

TOWN OF WEST RUTLAND LOCAL ROADS POLICY

Section 1.0. Access Permit Policy, Authority and Purpose

Under 19 VSA Section 1111 (b), Selectmen have the authority to regulate access onto public roads. The rules contained in this policy shall guide the Town of West Rutland Board of Selectmen in providing reasonable and safe access onto public roads and preventing unsafe conditions from developing as a result of poor construction and maintenance practices.

In addition to the minimum road standards in this ordinance, the Town of West Rutland will be guided by the two most recent Vermont Agency of Transportation standards sheets: B-71, Standards for Residential and Commercial Drives and A-76, Standards for Town and Development Roads.

The Board of Selectmen may impose various conditions on the permit form to promote safety.

Section 1.1. General Provisions

Applicants must submit a completed Highway Access Application Form to the Board of Selectmen, attaching a map showing the location of the access point and distances to the nearest driveways and intersections.

No construction shall take place until the town has issued a highway access permit and notification has been received as provided for below under "Notification."

The Board of Selectmen will normally allow only one access point for a single property.

Section 1.2. Notification

The property owner or owner's agent shall notify the Town of West Rutland a minimum of two weeks in advance of construction taking place so that the Town has an opportunity to inspect during installation.

The applicant shall present his or her access permit proposal to the Town Manager/Road Commissioner for the initial review. The Town Manager/Road Commissioner must conduct a site review before Selectboard review. Once this step is done, the Selectboard will review the application for final approval action. The Board may request another review before final action is taken.

Upon completion of work, the property owner's agent shall notify the Town of West Rutland within a reasonable time, not to exceed ten days, that the intended work has been completed.

Section 1.3. Liability

The property owner shall save and hold harmless the Town of West Rutland from any damages as may occur to others as a consequence of work performed.

Any damage to utilities, property or appurtenances as a consequence of work performed shall be repaired by the Town at the expense of the property owner, unless otherwise formally agreed to.

Section 1.4. Permit System

A completed application consists of all responses to questions on the application and the payment of the administrative fee of **twenty-five dollars.**

Permits shall expire one year from the date of approval, unless otherwise stated.

Section 1.5. Inspection

The applicant will be expected to arrange three site visits with the Selectmen or its agent to review the project: before the permit is issued, during construction, and on completion of construction.

Section 1.6. Forms

The town will provide the necessary forms for applying for an access permit.

Section 2.0. Design Standards of Driveway or Access Road

The following design standards for driveways and access roads have been categorized into two areas: recommended and required. In the event the developer requests the town to accept the access road as a new Town Highway, refer to the town's Road Acceptance Policy.

In difficult and/or questionable access permit cases, the Town may require professionally engineered designs.

| 2.1. Design Standard | Recommended |
|-----------------------------|--|
| Base for Driveways | Driveways within the limits of the right-of-way should have a minimum of 12 inches of subbase material; access roads a minimum of 15 inches. |

| | |
|----------------|---|
| Surface | Gravel drives should have a minimum aggregate surface course of six inches. Selectmen may require roads be paved with a minimum of two inches of bituminous asphalt concrete. |
| Crown | A crown of 1/2" per foot of road width is desirable on driveways and roads. |

2.2. Design Standard

Requirements

Gradient of Driveways

All driveways and access roads shall be constructed so as not to impair drainage within the right-of-way, alter the stability of the improved area, or change the drainage of adjacent areas.

The maximum gradient of driveways and side roads should not exceed 9%. Steeper grades may be allowed but with more stringent erosion control, sight distance and other requirements.

Distance between driveways and intersections

Driveways or access roads should be constructed no closer than 20 feet from a property line and no closer than 100 feet from another intersecting street and 40 feet from another driveway. Selectmen may designate greater distances.

Width

Recommended entrance widths for a residential driveway should be between 25 and 35 feet measured at the edge of the traveled way, including shoulders.

The minimum and maximum widths of the traveled surface of a residential driveway should be 12 feet and 24 feet measured at the edge of the town right-of-way.

Approach to Public Road

Entrances should be constructed with no more than 3% grade away from the road for a distance of at least 20 feet.

The town may require a paved apron on a gravel access entering a paved road.

Angle of Approach

Driveways should intersect the road at a preferred angle of 90 degrees but no less than 60 degrees.

The turning radius should be a minimum of 15 feet but the Board may specify larger.

Sight Distance

A vehicle operator preparing to exit the access point should be able to see without obstruction a minimum of 150 feet in either direction.

No access shall be constructed closer than 275 feet to a sharp curve, hill, or other blind area.

VAOT B-71 Chart Details

| Posted Speed or Design Speed (mph) | Minimum Stopping Sight Distance (feet) | Minimum Corner Sight Distance (feet) |
|------------------------------------|--|--------------------------------------|
| 25 | 150 | 275 |
| 30 | 200 | 355 |
| 35 | 225 | 445 |
| 40 | 275 | 560 |
| 45 | 325 | 660 |
| 50 | 400 | 770 |

Turn-Arounds

All new driveways should be constructed so that vehicles can turn on the property and enter local roads in a forward direction.

Culverts

A minimum of 15” culvert pipe shall be installed under driveways and access roads. Larger sizes may be required by the town.

The Town may require an engineering analysis to determine the appropriate culvert size for a specific location.

The Town will require that the applicant seek advice from the State Stream Alteration Engineer when stream crossings are involved.

Culverts under driveways and access roads should be placed away from the road as far as practical while maintaining good drainage.

Backfill for culverts should be compacted in lifts to prevent or minimize settling in the surface, shoulders or slopes and to prevent seepage along the outside of the culvert.

The Town will determine the adequate amount of cover, generally to be the same as the diameter of the culvert.

Ditches

Along driveway or access road: Landowners should “daylight” driveway ditches onto their own property, if possible, before intersecting with the town right-of-way, conducting water into absorption areas before it reaches town road ditches. Ditches adjacent to roads and driveways should be a minimum of six inches below the gravel sub-base or eighteen inches below the finished grade of the road. Ditches shall be shaped to prevent erosion of the ditch fore slope, back slope and shoulders.

Along public road: No access will be permitted which will result in drainage washing directly onto a town highway.

Rip rap or other protection Driveways and roads intersecting with public roads must be constructed so that water flowing from them does not damage structures within or outside of the right-of-way.

The Town may require that open drainage ditches in excess of 5% grade be stabilized with suitably and graded stone fill (rip rap). The Town may further require that the ditch be first lined with suitable geotextile designed for erosion control.

Any disturbed or bare soil shall be stabilized by the end of each construction day with erosion control blankets, vegetation, or other method approved by the Town. If permanent vegetation cannot be established by September 1, the Town may require alternate erosion control methods.

Bank Stabilization

The Town will require that all banks and slopes adjacent to driveways and access roads be stabilized by seeding and mulching. The Town may require other methods for stabilizing soils.

Head Walls and Tail Walls The Town may require the installation of head walls and/or tail walls.

When headwalls are required, they 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 headwalls should, if possible, 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.

Section 3.0. Logging Roads and Farm Roads Policy

Logging roads and landings must meet State regulations under the State of Vermont publication Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont.

Property owners must obtain a permit when altering landings, loading areas, logging roads and farm roads which intersect a Town right-of-way.

Section 4.0. Culvert Replacement Policy

Repair and/or replacement of existing driveway culverts or private road culverts in the Town right-of-way is the financial responsibility of the property owner. Examples in this case are: replacing culvert type, or repairing due to wear and tear or improper installation. An access permit shall be required for this activity.

In the event the town conducts road improvements “upstream” from a property owner’s culvert, (such as increasing culvert sizes, ditch capacity, or new road construction) the town will install the appropriate size culvert at no cost to the landowner.

Selectmen will determine if the Town or developers will bear the cost for replacing or upgrading culverts due to private land development upstream.

Section 4.1. Culvert and Ditch Maintenance

The Town of West Rutland will be responsible for routine maintenance and repair of roads, ditches and culverts within the right-of-way. This includes culvert & ditch cleaning, and/or thawing, etc..

The property owner shall be responsible for maintaining ditches, culverts, and other structures outside the right-of-way, particularly if they impact or will potentially impact the public road.

If damage to a town highway is caused by improper construction, maintenance, or grading, it is the responsibility of the property owner to make necessary repairs at his or her expense.

Section 5.0. Right of Way Work Policy

Right of Way work shall be authorized by the Selectboard or Selectboard's agent (i.e., Road Commissioner) and subject to the following permit conditions.

- 1) The Permit Holder (otherwise known as developer, landowner, or landowner's agent) shall be responsible for safeguarding the traveling public and for all damages to persons and/or property due to or resulting from any work done under this permit. Traffic control devices shall be in conformance with the *MUTCD* (Manual on Uniform Traffic Control Devices), Agency of Transportation Standards and any additional traffic control deemed necessary by Road Commissioner. This would include signs and, when necessary, flagmen.
- 2) No work shall be performed on the day of a legal, town and state recognized holiday. See Town Office for current schedule.
- 3) All work must be performed during normal daylight hours.
- 4) The Permit Holder must perform his construction work in such a manner that the existing normal drainage flow is not disturbed either during or after completion, nor within or outside of the permit area.
- 5) The permit holder accepts full responsibility for damage occurring downstream or adjacent to the permit area that is directly, or indirectly, the result of work performed under this permit.
- 6) Gravel, base and surface courses shall be replaced, if disturbed, by Permit Holder.
- 7) All fill shall be clean and unfrozen material, thoroughly compacted in maximum lifts of 6" to insure no settlement.
- 8) No effluent from septic tanks or drainage fields shall drain into the highway right-of-way.
- 9) The slopes shall be graded in a satisfactory manner, seeded and mulched.
- 10) The construction area shall be returned to the same conditions (minimum) as it was prior to the time of construction. **The permit holder shall be responsible to maintain the road's final condition for a period of two full years from the work completion date. Repairs, such as fixing "road sags" or road undermining, and filling potholes, shall be made at the expense of the permit holder.**
- 11) The Permit Holder shall be responsible for the costs of materials, construction and maintenance.

12) Special care shall be used not undermine the pavement, but if this does happen, the undermined pavement shall be removed, edges square cut and repaved. The town reserves the right to require the Permit Holder to bore method for installation rather than using the trench method, on paved highways.

13) No work shall be performed during inclement weather, snow storms, icy roads, etc.

14) Legislative Act 86 (Dig Safe) requires that notice be given prior to making an excavation. We suggest contacting Dig Safe at 1-800-225-4977 at least 48 hours, and not more than 30 days, prior to beginning any excavation at this or any other location.

15) No work shall be performed between December 1st and April 1st without the written permission of the Selectboard or its designee.

16) No open pits will be allowed overnight, even if properly protected.

17) Temporary repair of the pavement shall be made immediately and the permanent repair of the bituminous concrete pavement shall be made in kind and within one month of the original opening.

18) The Permit Holder, or its designee (or contractor), shall be required to submit proof of liability insurance to the Town Manager before work is authorized to begin.

Section 5.1. Right of Way Permit Fee

The fee for a Right of Way Permit shall be \$25.00. This fee shall be waived if applicant is applying for an Access Permit.

Section 5.2. Right of Way work distance

The town right of way distance varies depending upon the location of property and the abutting town road. See Appendix C to define the Right of Way distance location(s). Distance shall begin at the roadway centerline. Most roads have a 50' town right of way, which would equal to 25' from the road centerline.