

HIGHWAY ORDINANCE  
TOWN OF WOODSTOCK, VERMONT

ARTICLE I. TITLE, AUTHORITY AND ADOPTION

This ordinance is entitled the Woodstock Highway Ordinance and is based on the authority of Title 24 V.S.A. Sections 1971-1976. This ordinance shall be adopted by resolution of the Board of Selectmen in accordance with the procedure outlined in 24 V.S.A. §1972.

ARTICLE II. PURPOSE

The purpose of this ordinance is to establish municipal policy and practice on the maintenance and upgrading of existing town roads and to describe construction standards and procedure for accepting new roads into the town highway system.

ARTICLE III. DEFINITIONS OF TOWN HIGHWAYS

CLASS 2 TOWN HIGHWAYS - Those highways selected as the most important in Woodstock, 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 normal amount of traffic.

CLASS 3 TOWN HIGHWAYS - Those highways built to a lower standard than class 2 but negotiable, under normal conditions, all seasons of the year by a standard pleasure car. Class 3 highways must have sufficient surface and base, adequate drainage and sufficient width capable to provide winter maintenance.

CLASS 4 TOWN HIGHWAYS - All other town highways including trails and pent roads.

TRAILS - A Class 4 town highway not maintained by the town and upon which the town has no legal liability. The right-of-way may range from the width of a footpath to a full 3 rods. Trails are frequently used for hiking, snowmobiling, horseback riding and other recreational activities.

PENT ROADS - A Class 4 town highway which may be enclosed by gates, bars or stiles by the owner of the land during any part of the year if approval is granted in writing by the Board of Selectmen.

DISCONTINUED ROADS - This is a former town highway which has been legally dissolved, the land title and right-of-way reverting to adjacent property owners.

ARTICLE IV. GENERAL HIGHWAY MAP

The 1983 General Highway Map of Woodstock and all subsequent amendments thereto is hereby adopted by reference to be the official inventory of public highway classification and mileage. The General Highway Map

shall be updated annually by the Board of Selectmen with the assistance of the District 4 Highway Office. Copies of the map are available for public inspection during regular office hours at the Municipal Manager's Office.

ARTICLE V. STANDARDS FOR NEW CONSTRUCTION AND UPGRADING OF CLASS 4 HIGHWAYS

5.1 WAIVERS

Under certain conditions any of the following standards may be waived or varied if specifically approved by the Town Selectmen after consideration of public and private interests, topography, adequacy of highway design, ease of snow removal, drainage, and maintenance of safe conditions in all seasons for the traveling public.

5.2 STANDARDS

a. DESIGN - Highway design shall be based on projected maximum average daily travel including future extensions and through travel 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 Highway Department Superintendent and Selectmen. Professional engineering, surveying, and legal competence may be employed by the Town to provide inspection and counseling services to Town Selectmen as considered necessary in authorizing inspecting and accepting the construction or altering of highways.

c. RIGHT-OF-WAY - The right-of-way shall be 50 feet in width, with additional slope rights 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 highway. 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 highway. Road design and drawings shall reflect the general clearing plan.

d. SHOULDERS - Shoulders shall extend at least 2 feet on each side of the traveled surface of highways built or improved in Woodstock. Shoulders shall be slightly pitched to prevent excessive erosion and unsafe conditions. There shall be a distance of 6 feet from the toe of shoulder to toe of slope.

e. HIGHWAY SUB-GRADE AND SURFACE PREPARATION - The highway shall have a minimum of 18 inches of packed gravel. Where extreme subsoil conditions exist the Selectmen may require the use of additional amounts of gravel. The traveled portion of all public roads shall be a

minimum of 16 feet in width and shall conform to State of Vermont Sheet A65 and/or as specified in particular locations by the Board of Selectmen in consideration of sub-surface conditions, banks and slopes, grades, turnouts, accessways, and other highway features. Gravel shall be good bank run, meeting Vermont Department of Highways specifications for gradation. No stone larger than 6 inches shall be placed in the 18-inch depth of gravel and no stone larger than 2 inches shall be placed in the top 6 inches. Gravel surface shall be fine graded and compacted to the required grade with grader, roller, and hand labor.

f. DRAINAGE DITCHES - Drainage ditches shall be provided where necessary and 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 6 inches below the gravel sub-base or 18 inches below 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.

g. CULVERTS - Culverts shall be installed during construction of the highway sub-base and surface preparation. Backfill in excavations for culverts shall be compacted to prevent or minimize settling in surface, shoulders or slopes. Culvert size shall be determined by the Selectmen after consultation with the Highway Department Superintendent and review of the areas drainage characteristics. Culverts shall be at least 18 inches in diameter. Culvert sections shall be properly joined and shall extend at least 2 feet beyond highway surface and shoulder width. Culverts shall be corrugated or heliacal asphalt steel or aluminum. 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, slopes or ditches. Culverts shall conform to above requirements and standards and shall be of adequate length to permit easy turning off or on the highway. Culvert elevations shall be kept as low as possible. Culverts over three feet in diameter shall conform to State of Vermont Highway Department standards, specifications, designs and guidance on a case-by-case basis.

h. GRADES - Highway grades shall not exceed 10 percent. Finished grades (tranverse or longiudinal) shall be smoothed to eliminiate sharp dips in traveled surface and, as may be necessary, to permit efficient snow removal and proper drainage.

i. ALIGNMENT AND CURVES - Highways shall be aligned and constructed as to afford safe travel, visibility and access in all weather conditions. Proper drainage shall be maintained on curves and bridge approaches.

j. BRIDGES - Bridge design and construction shall conform to current State of Vermont Highway Department standards, specifications, designs and guidance on a case-by-case basis.

k. TURNAROUNDS - Turnarounds on dead end highways shall have a radius large enough to accommodate properly all equipment and vehicles using or servicing the road and area. Drainage shall be provided to prevent impounding of water. Roadside features shall permit proper snow storage on turnarounds.

l. TURNOFFS - Turnoffs with adequate elevation, surface, drainage and 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.

m. DRIVEWAYS AND APPROACHES - Driveways and approach roads entering upon a public highway shall be constructed at a 90 degree angle to such highway, or shall be provided with a surfaced area of sufficient size to permit a vehicle entering the highway to enter at a 90 degree angle. Minimum site distance shall be 150 feet. Driveways shall be constructed with a dip or depression where the grade of the highway meets the grade of the shoulder of the approach road. Guidance provided by State of Vermont Standard Sheet A76 should be followed. Culverts shall be installed if necessary and maintained by the property owner and shall conform to standards for culverts stated above. Vegetation and trees shall be removed only as necessary to provide for visibility and safety.

n. SLOPES AND BANKS - Vertical or sharp cut faces, excepting ledge, shall not be permitted. Slopes and banks shall be not greater than 1 or 1½. 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.

o. 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 steep slope (4:1 or steeper) from the road surface, and which is 10 feet or higher in elevation, shall be protected with a guard rail and guard posts unless such requirement is waived by the Town in approving road plan and application. 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.

#### ARTICLE VI. HIGHWAY ACCEPTANCE: CONDITIONS AND PROCEDURES

##### 6.1 GENERAL PROCEDURES

Before the Woodstock Board of Selectmen votes to accept any new highway into the town highway system, it shall be designed, laid out and

constructed by the owner(s) or developer in conformance with the standards prescribed in Part 5 of this ordinance. The Board may vary these standards if, in their judgement, and that of the Highway Department Superintendent, they feel strict compliance is not possible or desirable under the circumstances. If an application is made by freeholders to the Board of Selectmen to reclassify a Class 4 highway to a Class 3 highway or to substantially improve a Class 4 highway, the Board may require as a condition of approval that the applicant(s) comply at their sole expense with any or all standards prescribed in Part 5 which the Selectmen judge to be requisite under the circumstances.

#### 6.2 TAX BASE

Before the Woodstock Board of Selectmen consider the acceptance of and/or maintenance of a new or reclassified road, the added maintenance costs to the Town of Woodstock be weighed against the private interests served by town acceptance and/or maintenance. As a guideline, there should be at a minimum an average of \$725,000.00 of listed value per .1 mile of highway before the Selectmen would consider such a request.

#### 6.3 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 Part 5 standards.

#### 6.4 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 50 foot right-of-way 25 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 or sub-surface), and major road features, alignment and curves.

#### 6.5 COMPLETION DATE

Highways are to be completed by November 15 so that inspection and acceptance can be completed before winter. Any highway completed after November 15 will not be accepted until after June 1 the following spring.

#### 6.6 TRIAL PERIOD

If a highway is accepted and deeded to the town it will be conditionally added to the town's highway system. For a period of 12 months the grantors shall provide summer maintenance on the road and correct deficiencies which develop during this 12 month period.

ARTICLE VII. POLICIES AND PERMITS

7.1 GENERAL POLICY

Highways shown on the general highway map will be maintained as required by state statute and to the degree commensurate with public safety and convenience as judged by the Selectmen. Routine improvements will be made as required.

7.2 WINTER PLOWING

Class 2 town highways and school bus routes will be given highest priority when storm conditions justify. All Class 3 highways will be plowed to the extent necessary to allow access to homes of winter residents. No Class 4 highway will be plowed by the Town of Woodstock. A homeowner wishing to live year round on a Class 4 highway will have to plow this road at his own expense under the supervision of the Board of Selectmen.

7.3 SUMMER MAINTENANCE

It is the policy of the Selectmen to maintain Class 4 highways to the extent required by the necessity of the Town, the public good, and the convenience of the inhabitants of the Town. Class 4 highways, if so deemed necessary to be maintained by the Town, shall be maintained on a schedule so as not to adversely interfere with the maintenance of Class 2 or 3 highways.

7.4 CLASS 3 TOWN HIGHWAYS

Any Class 3 town highway not meeting the standards described in Article 3.

Definitions, may be considered as such if, after public hearing, the Selectmen determine that the public good makes them a necessary part of the travelable road system and that, within five years of such determination, they will be made to meet all Class 3 standards.

7.5 CLASS 4 TOWN HIGHWAYS

Because of the varying degree of maintenance afforded Class 4 highways any prospective landowner wishing to purchase or improve a property served by such a highway should contact the Selectmen prior to purchase to ascertain the current level of maintenance. Should any landowner with property adjacent to a Class 4 highway desire to improve the condition of the highway at his own expense he may do so provided an application is made and approval granted by the Woodstock Board of Selectmen, after a public hearing. In preparation for this hearing, it shall be the responsibility of the applicant to notify all abutting landowners served by the road of the hearing matter, date and time by certified mail. Any application fee shall be established by the Board of Selectmen.

In evaluating whether to grant permission to allow improvements to any Class 4 highway, the Selectmen shall consider the following:

- a. Assurances that the Town of Woodstock 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 chooses to plow the highway at his 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 highway.
- d. The testimony of all abutting landowners with respect to the desirability of making road improvements.

#### 7.6 OBSTRUCTIONS TO HIGHWAYS/ACCESS PERMITS

- a. It shall be unlawful to develop, construct or regrade any driveway, entrance or approach, or build a fence or building, or deposit material of any kind within, or in any way affect the grade of, a highway right-of-way, or obstruct a ditch, culvert or drainage course that drains a highway, or fill or grade the land adjacent to a highway so as to divert the flow of water onto the highway right-of-way, without a written permit from the Board of Selectmen. The 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, but shall in no case deny reasonable ingress and egress to property abutting the highways, using said safety as the test for reasonableness.
- b. 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 for 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.

- c. 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.
- d. 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. §43 to enforce this section  
(1) injunctive order, (2) assurance of discontinuance and,  
(3) civil penalty.

#### 7.7 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 7.6 of this ordinance 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.

#### 7.8 LOAD LIMITS

Unless otherwise posted by the Board of Selectmen in accordance with 23 V.S.A. §1396, the legal load limit on all Class 2 and Class 3 town highways in Woodstock is TWELVE (12) tons. Vehicles, including load, traveling on Class 4 roads shall not exceed EIGHT (8) tons.

- a. OVERLOAD PERMITS - Requests for temporary 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 this 1st day of November, 1983.

Effective the 31st day of December, 1983.

Board of Selectmen

Byron N. Quinn  
Byron N. Quinn, Chairman

John L. Audsley  
John L. Audsley, Selectman

John L. Keeling  
John L. Keeling, Selectman





*Woodstock, Vermont*    *The Shire Town of Windsor County*

*TOWN-VILLAGE MANAGER GOVERNMENT*

Town Hall • P.O. Box 488 • Woodstock, Vermont 05091 • 802/457-3456

Be it ordained by the Board of Selectmen of the Town of Woodstock

The Town of Woodstock Highway Ordinance is hereby amended by deleting all existing language contained in Article VI section 6.2 and substituting therefore the following language:

6.2 TAX BASE

Before the Woodstock Board of Selectmen consider acceptance and/or maintenance of a new or reclassified road, the added maintenance costs to the Town of Woodstock be weighed against the private interests served by town acceptance and/or maintenance. As a guideline, there should be at a minimum an average of \$725,000.00 of listed value per 0.1 mile of highway before the Selectmen will consider such a request.

Adopted: February 6, 1996

Effective: April 7, 1996

Witness:

Walter P. Suarso

BOARD OF SELECTMEN

Paul E. Kendall, Jr.  
Paul E. Kendall, Jr.

Gary D. Wood  
Gary D. Wood

John D. Doten, Jr.  
John D. Doten, Jr.

