

# TOWN OF SHARON HIGHWAY POLICY

## I. PURPOSE

The purpose of this highway policy is to establish standards for the maintenance and upgrading of existing town roads, to describe construction standards and procedures for accepting new roads into the Town Highway system, and to promote safe and efficient use of all public roads.

## II. TITLE, AUTHORITY, ADOPTION

This highway policy was adopted by the Sharon Board of Selectmen on November 4, 1997 and effective November 4, 1997, pursuant to their authority to adopt such rules and regulations as outlined in Title 24 VSA, Sections 1971-1976 (check citation).

## III. DEFINITIONS AND CLASSIFICATIONS OF TOWN HIGHWAYS:

"**Discontinued highway**" means a previously designated class 1, 2, 3, or 4 town highway as to which, through the process of discontinuance, all rights have been re-conveyed to the adjoining landowners.

"**Pent Road**" is any town highway which, by written allowance of the selectmen, is enclosed and occupied by the adjoining landowner with unlocked stiles, gates, and bars in such places as the selectmen designate.

"**Town highways**" are those highways exclusively maintained by the town.

Pursuant to VSA Title 19 Section 302(c), all town highways in Sharon will be **classified** into one or another of the following classes:

**Class 1 Town Highway:** Those town highways which form the extension of a state highway route and which carry a state highway route number. The Agency of Transportation shall determine which highways are to be class 1 highways.

**Class 2 Town Highway:** Those town highways selected as the most important in Sharon, and whose purpose is to secure trunk lines of improved highways from town to town and to places which by their nature have more than a normal amount of traffic. Selectmen, with the approval of the Agency of Transportation, shall determine which highways are to be class 2 highways.

**Class 3 Town Highway:** Class 3 town highways are all traveled highways other than

class 1 or 2 highways. The selectmen, after conference with a representative of the Agency of Transportation shall determine which highways are class 3 town highways. The minimum standards for class 3 town highways require that the town highway be negotiable under normal conditions all seasons of the year by a standard manufactured pleasure car. This would include but not be limited to sufficient surface and base, adequate drainage, and sufficient width capable to provide winter maintenance.

A highway not meeting these standards may be reclassified as a provisional class 3 highway if within 5 years of the determination, it will meet all class 3 town highway standards.

**Class IV Town Highway:** All other highways not falling into the definitions of Class 1, 2 or 3 town highways. The Selectmen shall determine which highways are class 4 town highways.

**Trail:** A trail means a public right-of-way which is not a highway and which:

(A) previously was a designated town highway having the same width as the designated town highway, or a lesser width if so designated; or

(B) a new public right-of-way laid out as a trail by the selectmen for the purpose of providing access to abutting properties or for recreational use. Nothing in this definition shall be deemed to independently authorize the condemnation of land for recreational purposes or to affect the authority of selectmen to reasonably regulate the uses of recreational trails.

The right-of-way may range from the width of a footpath to the full three rods.

**Official Highway Map:** An official town highway map, illustrating highway locations, classifications, and mileage shall be available for inspection in the Town Clerk's Office.

#### IV. **STANDARDS FOR NEW CONSTRUCTION**

**4.1 Waivers:** Requests for waiver of any portion of these standards shall be made in writing to the Board of Selectmen. If the Selectmen find that any of the following considerations require waiver of one or more of the standards, they may do so after considering of the public interest, topography, adequacy of highway design, ease of snow removal, drainage, or maintenance of safe conditions.

#### **4.2 Standards:**

**A. Design:** Highway design shall be based on projected maximum average daily travel including future extensions and usage.

**B. Inspection:** All highway designs, including cut and fill plans, gravel pit plans, surveys, layouts, right-of-way, road construction site, preparation and construction shall be inspected by the town Road Foreman and Selectmen. Professional engineering, surveying, and legal expertise may be employed by the Town to provide inspection and counseling services to Selectmen as considered necessary in authorizing, inspecting and accepting the construction or altering of highways. This expertise shall be at applicant's expense, if for construction of new roads or upgrading of existing Class 4 roads.

**C. Right-of-way width:** The right-of-way shall be fifty feet in width, with additional slope rights and rights-of-ways where necessary. The highway surface for travel shall be built in the center of the right-of-way and the right-of-way shall be cleared to permit and facilitate snow removal and proper maintenance of drainage ditches, culverts, slopes and banks, accesses, turnouts and turnarounds, and other features of the highways. Dead and diseased trees, brush, and stumps shall be removed. Cutting of all trees and other vegetation from the right-of-way shall be accomplished in consideration of erosion potential and the development of reasonable and good aesthetic qualities of the highways. Road design and drawings shall reflect the general clearing plan.

**D. Shoulders:** Shoulders shall extend at least two feet on each side of the traveled surface of a highway built or improved in Sharon. Shoulders shall be slightly pitched to prevent excessive erosion and unsafe conditions.

**E. Traveled way:** The traveled portion of all public roads shall be a minimum of sixteen feet in width or as specified in particular locations by the Selectmen in consideration of subsurface conditions, banks and slopes, grades, turnouts, access ways, and other highway features.

**F. Highway Sub-Grade and Surface Preparation:** The highway shall have a minimum of fifteen inches (15") of processed gravel sub-base, with the top 3 inches being crushed gravel. (8/21/01) Where extreme subsoil conditions exist, the **Selectmen may require the use of additional amounts of gravel, plus sand cushion and under drain to insure a stable road.** Gravel shall be good bank run, and meet VTrans specifications for gradation. No stone larger than six inches (6") shall be placed in the twelve-inch depth of gravel, and no stone larger than two inches (2") shall be placed in the top three inches. The gravel surface shall be fine graded, compacted and crowned to the required grade with grader, roller, and hand labor. Material will be graded so that water does not remain on the road surface, and have adequate space for proper ditching. (8/21/01)

**G. Drainage Ditches:** Drainage ditches shall be provided where necessary. They shall be constructed to prevent infiltration of water into the gravel sub-base and to conduct storm drainage to waterways and absorption areas. Accordingly, drainage ditches adjacent to

roads are normally to be at least twelve inches below finished grade in order 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 sections.

Soil exposed during ditch and slope construction or maintenance will be treated immediately following the operation as follows:

- Seed and mulch slopes less than 2.5%
- Placing biodegradable matting and seed on slopes between 2.5% and 5%.
- Stone lining ditches with angular material on slopes greater than 5%.

**H. Culverts:** Culverts shall be installed during construction of the highway sub-base and surface preparation. Backfill in excavations for culverts shall be compacted in 6-8" lifts to prevent or minimize settling in surface, shoulders, or slopes. Culverts shall be made of plastic or galvanized steel. All new driveway culverts will have a minimum diameter of 15 inches. All new roadway culverts will have a minimum diameter of 18 inches. Culverts over 36" in diameter shall conform to VTrans Hydraulics Manual. End treatment (inlet or outlet) will also be evaluated in accordance with this manual. Culvert sections shall be properly joined and shall extend at least two feet (2') beyond highway surface and shoulder width. Inlet and outlet ditches, boxes and other protection necessary shall be provided to minimize erosion damage at culvert inlet or outlet areas, and to banks, slope, or ditches. Culverts shall be of adequate length to permit easy turning on or off the highway and shall be kept as low as possible

**I. Grades:** Highway grades shall not exceed ten percent unless paved or double-tacked and in no case shall grade exceed fourteen percent (14%). Finished grades (transverse and longitudinal) shall be smoothed to eliminate sharp dips in traveled surface and, as may be necessary, to permit efficient snow removal and proper drainage.

**J. Alignment and Curves:** Town highways shall be aligned and constructed to provide safe travel for trucks, graders, school buses, and emergency vehicles, to provide sufficient visibility and access in all weather conditions. Proper drainage shall be maintained on curves and bridge approaches.

**K. Bridges:** All bridges (structures with spans greater than 6 feet) will have waterway openings designed in accordance to the latest VTrans Hydraulics Manual. Bridge design and construction shall conform to current VTrans standards, specifications, designs, and guidance on a case-by-case basis.

**L. Turnarounds and Dead End Streets:** Turnarounds on dead end highways shall have a radius large enough to accommodate all equipment and vehicles using or servicing the road and area including fire equipment and school buses. Drainage shall be provided to prevent

impounding of water. Roadside features shall permit proper snow storage.

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

**N. Curb cuts, driveways and access ways:**

1. All driveways, approach roads, and any other curb cut, including temporary access ways for agriculture and logging, entering upon a public highway shall be constructed at a ninety-degree angle to such highway, or shall be provided with a surfaced area of ninety-degree angle. They shall be constructed with a dip or depression where the grade of the highway meets the grade of the shoulder of the driveway or approach road. It is recommended that all entrance accesses be constructed level with the Town Highway for a minimum of 25 feet. Necessary traffic control costs will be borne by the owner.

2. Culverts shall be installed as specified by IV (H).

3. Culverts shall be maintained by the Town when they have been installed within the Town's right-of-way.

4. No curb cut will be permitted where there will be a restriction or hindrance of a ditch or waterway unless adequate provisions are made to alleviate such restrictions or hindrances. Any such provisions may be included as conditions within any permit issued, for which the applicant must be responsible.

5. Minimum sight distance along a town highway at the curb cut shall be a minimum of 150 feet. Vegetation and trees shall be removed as necessary to provide for visibility and safety.

6. The property owner shall maintain the curb cut to the satisfaction of the Town.

7. Major changes to any existing access shall comply with all the above.

**8. Temporary Accesses:** When the stated use for a temporary access has ended, for example a logging operation is completed, the landowner (applicant) is responsible for removing the access way and restoring all ditches and grades to their original condition.

**O. Slopes and Banks:** Vertical or sharp cut faces, excepting ledge, shall not be permitted. Soil stability of bank shall be a design consideration, and slope or bank shall be designed

and constructed to prevent instability, slides, washes, or other disturbance to the slope or bank surface or sub-surface. Banks shall not interfere with snow removal. After construction and final grading of banks, banks will be seeded to minimize surface erosion. Cribbing or rip-rap shall be provided where necessary.

**P. Guard Rails and Posts:** Guard rails 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 slope steeper than 1 on 3 from the road surface, and which is ten feet or higher in elevation, shall be protected with a guard rail and guard posts. Guard posts and rails shall also be provided to warn and protect traffic from ledge or other obstruction where necessary in consideration of traffic volume, road width, and safety. Guard rails shall be installed according to the AASHTO Roadside Design Guide.

**Q.** The Board of Selectmen shall determine when implementation of these standards is necessary and reserves the right to amend these standards as needed.

## **V. HIGHWAY ACCEPTANCE: CONDITIONS AND PROCEDURES**

**5.1 General Procedures:** The process for consideration of the acceptance of a road into the town highway system shall conform to VSA Title 19 Sections 708-711 and to Article V Sections 5.1 - 5.5 of this policy. In all cases, the road must be designed, laid out and constructed by the owner(s) in conformance with the standards prescribed in Article IV of this policy. If an application is made by freeholders to the Board of Selectmen to upgrade a Class IV highway, the Board may require as a condition of approval that the applicant(s) comply at their own expense with any or all standards prescribed in Article IV which the Selectmen judge to be requisite under the circumstance.

**5.2 Tax Base:** When the Board of Selectmen considers accepting a road or upgrading a town highway, they shall balance the cost of upgrading and/or maintaining the road or highway with the following factors:

- a. The number of year-round dwellings or structures being served by the highway;
- b. The number of people intending to use the highway;
- c. The number of vehicles intending to use the highway;
- d. The need of year-round emergency vehicle access to any or all properties accessed by the highway;
- e. The need of school bus access;

f. The listed value and tax income from all properties being served by the highway.

**5.3 Application Process:** An application including technical data, designs, and drawings shall be submitted to the selectmen before new road construction is started and before any road may be upgraded. The Selectmen shall set a time for final inspection and shall hold one or more public hearings before finally accepting any new road or approving reclassification of an existing road constructed in accordance with Article IV standards.

**5.4 Deed to Town:** Before a road is accepted by the town: The owner(s) of the property where it is built shall deed to the town a fifty foot right-of-way, twenty five feet each side of the centerline, including slope rights if necessary: such deed to be a Vermont warranty deed free and clear of all encumbrances and properly supported by a survey showing roadway and right-of-way center lines, driveways, utility lines surface (and/or sub-surface), and major road features, alignment, and curves.

**5.5 Completion Date:** Highways are to be completed by November One so that inspections and acceptance can be completed before winter. Any highway completed after November one will not be accepted until after June one the following year.

## **VI. POLICIES AND PERMITS:**

**6.1 Winter Plowing:** Class 2 town highways will be given highest priority when storm conditions justify. All class 3 town highways will be plowed to the extent necessary to allow access to homes of winter residents. No class 4 town highway will be plowed by the Town of Sharon, except as noted in Section 6.2.

**6.2 Class 4 Town Highways:** it is the policy of Selectmen to maintain class 4 town highways as seasonal highways. They will not be plowed nor otherwise maintained in winter, except as ordered by the Board of Selectmen because of emergency or highly unusual circumstances. Likewise, class 4 town highways are not to be expected to be fully serviceable during "mud" season. Grading, installation and/or replacement of culverts, ditch work, and addition of gravel will be accomplished to improve the stability of the roadway as funds, manpower, and other necessary work allow.

Any prospective landowner wishing to purchase or improve a property served by a Class 4 town highway should contact the Selectmen prior to purchase or improvements occur to ascertain the current level of maintenance. Should any landowner with property adjacent to a Class 4 town highway desire to improve the condition of the highway, he may do so at his own expense provided an application is made, in writing, to the Selectmen and approval is granted.

In evaluating whether to grant permission to allow improvements to any class 4 highways,

the Selectmen shall consider the following:

- A. Assurance that the Town of Sharon will have no responsibility for maintenance or any legal liability for damages to persons or property occurring within the right-of-way limits.
- B. The potential loss of the highways for winter recreational uses if the landowner(s) choose to plow the highway at their own expense, if this happens to be an issue the landowner should attempt to maintain existing recreational linkages through negotiations with private landowners abutting the roadway.
- C. Maintenance of a permanent access way to all parcels of land served by the highway.
- D. The testimony of all abutting landowners with respect to the desirability of making road improvements.
- E. The improvements are consistent with the standards described in Article IV Section 4.2, so that unnecessary re-working can be avoided should the highway be reclassified as class 3 at some future date.

**6.3 Obstructions to Town Highways:** Without written permission from the Board of Selectmen, it shall be a violation of this policy to:

- A. build a fence or building, deposit material of any kind, or affect the existing grade in any way within a highway right-of-way; or
- B. obstruct a ditch, culvert, or drainage course that drains a highway; or
- C. fill or grade the land adjacent to a highway so as to divert the flow onto the highway right-of-way.

Selectmen may make such rules and regulations to carry out the provisions of this section as will adequately protect and promote the safety of the traveling public, and shall in no case deny reasonable ingress and egress to property abutting the highways, using said safety as the test for reasonableness.

An application to the Board of Selectmen for a permit by reason of development subject to the provisions of this section shall include a proposed highway access plan for the entire tract of land. The Board of Selectmen may impose reasonable conditions in order to reduce the number of accesses that will be required for the tract of land. Such conditions may include set-back of any construction or improvements from the highway to allow for



provision of frontage road or roads, acceleration and deceleration lanes and other areas for off-highway control and management of vehicles and may require reimbursement for costs to the Town of installation of traffic control devices or road improvements reasonably required by reason of development; and to permit integration of such access and on-site traffic control facilities and connection of frontage roads between contiguous tracts of land as development is occurring or may occur along the highway.

In addition, the Board of Selectmen may as development occurs on land abutting such highway, provide as a condition of any permit for the elimination of access permitted thereunder to the degree a common frontage road may make elimination feasible and practicable.

In addition to any other enforcement powers that may be provided for by law, the Board of Selectmen may institute proceedings under 24 V.S.A. Section 43 to enforce this section (1) injunctive order, (2) assurance of discontinuance and, (3) civil penalty.

**6.4 Construction and Maintenance of Access to Town Highways:** All costs of developing, installing or maintenance of access facilities shall be the responsibility of the individual requesting an access permit under Article VI Sections 6.4 and 6.6 of this policy and/or landowners utilizing such access for their convenience. Such costs shall include paving or repaving of surfaces, the installation or replacement of culverts, maintenance of ditches, and necessary traffic control devices, including signs incidental to such access. Repair of damage to these facilities caused by utilities, contractors, town maintenance crews or other parties not affiliated with the applicant and/or landowner, will be an obligation of all parties responsible for the damage.

**6.5 Load Limits:** Unless otherwise posted by the Board of Selectmen in accordance with 23 V.S.A. Section 1392, the gross weight limit on class 2, 3, and 4 town highways and bridges with other than wood floor shall be 24,000 lbs., and shall include any additional weight allowed by permit in accordance with Section 6.7.

**6.6 Access/Driveway Permits:** A driveway permit, issued by the Board of Selectmen, shall be required to develop, construct, or alter the percent of grade of any driveway, entrance or approach to a town highway.

**6.7 Excess Weight Permits:** In accordance with VSA 23 Section 1400, requests for temporary excess weight permits can be made to the Board of Selectmen. In considering whether to grant such permit, the Board shall take into account possible damage to the roadway and the financial responsibility of the permittee. If a permit is issued and damage to roadways, bridges, or culverts occurs, the permittee will be held financially responsible. Failure to repair such damage will result in the town completing the work and billing the permittee.

Adopted by majority vote of the Sharon Board of Selectmen on November 4, 1997.

**BOARD OF SELECTMEN:**

**Amended: 8/21/01**

Jean Brockway  
George Ostler  
Dale Potter

Bob Ferguson  
Bill Kitchel  
Dale Potter