

Woodstock Village Ordinance
Revision # 1
to Title 7

Be it ordained by the Woodstock Village Board of Trustees that the Woodstock Village Ordinances, TITLE 7 including all APPENDICES is hereby amended by deleting all existing language thereof and substituting the following language:

TITLE 7
STREETS, HIGHWAYS, and SIDEWALKS

Chapter 1. Construction and Relocation of Private Driveways

§7101. Permit required

No person shall establish, construct, *regrade, improve* or relocate a private driveway, entrance way, or other private access or approach for use by motor vehicles (hereinafter "driveway") any portion of which is situated within the limits of a Village highway right-of-way, without first obtaining a permit. *Nor shall a person subdivide a property, add dwelling units or change the use of a property served by an existing driveway*, without first obtaining a permit therefor from the Board of Trustees or from the Village Manager as hereinafter provided.

History:

2004 Amendment. Added "from the Board of Trustees or from the Village Manager as hereinafter provided." by section 1 of Woodstock Village Ordinance Revision #20, adopted by the Board on March 22, 2004, effective May 21, 2004.

2017 Amendment. Added Nor shall a person subdivide a property, add dwelling units or change the use of a property served by an existing driveway,

§7102. Applications for permit

Applications for a permit required under section 7101 of this chapter shall be made to the Board in such form as shall be prescribed by the Board from time to time signed by or on behalf of the owner(s) of the private property upon which the activity for which the permit is sought is to be performed. All sketches, plats, drawings, and design plans and specifications required by such form of application for such project shall be attached to the application. A processing fee of \$25.00 shall accompany all applications, however this fee may be waived by the Board or by the Village Manager considering the application in the event an application for essentially the same project is being resubmitted for any reason within 90 days of the submission of a prior application by or on behalf of the same owner(s). An application shall be deemed completed when delivered to the office of the Village Manager, with all information requested on the form completely answered, together with the fee and any required sketches, plats, drawings, and plans.

History:

2004 Amendment. Added “or by the Village Manager considering the application” in the third sentence by section 2 of Woodstock Village Ordinance Revision #20, adopted by the Board on March 22, 2004, effective May 21, 2004.

§7103. Approval or denial of application; issuance of permit

(a) Upon receipt of a completed application and processing fee (if applicable), the Village Manager or designee shall note the date of receipt on the application. If the application, in whole or in part, involves a driveway which enters onto a local connector of U.S. Route #4, Vt. Route 12, or Vt. Route 106, then the Village Manager or designee shall place the consideration of such application on the agenda of the next regular meeting of the Board and such application shall be considered and determined by the Board unless the Board votes specifically to refer the consideration and determination of such application to the Village Manager, in which case it shall be considered and determined by the Village Manager. All other applications shall be considered and determined in the first instance by the Village Manager, provided, however, in the event the Village Manager finds special circumstances to warrant consideration and determination of the application by the Board, the Village Manager may refer the application to the Board, in which case it shall be considered and determined by the Board. Special circumstances may include new or unprecedented proposed activities, activities which are part of a series of applications related at least in part to the aforementioned local connectors, and activities which raise questions pertaining to the application of the standards to the proposed activities. In any event, an applicant may object to the consideration and determination of its application by the Village Manager by filing a written objection with its application or by filing a notice of objection within 30 days of the date of any permit or permit denial issued by the Village Manager, in which cases the application shall be considered and determined by the Board.

(b) Upon consideration of such application and the standards set forth in section 7104 of this chapter where applicable, the Board or the Village Manager, as the case may be, shall grant or deny such application, with or without conditions, and if granting such application the Board or the Village Manager shall issue a permit therefor which specifically states any conditions.

History:

2004 Amendments. Added provisions in subsection (a) for allocating the consideration and determination of applications between the Board and the Village Manager and inserted clauses referring to the Village Manager in subsection (b) by section 3 of Woodstock Village Ordinance Revision #20, adopted by the Board on March 22, 2004, effective May 21, 2004.

§7104. Standards

(a) The driveway shall have a minimum width of twelve feet and a maximum width of twenty feet at any point lying within the Village highway right-of-way, provided however, a driveway serving only one single family dwelling may have a minimum width of eight feet and a maximum width of twenty feet at any such point.

(b) Any property other than a property having only one single or two family dwelling may have two driveways, provided said driveways are to be used separately for ingress and egress.

(c) All driveway construction shall be designed and constructed in such manner as will divert water and runoff from the driveway away from the Village street, highway, and sidewalk and also in such manner as will not interfere with or obstruct drainage ditches or other water courses. If a culvert is planned by the applicant or required by the Board or by the Village Manager, as the case may be, the applicant owner(s) shall bear all costs of installation and maintenance.

(d) The driveway shall, as nearly as possible, intersect and pass through the Village street, highway, and sidewalk at a right angle.

(e) The driveway shall be designed, constructed, and located in such manner as to provide safe passage over any sidewalk and safe access to the traveled portion of the Village highway or street. The slope of the driveway shall be the minimum slope necessary under the circumstances and, at and near the point of intersection with a sidewalk or traveled portion of a Village highway or street, shall be level with the traveled way for the maximum distance practicable under the circumstances using a recommended standard of twenty feet. The siting of the intersection of the driveway with a sidewalk or traveled portion of a Village highway or street shall be such as will maximize the view of on-coming pedestrian and/or vehicular traffic and provide, to the extent possible, at least fifty feet between any point on the driveway and the center of any highway intersections. Turnarounds shall be provided where possible to avoid the necessity of backing onto a public traveled way.

(f) The driveway shall be sited so as to minimize the need to alter the location of existing public parking spaces and crosswalks.

(g) Curb cuts may be permitted only if strictly necessary. If curb cuts are permitted, the Board or the Village Manager, as the case may be, may impose any and all such terms and conditions as it shall deem necessary to ensure that the work to be performed will be completed in a manner consistent with other curb cuts made throughout the Village and result in the least amount of damage possible to remaining curbing. A performance bond may be required.

(h) An engineering assessment may be required by the Village Manager or the Board of Village Trustees, to determine the impacts on the municipal stormwater system, (which is defined to include all culverts, drainage ditches all the way to discharge in a river or stream), of either a new driveway or an altered driveway, or a project served by an existing driveway that will increase the volume of runoff stormwater that will be added to the stormwater system.

History:

General revision note: The word “traveled” as appears in subsection (e) was adopted with the spelling “travelled.”

2004 Amendments. Added clauses referring to the Village Manager in subsections (c) and (g) by section 4 of Woodstock Village Ordinance Revision #20, adopted by the Board on March 22, 2004, effective May 21, 2004.

2017 Amendments. Added section (h) which allows the village Manager or the Board of Village Trustees to require an engineering assessment of the impacts of a driveway or project on the municipal stormwater management system.

§7105. Other permits

Except as and to the extent otherwise provided in the Woodstock Village Ordinances, the permit required by section 7101 of this chapter is intended to be in addition to and not in lieu of such other permits as may be required by any other applicable ordinances or laws.

Cross References:

1. See W.V.O. §7301.

§7106. Violation of permit terms and conditions

(a) Each person on whose behalf a permit is issued pursuant to this chapter ("the permittee") shall be jointly and severally responsible for the violation(s) of any term(s) and/or condition(s) of the permit regardless of the identity of the actual violator and whether or not the actual violator is the agent or invitee of the permittee and whether or not the permittee knows of the violation. Each term and/or condition of the permit violated constitutes a separate violation. If the foregoing language of this subsection is clearly set forth in the permit as issued, each violation of a term and/or condition thereof shall constitute a separate violation of this Ordinance and the permittee shall be subject to the penalties provided in the Woodstock Village Ordinances therefor, provided, however, only one penalty shall be assessed for each violation. The fact that the alleged violation or any prior violation resulted in the termination of the permit and any rights thereunder shall not constitute a defense to an action brought under this subsection.

(b) For all purposes under this section, a successor in title (in whole or in part) to the original permittee shall be treated the same as the original permittee.

§7107. [Repealed]**History:**

1996 Amendment. Section relating to public nuisances and injunction was repealed by section 1(I) of Woodstock Village Ordinance Revision #5, adopted by the Board on January 22, 1996, effective March 22, 1996.