

Town of Glover ROAD POLICY

SECTION I. PURPOSE.

The Selectboard of the Town of Glover, County of Orleans, State of Vermont, in accordance with the authority vested in them by virtue of Title 24, Section 1972 through 1976 of Vermont Statutes Annotated, hereby adopt the following Glover Road Policy. This policy is in furtherance and support of the proper accomplishment of responsibilities and the discharge of authority prescribed by 19 VSA 708 et seq. Laying Out and Discontinuing Highways by Local Authorities. Further, it delineates the standards for maintenance and construction, and reclassification of existing and proposed town highways, the policy of the town regarding highway solicitations (coin drops), curb and pavement cuts, and installation of culverts across private roads and driveways, where gaining egress onto town highways. It also states the policy with regards to plowing of Fourth Class roads by non-municipal parties, and with regards to travel by snowmobiles and All Terrain Vehicles within the right-of-way of town highways. The policy with regards to posting weight limits permanently and temporarily is stated, as is the procedure during a federal or state emergency. Private hiring of Town equipment is also treated.

SECTION II. APPLICABILITY OF POLICY.

The terms of this policy apply to all travelers on the public highways of the Town of Glover, and to all residents and non-residents, who may wish to build or cause to be built a driveway or private road which will create a new entrance to an existing town highway, or who wish to cut the road surface of an existing road for any purpose, or who wish to conduct a highway solicitation within the right of way of a town highway, or who wish to have laid out or discontinued a town highway, or otherwise wish to modify the existing roads of the town. Unless otherwise noted, the Selectboard or designee, will utilize this policy as the Road Commissioners of the town. The Selectboard may, at their discretion, modify the requirements of this policy if their strict enforcement would cause undue hardship, provided the general objectives of this policy are satisfied.

SECTION III. ROAD CLASSIFICATION.

Town roads are classified as Class 1, Class 2, Class 3, or Class 4 highways in accordance with 19 VSA 302. An official town highway map supplied by the Vermont State Agency of Transportation shall be available for inspection in the Glover Town municipal building. The Selectboard shall periodically review the town highway classifications, taking into consideration increasing highway need, changing traffic patterns and growing population, including identification of key roads that link neighboring towns and major arteries. The Selectboard may also discontinue certain highways, either classifying them as trails (retained right-of-way), or by completely abandoning them to abutting landowners.

CLASS FOUR ROADS – Class Four roads in the Town of Glover shall be maintained in the summer months only, not later than October 15 in any calendar year, except in an emergency to repair water structures or road surfaces damaged by storm runoff or other unusual circumstances. Such maintenance will be limited to preventing deterioration and may include replacing culverts, removing debris from the roadway, repairing washouts, placing gravel, grading, cutting brush, repairing bridges, and removing downed trees. Class Four roads will not be plowed in winter. Summer maintenance will be done on an as needed basis determined by the use the particular road receives and the resources available at the time.

WINTER PLOWING of CLASS FOUR ROADS by non-municipal parties shall not nullify the regulations with regards to **SNOWMOBILE USE** on a public highway. A snowmobile may not be operated along a public highway unless it is not being maintained during the snow season or unless the operator is not closer than five feet from the plowed portion, or unless the highway has been

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opened to snowmobile travel by the Selectboard, and is so posted by the Town of Glover. (23 VSA 3206 b.2)

Class Four roads and Trails may be used for access for agricultural or woodland management or harvesting purposes, but the road or Trail must be restored by the user to a condition as good or better than when the permission to enter was granted. A petition for such access must be presented to the Selectboard at a regular meeting, before the Trail or Class Four road is entered for such purpose.

The Selectboard may exercise control of Class Four highways and Trails by establishing vehicle weight limits, prohibition or restriction of wheeled vehicle use during mud and snow season, and may require temporary permits for heavy equipment access. Damages caused by owners of such equipment will be repaired by or at the expense of the owner; posting of bond or other security to provide guarantee that repairs are made may be required as a condition of any permits.

TRAILS – A Trail is defined to mean a public right-of-way which is not a highway, and which is a public right-of-way laid out as a Trail by the Selectboard for the purpose of providing access to abutting properties or for recreational use, or which was previously a town highway of a certain width, and which was discontinued as a public highway for vehicles. The Town of Glover will work with the Department of Forest, Parks and Recreation, the Vermont Trails and Greenways Council and other organizations or private citizens interested in maintaining Trails in Glover for outdoor recreation in the public domain. Existing rights-of-way of Class Four highways, and Trails as of the date of adoption of this policy, shall be retained by the Town of Glover. The Town of Glover shall not provide any maintenance or upkeep on Trails. Petition for repair, maintenance, improvement, or restoration by a private person or landowner shall be at a regularly held meeting of the Selectboard and shall not be unreasonably denied by that Board.

ALL TERRAIN VEHICLES may not be operated along a public highway unless it is not being maintained, or unless the highway has been opened to ATV travel by the Selectboard, and is so posted by the Town of Glover. Please see the town Ordinance Regulating All Terrain Vehicles for specific information.

RECLASSIFICATION OF TOWN HIGHWAYS – Citizens of the Town of Glover may petition the Selectboard for a change in the classification of any town road. The procedures for reclassification will be followed as delineated in Chapter 7, Subchapter 2 of Title 19 VSA. The Selectboard may initiate the reclassification process upon their own decision, in the absence of any petition. A Class Four road or trail which is accepted for reclassification by the Selectboard will be considered to be a new road for the purposes of construction, and must be applied for, and conform to the same standards as expressed in Sections IV and VII below for road construction by the applicant. Road acceptance requirements for deed creation will be waived for an existing Class Four road, as the town already has the deeded right-of-way. If the existing condition of the Class Four road is such that it does not need to be completely reconstructed, all or part of the construction standards for new roads may be waived by the Selectboard.

SECTION IV. HIGHWAY CONSTRUCTION AND MAINTENANCE.

Roads and associated improvements shall be constructed in accordance with sound engineering practice and this policy. The construction guidelines and standards contained in this policy are

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minimum and may be exceeded to meet traffic or other conditions. All NEW CULVERTS shall be a minimum of eighteen inches in diameter. New and replacement bridges and culverts will meet the 25-year event or "Q-25" standard. Roadside ditches shall be treated to minimize erosion and to remove sediments and other pollutants from runoff water by:

- a. seeding and mulching ditches having a slope of less than 2.5%
- b. placing biodegradable matting and seed in ditches with slopes between 2.5% and 5%; stone-lining ditches having a slope of 5% or greater.

All BRIDGES shall have a minimum two-lane width except the following: Numbers 35, 22, 28, 32, 27, 26, 39 and 16. The Selectboard hereby adopts and will enforce the following construction guidelines and/or standards from the Vermont Agency of Transportation which are considered integral to this policy:

- a. A-21 Class 3 Town Highway guidelines for ADT O-250;
- b. A-22 Class 3 Town Highway guidelines for ADT 250-400
- c. A-23 Other than Class 3 Highway guidelines for ADT O-400
- d. A-24 Guidelines for all ADT Highways 400-750;
- e. A-25 Guidelines for all ADT Highways 750+<50 mph;
- f. A-26 Guidelines for all ADT Highways 750 +>or = 50 mph;
- g. A-76 Design Standard for Town and Development Roads;
- h. B-11 Design Standard for Underdrain;
- i. B-71 Design Standard for Residential and Commercial Drives;
- j. D-2 Design Standard for Headwalls and other reinforcement;
- k. D-3 Design Standard for Treated Gutters.

The above standards and guidelines are subject to modification by the Selectboard only if it can be shown that enforcement would cause undue hardship due to unusual conditions, provided the general objectives are satisfied. Any new road proposed to be conveyed to the town, or Class IV road being reconstructed prior to reclassification, shall be constructed by the applicant according to the minimum of this policy. The Selectboard shall make final decisions concerning all questions rising during construction of new roads, and shall approve all field changes.

Notwithstanding circumstances created by changing weather conditions, the Town of Glover will endeavor to keep town roads in a reasonable and safe condition for travelers. Travelers who use town roads and designated walkways are expected to demonstrate due care and reasonable caution, especially under adverse winter conditions. Travelers are cautioned to not follow snowplows and other maintenance equipment too closely and to pass town equipment operating on town highways only after the operator has given the okay to pass. The Town of Glover will undertake to remove accumulated snow and ice from traveled roads by regular plowing and sanding. At a minimum, during any winter storm, the road crew will endeavor to clear roads twice daily, before the morning travel period and the use of roads by school buses, and in the late afternoon, before the school bus run. Additional plowing, snowbank leveling, and sanding or application of salt will be done at the discretion of the Road Foreman. Any resident or traveler in the town, who becomes aware of a road hazard or impassable road may contact the Selectboard. They will inform the Road Foreman about the condition, and it shall be his responsibility to mitigate the hazard at the earliest possible time, commensurate with road conditions and availability of equipment and manpower. Roads may be temporarily closed for maintenance or repair at the direction of the Road Foreman. Permanent (more than one day) closure of a road for scheduled construction or maintenance will be warned by notices posted five days in advance of the proposed work. Complaints concerning actions of the town road crew, or any situations concerning the construction or maintenance of town roads, will be first submitted to the town Road Foreman, and if satisfaction is not forthcoming, to the Selectboard.

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Formal complaint may be filed with the Selectboard at their next regularly scheduled meeting. During severe weather conditions, it will be the policy of the Town of Glover to keep main routes open before utilizing town equipment to maintain less-traveled side roads and dead-end town roads. In an emergency, town equipment will be dispatched to sand or plow in front of school buses or emergency equipment needing urgent access. Such requests should be placed directly to the Road Foreman or the Selectboard.

SECTION V

A. RIGHT-OF-WAY ACCESS: PRIVATE ROADS AND DRIVEWAYS.

The Selectboard shall control access into the town road right-of-way for the installation or repair of utilities, and for access for driveways, entrances, and approaches. A person who wishes to cut the road surface of a town highway for any purpose or who wishes to create or repair an entry-way onto or through the right-of-way of a town highway, must fill out an application for "Curb Cut/Road Surface Cut Permit" and submit it for consideration by the Selectboard. The filing fee will be established by the Selectboard. The applicant must meet with the town Road Foreman at the location where the proposed work will be done, and describe the project to the satisfaction of the Foreman, marking the project location with flags and stakes as necessary. The Selectboard may require a site visit with the applicant or his representative, before making a decision on the permit application.

If a CULVERT is required for a private road or driveway to an existing dwelling or for new construction for the purpose of residency, the Town of Glover will supply one culvert limited to 18 inches diameter, and not to exceed 30 feet in length. Installation is at the owner's expense. A larger or longer culvert may be installed at the discretion of the applicant, and with the concurrence of the Road Foreman, with the applicant bearing any additional expense above that which would have spent by the Town for the maximum standard culvert. The town will maintain or replace the primary driveway culvert as necessary, but replacement, or resetting of any other culvert previously granted or installed by the Town of Glover, will be the responsibility of the owner of the private road. Any ditches and slopes within the town highway right-of-way shall be restored to their original or better condition at the conclusion of the construction. Where the road surface is gravel or pavement, back filling materials shall be of the same type as excavated, or shall be of a type deemed suitable by the Road Foreman. Any guard rail or culvert marking post removed during construction must be replaced. Road surface materials, be they gravel or pavement, shall be replaced with equivalent, or superior material. If the nature of the work dictates, the Road Foreman may require that a member of the town road crew be present, and the permit holder reimburse the Town for that additional expense. Road warning signs will be posted by the permit holder for the duration of the work.

Any culvert required by a new entrance onto a town highway for purposes other than access to a principal dwelling must be supplied and installed by the permit applicant, at his expense. No entrance to a town highway may be located so as to create a road hazard (blind entrance, etc.), or other impediment to the safe travel of vehicles along the public highway. The Selectboard retains the authority to require the permit applicant to relocate any proposed entrance way to mitigate a foreseen hazard.

B. ROADSIDE TREES IN THE RIGHT-OF-WAY. (added July, 2014)

The width of the town's right-of-way for most town roads is 3 rods (49.5 feet) or 24.75 feet from the centerline of the road to the edge of the right-of-way. Paved or gravel roadways are typically 20 feet wide, so the town's right-of-way typically extends about 15 feet from the edge of the roadway. The width of some roads and rights-of-way in Glover vary. More information may be found at the town office.

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Both the town and landowners have an interest in the maintenance of trees within the town's right-of-way. The town is required by law to remove trees that are a hazard or that obstruct sightlines or cause damage to the road. The town is also required not to damage or destroy trees that are not hazardous, do not obstruct sightlines, or cause damage to the road.

Recognizing the interest of both the town and the landowner in trees growing within the road right-of-way, and considering the safety of the general public using town roads, the Town of Glover requests that landowners planning to cut trees within the town right-of-way give two week's notice to either the town's Tree Warden or Road Foreman. Notice will also be given by the town to landowners when road maintenance requires removal of roadside trees that are not considered hazard trees.

SECTION VI. POSTING TOWN ROAD WEIGHT LIMITS.

The Selectboard of the Town of Glover have the authority to raise the local weight limits above the 24,000 pound limit set by Vermont State Law, but will do so only upon written application. The procedures to be followed are specified in 23 VSA 1400a.

The Selectboard of the Town of Glover have the authority to temporarily lower total vehicle weights for individual highways to less than 24,000 pounds (19 VSA 1110). During the snow/mud season all but essential traffic can be banned over designated roads. Temporary notice signs will be posted by the town at either end of the restricted road, for the duration of the restriction. Truckers carrying agricultural or forest products may be allowed to travel such restricted roads with heavier loads during hours of night-time freeze-up, by agreement with the Road Foreman. Otherwise, any damage done to the road surface or water structures shall be repaired by the trucker, or failing to do so, by the town at the expense of the trucker.

SECTION VII. ROAD ACCEPTANCE.

It is not the current intent of the Town of Glover to build, or accept, any new town highways, as the existing financial and personnel resources have limited the ability of the town to maintain the existing road network. Any application for acceptance of a new road, constructed by a landowner, and presented to the Town per State of Vermont laws allowing such petition, will be acted upon by the Selectboard accordingly, by presenting the proposal to the voters of the Town for action. If the road is accepted by the voters of the Town, it will be classified appropriately after acceptance.

In the event that the circumstances dictating this policy change in the future, the Selectboard will put forth the new policy change for voter consideration after an appropriate public hearing process, or shall put forth a proposal for new road construction by the Town, as a unique event, to be ratified or rejected by the voters at an annual meeting of the Town. Minimum standards specified in Section IV above may be increased by the Selectboard because of existing or anticipated traffic conditions. Driveways and entrances to the new highway, or to existing town highways must be located so as to cause no traffic hazard, and cannot interrupt the natural or ditch line flow of drainage water. No driveway or road entrance will be permitted to be constructed within 100 feet of an intersection. Cul-de-sacs and dead-end streets will be discouraged; a turn-around must be provided with a minimum radius of 60 feet, with provisions made at the perimeter for snow removal. No foreseeable hazard to future operation of town highway maintenance equipment, or for school buses will be permitted. At completion of the road construction project, excess debris shall be removed from the right-of-way. Disturbed portions of the roadside shall be loamed, seeded and mulched.

Easements across lots or centered on rear or side lot lines shall be provided for utilities where

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necessary, and shall be at least 20 feet wide, and will not be located such as to create unnecessary encroachment into the future town highway right-of-way or graveled road surface. These regulations do not require construction of sidewalks or curbs, or the setting of edgestones. However, if such structures are required, they shall be constructed or set in accordance with the specifications of the Selectboard.

SECTION VIII. USE OF TOWN EQUIPMENT ON PRIVATE ROADS AND DRIVEWAYS.

The equipment of the Town of Glover will not be used for the construction of a private road or driveway, except where necessary to correct a road hazard or condition affecting the adjacent town highway, with the permission of the owner of that private road or drive. The Town of Glover retains the right to back and turn from or into a private driveway, incident to maintenance operations in the right-of-way of the adjacent town highway, unless expressly forbidden in writing by the owner of that drive or road. The owner of a private drive or roadway may hire the Town of Glover grader, operated by an employee of the Town, for the maintenance of that road or drive, or for winter plowing or snowbank removal, for a fee to be set by the Town at the discretion of the Town Road Foreman, subject to the need for equipment and man for normal operations on town roads. Prior to commencement of the work, the owner of the land upon which the work will be done, must sign a release form, releasing the Town of Glover from personal liability for any work-related incidents involving Town employees conducting the work on the designated property.

SECTION IX. HIGHWAY SOLICITATIONS – COIN DROPS.

A person or organization wishing to operate a coin drop within the boundaries of the Town of Glover must apply to the Selectboard for permission to do, at least 30 days before the planned event. Permits will be issued at the discretion of the Selectboard, to charitable or not-for-profit organizations which seek to solicit funds from vehicles traveling on the public highways of Glover. Such permit will not be issued if the Selectboard determines that the solicitation would create an undue safety or liability hazard. No solicitation on the roadway may be done by any person under sixteen years of age. The sponsoring organization must arrange for such insurance as is necessary, if it is determined that the municipal insurance is inadequate for the planned event.

If an undue safety hazard or impediment to the normal flow of traffic is created during the event, the Selectboard may withdraw the permit, and cause the solicitation to be stopped during the time period previously authorized. The permit may be restored if the sponsoring organization mitigates the hazard or traffic impediment to the satisfaction of the Selectboard.

SECTION X. EMERGENCY USE OF TOWN AND PRIVATE EQUIPMENT.

If a federal or state disaster or emergency is declared, the town road equipment may be utilized to mitigate any road hazards or unsafe conditions, at the discretion of the Selectboard. At their discretion, and with the use of contingency funds, or in anticipation of emergency federal or state grants, the Selectboard may hire such private equipment and workers as may be necessary to restore public highways and roads to a condition allowing safe passage by travelers.

SECTION XI. SEVERABILITY AND COMPLIANCE WITH OTHER REGULATIONS.

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

SECTION XII. EFFECTIVE DATE.

This policy shall become effective sixty (60) days after adoption by the Town of Glover Selectboard.

SECTION XIII. NOTICE.

The within and foregoing Policy was adopted pursuant to law, by the Selectboard of the Town of Glover on April 19, 2001.

Nicholas M. Ecker-Racz
H. Harvey Dunbar III
John Urie
Selectboard, Town of Glover

A True Record: Attest: Donna Sweeney
Clerk, Town of Glover

Revised: April 10, 2001
September 23, 2014
July 28, 2016