

# **Town of Guildhall**

## **Town Highway Access / Driveway Policy**

The Town of Guildhall actively seeks to work cooperatively with private landowners to manage accesses to preserve the safety and integrity of our public roads for the taxpayer and the traveling public. Public roads are Guildhall's single largest asset, requiring significant financial investment paid by every taxpaying resident. Guildhall's Selectboard members supervise the maintenance and improvements to our roads and are ultimately responsible for protecting our Town's transportation resources. This policy and referenced standards are used to provide a reasonable procedure to ensure that private access / driveways do not compromise or damage our valuable public roads. The application of this policy may be modified or amended by the Selectboard when partial or full enforcement is considered unreasonable or an undue hardship to the applicant (while still maintaining safety and still honoring the established criteria). To navigate driveway design standards, applicants are strongly encouraged to approach the Selectboard or Planning Commission for design assistance early on and throughout the design and construction process.

### **Authority and Purpose:**

Pursuant to Title 19 Vermont Statutes Annotated, Section 1111, a written permit shall be required from the Selectboard for the construction, alteration, relocation or change of use of any driveway or private road access to a Town Highway (curb cut). This applies to all driveways, to include residential, commercial, logging access, farm drives, etc. within the Town of Guildhall. The rules contained in this policy shall guide the Guildhall Selectboard in providing reasonable and safe access onto public roads and protect the public investment in the existing highway infrastructure.

In addition to the minimum standards in this policy, the Town of Guildhall will be guided by the two Vermont Agency of Transportation standard sheets: B-71, Standards for Residential and Commercial Drives, and A-76, Standards for Town and Development Roads.

The Selectboard may impose various conditions on the permit form to promote safety.

### **Administration and Provisions:**

- I. The requirements of this policy shall be administered by the Selectboard. Applicants must submit a completed Town Highway Access Permit Application to the Selectboard, with the appropriate fee, attaching a tax map copy or sketch plan showing the exact location of the access point and distances to the nearest driveways, intersections and property boundaries. The proposed access must be flagged at the site for accurate location during the site visit.

- II. The following **requirements** must be met to the satisfaction of the Selectboard:
- a. The location will not pose a hazard for the traveling public (stopping sight distance to the intersection, ability to enter and exit the main travel way safely, as examples).
  - b. The access, as permitted, will not present any problem for general road maintenance.
- III. The following **conditions** apply for all approved applications:
- a. If a culvert is determined to be needed, a minimum 15 inch polyethylene or coated steel driveway culvert shall be installed and maintained in a working condition by the owner. (This access is needed by the property owner to get to their property and not by the traveling public. Therefore it is not a Town culvert. A Town culvert is used to transport water from one side of the road to the other.) The Selectboard may require a larger culvert as deemed necessary to accommodate drainage conditions. Head walls and/or tail walls may be required.
  - b. The portion of the driveway within the limits of the Town road right-of-way should have a minimum of 12 inches of subbase material; access roads a minimum of 15 inches.
  - c. Visibility between an access and the highway will be a minimum of 150 feet in all directions, without obstruction. Trees, brush, fences, posts or other structures which obstruct clear vision will be removed. No access shall be constructed closer than 150 feet to a sharp curve or blind area.
  - d. Driveway accesses will be constructed level with the highway for a minimum of 25 feet for safe starting and stopping.
  - e. 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.
  - f. The maximum gradient of driveways and side roads should not exceed 10%. Steeper grades may be allowed but with more stringent erosion control, sight distance and other requirements.
  - g. It would be preferable for all access roads to enter at right angles to the existing Town highway.
  - h. The property owner shall maintain the highway access to the satisfaction of the Town (as per safety and road maintenance requirements).
- IV. The following additional **requirements** and **conditions** apply specifically for Legal Trails. Legal Trails are public rights-of-way for recreational use and transportation access for forest and agricultural management. They are town-controlled corridors and under V.S.A. Title 19 Section 304(5) the Selectmen may limit types of use and seasons of use (such as restricting motor vehicles during muddy periods or restricting weight limits). The Town shall not be responsible for any maintenance including culverts and bridges, V.S.A. Title 19



Section 302 (c)(5). When being utilized for agricultural management, trails must be passable for recreational users at all times. Any damage to the portion of the trail being used must be repaired by the contractor/agent/owner to bring the condition back up to the level at which it was prior to the use. A \$10,000 bond (or acceptable alternative financial guarantee) will be required to ensure that repairs are done so that upgrading the Trail to a Class 4 Road later would not become an unnecessary burden to the taxpayers. All other requirements and conditions above (in II. and III.) apply.

- V. Once an application is approved, notification of construction is required:
  - a. The property owner (or owner's agent) shall notify the Town of Guildhall a minimum of three days in advance of construction taking place so that the Town has an opportunity to inspect during installation.
  - b. Upon completion of work, the owner (or owner's agent) shall notify the Town within a reasonable time, not to exceed ten (10) days, that the intended work has been completed, so that the site can be inspected for compliance.
- VI. The permit will be effective upon compliance with such of these requirements as are applicable and continue in effect for as long as the present land use continues. Any change from the present land use will require a new permit; for example change from a dwelling to a business use.
- VII. Violations of any conditions established in this policy or in permit approval shall be grounds for the revocation of the permit by the Selectboard and the physical closure of the access.
- VIII. All construction approved in the granting of an access permit shall be completed within one year from the date of approval, or such permit shall terminate.

**Liability:**

- I. The property owner shall save and hold harmless the Town of Guildhall from any damages as may occur to others as a consequence of work performed.
- II. Any damage to utilities, property or appurtenances, as a consequence of work performed, shall be repaired by the contractor at the expense of the property owner, unless otherwise formally agreed to.
- III. If damage to a Town Highway, Road or Trail is caused by the property owner's improper construction, maintenance, or grading, it is the responsibility of the property owner to make the necessary repairs at his/her expense (unless the cause of damage was of extreme natural causes and the Town construction was faulty and was not adequate to have prevented damage to that property).

This **Town Highway Access / Driveway Policy** is in force and effect by the Guildhall Selectboard on June 18, 2012. This policy may be amended at any time with proper notice by the Guildhall Selectboard.

ATTEST:

Date: June 18, 2012

SE

Sam Swope, Town Clerk

SELECTBOARD:

Shera McElroy  
Richard Martin  
Richard Martin