inches in diameter.

Driveways shall intersect the roadway at a preferred angle of 90 degrees but in no case shall the intersecting angle be less than 50 degrees. No driveway will be permitted to be constructed within 100 feet of an intersecting street and at least 150 feet is desirable. Under no circumstances shall a driveway permit allow construction which will result in drainage or washing directly out to a Town Highway. In the event a driveway causes damage to a Town Highway through improper construction, maintenance or grading, it shall be the responsibility of the property owner to make the necessary repairs upon notification in writing by the Town. In the event such repairs as are required are not made within 30 days, the town shall take whatever steps are necessary to insure the interests of the Town and shall bill the property owner for any expenses involved.

INTERSECTIONS

Intersections shall be, as nearly as possible, 90 degrees, with a minimum allowable intersection angle of 60 degrees. The centerline of no more than two accepted rights of way shall intersect at any one point. Any intersection of two highways with a third highway shall be separated by a distance of not less than 150 feet between center lines.

CUL-DE-SACS AND DEAD END STREETS

Dead end streets are discouraged. Dead end streets must have an approved turnaround or a cul-de-sac with a **minimum** radius of 35 feet built to sub-grade, sub-base and upper base specifications. Cul-de-sacs may be required to be larger than the minimum if conditions warrant. Provisions shall be made at the perimeter for snow removal. Whenever possible, streets shall be arranged to provide for extension or connection of eventual street systems necessary to develop abutting land in future subdivisions.

TURNOFFS

Turnoffs with adequate elevations, surface, drainage ditches and culverts will be provided to permit safe passing under summer and winter conditions and shall be dimensioned and constructed to enable effective and efficient snow removal.

ROADSIDE

At completion of the project, excess debris shall be removed from the right of way. All disturbed portions of the roadsides shall be loamed, seeded and mulched.

SIGNING

Street signs shall be in conformance with the Manual on Uniform Traffic Control Devices (MUTCD) and paid for by the developer.

BRIDGES

Plans for bridges must be submitted for review prior to construction. Construction will be authorized only after review by the Vermont AOT indicates that the bridge will meet all application transportation specifications.

SEVERABILITY

If any portion of this policy is held unconstitutional or invalid by a court of competent jurisdiction, the remainder of this policy shall not be affected.

TOWN OF HIGHGATE
ROAD ACCEPTANCE POLICY

ADOPTED BY THE TOWN OF HIGHGATE SELECTBOARD:

_____
Stephen Bushey, Chairman

_____
Brian Rowell

_____
Richard Noël

Date:_____

Attest:_____