

HIGHWAY ORDINANCE
TOWN OF STOCKBRIDGE, VT
Adopted January 5, 2023
Revised May 18, 2023

Part 1 Title, Authority, and Adoption

- 1.1 This ordinance is entitled the "Stockbridge Highway Ordinance" and is based on the authority of Title 24V.S.A. Sections 1971-1976.
- 1.2 This ordinance shall be adopted by resolution of the Stockbridge Selectboard in accordance with the procedure outlined in 24V.S.A. 1972.

Part 2 Purpose

- 2.1 The purpose of this ordinance is to revise municipal policy for use, maintenance, improvements and construction of town highways and trails and for accepting new roads into the town highway system.

Part 3 Definitions of Town Highways and Trails

- 3.1 Class 2 Town Highways - Those highways selected as the most important in Stockbridge. Their purpose is to link trunk lines of improved highways which connect one town to another and to provide access to places which by their nature have more than the normal amount of traffic.
- 3.2 Class 3 Town Highways - Those highways built to a lower standard than Class 2, but which are safe and negotiable, under normal conditions, all seasons of the year by a standard passenger car. Class 3 highways have sufficient surface and base, width, and drainage to permit adequate summer and winter maintenance.
- 3.3 Class 4 Town Highways - All other town highways with a public right-of-way. Adjoining private landowners may provide additional maintenance for access to their property. Class 4 highways may be used as trails for various recreational activities such as hiking, snowmobiling, and horseback riding.
- 3.4 Pent Roads - A town highway may be closed by gates, bars, or stiles by the owner of adjoining land during any part of the year if approval is granted in writing by the Selectboard following a legally warned public hearing.
- 3.5 Discontinued Road - This is the statutory term for a "thrown up road." This is a former town highway right-of-way which has been legally abandoned by the Selectboard with the title and right-of-way reverting to adjacent property owners.

3.6 Legal Trail - This means a public right-of-way which is no longer a Class 2, 3, or 4 Town Highway. Legal Trails may be former town highways which have been downgraded in classification. The trail right-of-way remains the same width as the original town highway. New trail rights-of-way could be laid out by the select board under procedures in state statutes and having a width specified at the time.

Part 4 General Highway Map

4.1 The General Highway Map of Stockbridge and all subsequent amendments thereto is hereby adopted by reference as the official inventory of public highway and trail classification and mileage. The General Highway Map shall be updated annually by the Selectboard with the assistance of the District 4 office of the Vermont Agency of Transportation. Copies of the map are available for inspection at the Town Clerk's Office. See Part 8 for the link to the map online.

Part 5 Standards for Construction, Improvement and Maintenance of Class 2 and 3 Highways

5.1 Vermont Agency of Transportation "Standard A-76 for Rural Town Highways" with average daily traffic of up to 250 vehicles per day is adopted by reference as the design and construction standard for Class 2 and 3 Stockbridge Town Highways. The standards contained therein are more fully explained later in this section.

5.2 Under certain conditions, any of the following standards may be waived or varied by the Selectboard. These conditions include consideration of public and private interests, topography, retention of aesthetics, ease of snow removal, drainage, and consideration of safety in all seasons for the traveling public.

5.3 Standards:

a Design. All highway designs, including cut and fill plans, gravel pit plans, surveys, right-of-way clearing plan and road construction layout on site shall be inspected by the Town Road Foreman or Selectboard. Professional engineering, surveying and legal expertise may be employed by the town as needed to provide proper advice and counsel to the selectmen regarding the design and construction.

b Right-of-Way. The right-of-way shall be 50 feet in width. Additional width may be required where necessary for slopes and drainage. The highway travel surface shall be built in the center of the right-of-way. The right-of-way shall be cleared to permit and facilitate snow removal, maintenance of ditches,

culverts, slopes and banks, accesses, turnouts, turnarounds, and other features of the highway. Dead trees and other hazard trees, brush and stumps shall be removed. Trees and other vegetation will be cut from the right-of-way with consideration for erosion potential and the retention of aesthetic values along the highway.

Adjacent landowners will be notified in advance when right-of-way clearing, or road widening requires removal of trees on their property within the town right-of-way. They will be offered the opportunity to retain the wood from the trees which are cut down for their own use. If they have no interest, the town will dispose of the wood as appropriate. Trees are considered 6 inches in diameter or larger at 4 feet from the ground, anything smaller is considered brush and the property owners will not be notified of its removal.

Adjacent landowners will be notified in advance when right-of-way clearing or road widening requires removal of stone walls, planted trees, landscaping or other notable features within the town right-of-way. Landowners will be given the opportunity to remove these features prior to construction. If a portion of a stone wall is removed, its original location will be documented with markers, but it will not be replaced.

- c Shoulders. Shoulders should be at least 2 feet wide on each side of the travel surface of Class 3 Town Highways and 4 feet on Class 2 Town Highways. Shoulders shall be slightly pitched to prevent excessive erosion and unsafe conditions.
- d Highway Subgrade and Surface Preparation. The highway will have a minimum of 15 inches of packed gravel for the sub-base and an additional 6 inches of compacted (9 inches loose) crushed gravel for surfacing. Where wet subsoil conditions exist, additional gravel and/or permeable fabric may be required. The traveled surface shall be a minimum of 18 feet in width and shall conform to Vermont Agency of Transportation Standard A-76 for Rural Town Highways, except as specified by the Stockbridge Selectboard in consideration of special conditions (see 5.b) which may arise. Base course gravel should be good bank run meeting specifications for gradation. No stone larger than 6 inches shall be placed in the 15-inch sub-base, and no stone larger than 2 inches shall be placed in the 6 inches of surfacing. Crushed gravel surfacing shall be compacted and graded to meet finish specifications.
- e Drainage Ditches. Drainage ditches shall be constructed where necessary to prevent infiltration of water into the gravel sub-base and to conduct storm water to waterways and absorption areas. Drainage ditches will normally be 6 inches below the gravel sub-base, or 24 inches below finished grade to

minimize damage from spring breakup. Soil exposed during ditch and slope construction, or maintenance will be treated as follows:

- Seed and mulch slopes less than 5%
- Stone line ditches with angular material on slopes greater than 5%.

- f Culverts. Any new culvert on a town road must be at least 18 inches in diameter and any new culvert across an intersecting private driveway must be at least 15 inches in diameter. Any new culvert 36 inches or larger shall be designed using the latest VTrans Hydraulics Manual which considers the acreage and characteristics of the watershed above each installation to determine the minimum culvert size needed to withstand a 50-year flood. Culvert sections shall be properly joined and shall extend at least 2 feet beyond highway surface and shoulder width. Culverts shall be of corrugated coated steel, aluminum, or plastic. Ditches, boxes, and other necessary protection shall be provided to minimize erosion damage to banks and slopes at inlet and outlet areas. Refer to the Vtrans “Orange Book” for more information.
- g Grades and Paving. Highway grades shall not exceed 10% unless paved and no grade shall exceed 14%. Finished grades (transverse and longitudinal) shall be smoothed to eliminate sharp dips in travel surface to permit efficient snow removal and proper drainage. The town inherited a transportation system of mostly gravel roads with some grades exceeding 14%. Some paving has been accomplished on steep grades, and paving should be extended on highway grades over 10% as budgets permit.
- h Alignment and Curves. Highways shall be aligned to afford safe travel, visibility, and access in all weather conditions.
- i Bridges. All new bridges shall have a minimum travel width of 18 feet. All new bridges with spans greater than 6 feet shall have waterway openings designed in accordance with the latest VTrans Hydraulics Manual. (Part 8) Vermont Agency of Transportation shall be consulted on every installation. All town bridges over 20 feet long are inspected each year by AOT and a detailed condition report on each is made available to the town. Corrective action will be taken as needed.
- j Turnarounds. Turnarounds on dead end highways shall have a radius large enough to properly accommodate all road maintenance vehicles and snow plowing equipment. Sufficient room must be provided for movement and storage of snow. Drainage should be provided to prevent impounding of water.

- k Turnoffs. Turnoffs with adequate elevation, surface area and drainage will be provided to permit safe passing under summer and winter conditions, and to enable efficient snow removal.
- l Driveways and Approaches. Driveways and private roads entering upon a public highway shall be constructed at a 90-degree angle to such highway, or they shall have a surfaced area of sufficient size to permit a vehicle to enter the highway at a 90-degree angle. The minimum sight distance in either direction on the town highway shall be 150 feet. Driveways shall be constructed with a dip at the point where the driveway meets the highway shoulder to prevent water or mud from entering the highway. Guidelines shown on "Vermont Agency of Transportation Design Standard B-71" should be followed. Culverts shall be installed if necessary and shall comply with culvert standards in (5 c viii.) Trees and vegetation should be removed only as necessary to provide visibility and safety. All construction and costs are the responsibility of the landowner.
- m Slopes and Banks. Except when encountering ledge, vertical or sharp cut faces will not be permitted. Slopes and banks shall not be greater than 1 to 1 1/2. Depending on soil characteristics, slopes and banks shall be designed and constructed to prevent instability, slides, washes, or other disturbances. Cribbing or rip-rap shall be used where necessary. Banks shall not interfere with snow removal. After construction and final grading, soil exposed during slope construction will be treated with seed, mulch, stone and/or biodegradable matting as needed to prevent erosion.
- n Guard Rails and Posts. Guard rails and posts will be installed where necessary.
- o Road Signing and Maintenance. Road name signs shall be installed on town highways and at the intersection of private roads to delineate road names in support of the 9-1-1 emergency system, and to direct and inform travelers. Regulatory signs (speed, weight limits, stop/yield) will be installed as needed only on town highways. When there is flexibility on sign placement locations, signs shall be located adjacent to culverts as one additional means of delineating culvert locations. A Town Highway Sign Plan will be prepared as an attachment to this ordinance. The location of each signpost and the information posted on the sign will be shown on the plan. Posts and signs will be maintained and replaced as needed per MUTCD.
- p Mailboxes shall be installed at a minimum of 3 feet from the shoulder of the road and the bottom of the box shall be a minimum of 48 inches above the ground. The mailbox must have sufficient gravel to allow the mail vehicle to safely enter and exit the mailbox apron area, and the property owner is

responsible for maintaining the area around the mailbox. The Town of Stockbridge is not responsible, nor will the town fix any mailbox that is damaged by snow coming off the plow or wing blades. Mailboxes shall be located in areas that allow for sufficient site distance for the mail vehicle to safely enter and exit the apron and allow for other traffic to pass the mail vehicle when stopped at the mailbox. Mailboxes shall not be located in intersections of town highways where they intersect with other town highways due to the large amounts of snow that are usually plowed up in these locations.

- q Utilities – Any new or upgraded underground Utilities installed under the road surface or within the town right of way shall be a minimum of 4’ below the surface of the road and or the bottom of the lowest part of a ditch or culvert. The town Road Foreman must be notified and give permission for all underground utilities. Overhead utilities shall be installed at the maximum possible heights on the utility poles with a minimum of 20’ clearance from the road surface.

Part 6 Standards for Improvement and Maintenance of Class 4 Highways and Legal Trails

- 6.1 Purpose: The Town retains these public rights-of-way primarily for recreation uses such as hiking, biking, horseback riding, ATV riding, skiing, and hunting/fishing access. Also, many are incorporated in the statewide VAST (Vermont Association of Snowmobilers) network of snowmobile trails and are groomed and maintained for that purpose by local club volunteers.
- 6.2 Maintenance: The Town will provide limited summer maintenance on class 4 roads in conjunction with property owners. The town will not plow any of these rights-of-way. The Town may perform minimal maintenance or improvement of bridges and drainage structures when necessary to avoid permanent or irreversible damage to public property, or to correct a decidedly unsafe situation. Such work shall in no way oblige the town to perform any future maintenance/improvement. Road name signs shall be installed on Class 4 town highways in support of the 9-1-1 emergency system, and to direct and inform travelers. Regulatory signs (speed, weight limits) will be installed as needed. Posts and signs will be included in the Sign Plan and will be maintained and replaced as needed.
- 6.3 Maintenance and Improvement by Others: Any party wishing to undertake normal maintenance activities, including winter plowing, on these rights-of-way must notify the Town Road Foreman in advance. Winter plowing shall not nullify the use of snow machines on these rights-of-way. Any party wishing to undertake major improvements on these roads, bridges or trails must make a

written request through the Town Road Foreman and/or the Selectboard. The application shall include sufficient detail, drawings, or specifications to adequately describe the proposed work. The Selectboard shall issue a Trail/Class 4 Highway Permit before any major improvement may be started. The Town Road Foreman will inspect compliance with the permit.

6.4 Culvert guidelines for Class 4 roads are described under section 5.3(f).

Part 7 Acceptance of New Highways

7.1 Conditions and Procedures. The Stockbridge Select board shall not accept any new or upgraded Class 4 highway as a Class 3 Town Highway unless it has been designed, laid out and constructed by the applicant in conformance with the standards prescribed in Part 5 of this ordinance. The Selectboard may vary these standards if in their judgment, and that of the Town Road Foreman, they feel strict conformance is not possible or desirable under the circumstances.

7.2 Application Process. An application must be submitted to the Stockbridge Selectboard before any new road construction is started and before any road is upgraded. The application shall include technical data, designs, and drawings in accord with Part 5 Standards. The Selectboard shall set a time for an initial field inspection and shall hold one or more legally warned public hearings before accepting any new road or approving reclassification or upgrade of an existing road.

7.3 Completion Date. New or upgraded highways are to be completed by November 15 so that inspection and conditional acceptance can be done before winter. If a highway is completed after November 15, conditional acceptance will be withheld until after June 1 the following year.

7.4 Trial Period. Once a new or upgraded highway is conditionally accepted, it will be conditionally added to the Town Highway System. Conditional acceptance will continue until the road has been in place through all four seasons of the year to determine whether any design or construction deficiencies may appear and need to be corrected. The grantors shall be responsible for summer and winter maintenance and shall correct any deficiencies which appear during this trial period.

7.5 Deed to Town. Once the trial period is satisfactorily completed, the Selectboard will conduct a final inspection. If approved, acceptance of the road into the Stockbridge Highway System will be final when the grantors have submitted warranty deeds to the town. For new roads, the grantors shall deed a 50-foot right-of-way, 25 feet each side of the centerline, including additional slope and drainage rights, if necessary. This shall be free and clear of all encumbrances

and properly supported by a survey showing highway and right-of-way centerlines, driveways, utility lines (surface and sub-surface), and any other important highway features.

7.6 When it is deemed to be in the public's best interests the selectboard/town can make improvements to class 4 roads to bring them up to class 3 standards, and then reclassify such road to class 3.

7.7 Private Roads and Driveways. The Town of Stockbridge will not engage in construction or maintenance of roads or driveways on private property except in an emergency (such as flooding) requiring immediate action to prevent damage to a town highway, or when town highway construction changes the configuration, drainage or access of a private road or driveway. In such cases, construction costs will be paid by the town.

Maintenance of culverts across private roads and driveways at the junction with a town highway remains the responsibility of the private landowner. However, it is essential that such culverts are properly maintained to prevent damage to town highways during flood events. Landowners will be notified by the Town Road Foreman when their culvert needs to be cleaned or replaced. If no action is taken by the landowner within a reasonable period, repairs or replacement will be made by the Town and the landowner will be billed for the cost.

7.8 Winter Plowing and Sanding. Paved roads and Hills on Town Highways will have the highest priority for snow removal salting and sanding. Town Highways will be plowed and sanded as necessary to allow access to homes of winter residents. No Class 4 Highway, trail, private road, or driveway will be plowed or sanded by the Town of Stockbridge. Homeowners residing on a Class 4 Highway must provide for snow removal and sanding on the town highway at their own expense under supervision of the Road Foreman.

The Town sand stockpile is for use on Class 2 and 3 Town Highways. Stockbridge residents may take sand, in the minimum amount necessary, from the town stockpile to sand their private residential driveways when icy conditions prevail. Such sand is not to be used for any commercial purpose.

7.9 Snowmobile Trail Access. Snowmobiles are permitted limited use of plowed Town Highways only to access the nearest entry point to the VAST or other trail networks. Town Highways so used should be signed appropriately. Snowmobile operators while on Town Highways must observe posted speed limits and all other regulations which apply on VAST trails.

7.10 Trail/Class 4 Highway Permit. In accordance with Section 6.3 of this Ordinance, written application must be made in advance by parties wishing to

undertake major improvements on a Legal Trail or Class 4 Highway. A permit fee of \$57 will be required.

7.11 Road Access Permits. In accordance with 19 V.S.A., it is the policy of the Selectboard to require a road access permit whenever a property owner proposes to construct or improve a private access road which will intersect a town highway. Standards for design and construction are contained in (51) A permit fee of \$57 will be required.

7.12 Logging Access Permits. A permit shall be required by any logger/trucker wishing to access any town highway for the purpose of skidding, landing, or hauling logs or by any logger/trucker wishing to use the surface of a Class 4 highway or Legal Trail to skid or land logs. A permit fee of \$57 will be required.

If logging/trucking causes any damage to the town highway, legal trail or road surface, the Logger/trucker will be notified by the Selectboard that the damage must be repaired immediately. If repairs are not completed within one week of notification to the satisfaction of the Selectboard and the Road Foreman, the Town of Stockbridge shall perform the repair work and bill the logger/trucker for the balance of costs.

7.13 Load Limits. Unless otherwise posted by the Selectboard in accordance with 23 V.S.A. Section 1396 (spring postings), the legal load limit on all Class 2 and 3 Town Highways shall be 12 tons (24000 pounds). The load limit on Class 4 Town Highways and Legal Trails shall be 8 tons (16000 pounds).

7.14 Requests for Temporary Overload Permits may be made to the Road Foreman. In considering whether to grant such permit, the road foreman shall consider possible damage to the roadway or trail and the financial responsibility of the permittee. If a permit is issued and damage to the road surface, culverts or bridges does occur, the permittee will be held financially responsible. Failure to repair such damage will result in the town completing the work and billing the permittee. A permit fee of \$5-10 as defined by the state of VT will be required.

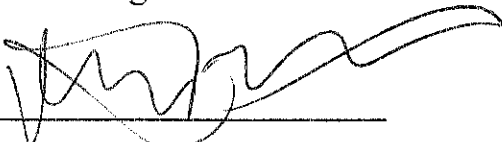
7.15 Privately-owned Bridges. Property owners who construct and maintain bridges on their private roads should be certain that the bridges will safely support the weight of a loaded fire pumper or tank truck. If a privately-owned road is deemed unsafe by the Selectboard and the Town of Stockbridge Fire Chief, the owner is hereby warned that in the event of emergency the tank truck will not be used.

Part 8 Attachments The following attachments are made a part of this ordinance.

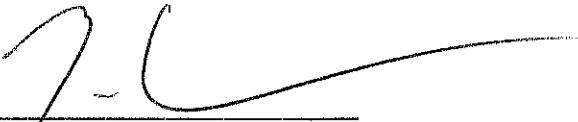
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- Vermont General Highway Map for the Town of Stockbridge
https://maps.vtrans.vermont.gov/Maps/TownMapSeries/WINDSOR_Co/STOCKBRIDGE/STOCKBRIDGE_MILEAGE_2016.pdf
- Vermont Agency of Transportation Standard Sheet A-76 Standards for Town Roads
<https://outside.vermont.gov/agency/vtrans/external/CADD/WebFiles/Downloads/Standards/English/PDF/stda76.pdf>
- Vermont Agency of Transportation Standard Sheet B-71 Standards for Residential Drives
https://www.charlottevt.org/vertical/sites/%7B5618C1B5-BAB5-4588-B4CF-330F32AA3E59%7D/uploads/B-71_Vtrans_Driveway_standards.pdf
- Vermont Agency of Transportation Hydraulics Manual
[VTrans Hydraulics Manual.pdf \(vermont.gov\)](#)
- Town Highway Sign Plan (Plan is currently under development)
- Trail/Class 4 Highway Permit
- Road Access Permit
- Logging Access Permit
- Temporary Overload Permit

Stockbridge Selectboard



Michael Ketchum – Chair



Zachary Cayacas - Member



Mark Begin- Member