

Town of Eastman  
Road Standard Ordinance  
Revised May 12, 2008

**AN ORDINANCE TO ESTABLISH RULES, REGULATIONS, AND SPECIFICATIONS FOR THE CONSTRUCTION AND/OR ACCEPTANCE OF PRIVATE ROADS IN THE TOWN OF EASTMAN, CRAWFORD COUNTY, WISCONSIN**

**WHEREAS**, the Town Board of the Town of Eastman anticipates growth of the township to an extent that will require highways to be added to the Town road system;

**WHEREAS**, the Town Board has determined that the general welfare, convenience and safety of the public demand that any proposed highway meet certain minimum specifications before the Town can accept any proposed addition to its highway system;

**WHEREAS**, a Town Board is empowered by Wis. Stats, secs. 60.50(1) and (2) to acquire land and make provision for construction of highways;

**NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF EASTMAN, CRAWFORD COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:**

The purpose of this ordinance is to provide a uniform system and uniform standards by and under which a person, group of persons, or company may build an access road to land occupied by a single or multiple dwelling units or place of business, whether the intent is to keep the road private or turn it over to the Town for ownership and/or maintenance; and to provide a system by which the Town can evaluate the feasibility of taking over a here-to-for private existing road for ownership and/or maintenance. It is the intent of the Town Board of Eastman that all new access roads, regardless of whether the road remains in private control or is a public road operated by the Town, shall meet certain minimal standards to 1) allow access of emergency vehicles to the principal structures, 2) control soil disturbance and erosion, 3) protect existing vegetation, 4) protect the aesthetic views of hillsides, and 5) protect both the Town and private property owners, and the general public, present and future, against undue risk and property loss due to poorly designed and maintained road access.

**SECTION 2: DEFINITIONS**

The definitions used in this ordinance for “roads” and “drives” are for the purpose of this ordinance only, and are not related to the “road” and “lane” identifications given Town roads for 911 emergency purposes.

Accessory Costs-All costs associated with the signage necessitated by construction or rehabilitation of a road, such as fire number identification signs at intersections, road identification signs, stop signs and other traffic safety signs on the subject road, as well as

“road crossing” and other signage made necessary on an existing road as a result of construction of a new intersecting road.

Angle of Entry-the angle at which the subject road enters onto the public road, using the public road as the base of the angle.

Approach-that portion of road extending 100 feet on each side of culvert or bridge.

Base Course- coarse gravel laid as the first and supporting level of the roadbed.

Drainage- to make gradually dry, by trenches, channels, or other means.

Field Road- any privately owned or maintained road or drive used for any purpose or of any length and does not fit into the classification of Public or Private Road or Private Drive.

Grade-the rate of the ascent or descent of a road.

Private Drive- any road of any length built and maintained by private interests which serves one (1) or two (2) residential dwelling units. The need for turn-around “T”(s) and/or cul-de-sac(s) will be determined by the Town Board for each residential dwelling unit on a Private Drive.

Private Road- any road of any length built and maintained by private interests which serves three (3) or more residential dwelling units or a place of business intended to be open to the general public. The need for a turn-around “T”(s) and/or cul-de-sac(s) along Private Roads will be determined by the Town Board.

Public Road- any road which is owned and/or maintained by the Town of Eastman or other general purpose unit of government, and is open to travel by members of the general public, regardless of length or how many residential dwellings are served by the road.

Residential Dwelling Unit- a structure where people do or may live for a short or extended period of time. Such a unit may be determined, but not limited to, such factors as an on site mail address, existence of a drilled water well, indoor plumbing, water heater, flush or chemical toilet, and properly installed waste water disposal system. The Town Board may make the final determination as to whether or not a structure is a “residential dwelling unit”.

Right-Of-Way and Set Back- the land width and length owned by, or dedicated by easement to, the Town for placement of a public road, including the drainage facilities. Public Roads have a 66 foot right of way and a 24 foot road width. A 42 foot setback will be required from the edge of the right of way. This setback will be a minimum of 75 feet from the center of a town road. This setback requirement will be enforced for new construction on an existing town road. Private Drives being converted to Private Roads

or Public Roads will also have to meet the minimum set back. Unless stated otherwise building setback requirements are measured from the nearest edge of the right-of-way.

Roadbed- the whole material of a roadway, laid in place and ready for travel.

Roadway- the combined width of the travelway and shoulders on each side. The same as surface width.

Surface Course- the top of the roadway.

Surface Width- the combined width of the travelway and shoulders. The same as roadway.

Travelway- The actual portion of roadway which normally carries traffic. This may be paved, or gravel/crushed rock, or earth surface.

Utilities- This includes various buried or overhead wiring and piping as for electrical service, telephone, cable TV, piped gas service, water, and sanitary waste disposal.

### **SECTION 3: PROCEDURE**

- a) Individual land or home owners whose land abuts on the part of a private road which the owner seeks to turn over to the Town for ownership and/or maintenance, shall make application in writing to the Town Board of the Town of Eastman. The application shall contain a description of the subject road, its proposed or actual location and the names of each person or person who is (are) requesting the action to make it a public road. The application shall also contain a list of names and property description of all property owners whose property abuts on the subject road.
- b) The completed application may be delivered to any Town Board member or to the Town Clerk. A fee of \$200 is required with the application. **If the road classification changes, it is necessary to apply for another permit.**
- c) Upon receipt of the completed application, the Town Board will examine the proposed route of the roadway. The individual or group making application may proceed to build the roadway, under the supervision of the Town Board, once the Town Board has approved the plan for the proposed roadway.
- d) All private roads and private drives not taken as public roads by the Town will remain "private" and the "private road statement of understanding" adopted as part of this ordinance will be required to be recorded by the Crawford County Register of Deeds against the property deed of all properties served by the Private Road or Drive.

## SECTION 4: STANDARDS AND REQUIREMENTS

The following are minimum standards set by the Town Board for the construction of any proposed roadway, and for take over by the Town of any existing roadway. **The Town may make the determination to require the plans be prepared by a registered professional engineer.**

- a) Accessory Costs- all accessory costs associated with private road construction will be borne by private parties responsible for the road.
- b) Base Course- the base course of any road, public or private, subject to this ordinance shall be six inches of 2 to 3 inch breaker rock.
- c) Bridges- The Town Board may make the determination that a bridge should be built, rather than a planned or existing culvert, prior to accepting the road as a Public Road. Costs of engineering and construction will be paid by the appropriate private interests. All bridges must meet Crawford County Highway Department Standards.
- d) Cul de Sac- All dead-end public and private roads shall have a cul de sac with a 45 foot radius. Private drives will be provided with a cul de sac or a turning tee or stub to allow for the safe turn around of emergency vehicles. The Town Board will evaluate each road to determine the appropriate length, without intersecting road access out of the closed system. Generally roads with an ADT of 250 or greater should have a second access point to allow free traffic flow if one road is blocked. The grade of the cul de sac shall not exceed a minus 3% slope of center. There shall be a minimum slope of minus 1% of center and a maximum of minus 3% of center.
- e) Culverts- Culverts will be at least 30 feet in length on public or private roads, and on private drives and field roads will extend at least two feet on either side of the roadway edge. Culverts on public or private roads will be a minimum 15 inches in diameter and made of steel. Culverts on public or private roads must meet Crawford County Highway Department Standards. A 30 foot culvert is required where a Private Drive connects (connector) onto a Public or Private Road.
- f) Private Drive and field road culverts will be a minimum of 15 inches in diameter and steel. Culverts will be marked at both ends by an approved marking device.
- g) Curvature- the radius of curves will be determined by the Town Board but minimum in the range of 90 feet will be considered appropriate.
- h) Ditch Crossing- any crossing of an existing drainage ditch by a public or private road, or any private drive, regardless of length or number of residences served will present the engineering specifications and the necessary DNR permits to the Town Board for review and approval before a decision to grant permission is given.
- i) Ditching- the roadway must be complete and have proper elevation to provide for the removal of water. Where it becomes necessary to make a lateral trench leading from the main ditch, the additional land necessary for the removal of accumulated water must be deeded to the Town or obtained by easement.

- j) Grade at Intersection- The grade of the subject or private road approaching the intersection with any public or private road shall be no greater than 4.5 percent for a distance of at least 100 feet from the edge of the intersecting roadway and a grade of no greater than 2.5 percent for a distance of at least 50 feet from the edge of the intersection roadway. The grade of a private drive or field road shall be no greater than 4.5 percent for a distance of at least 30 feet from the edge of the intersecting roadway.
- k) Length- the length of the proposed highway is to be measured to the nearest tenth of a mile.
- l) Private Drive Entry on to a Public Road- One entry is allowed for a Private Drive entering a Public Road. The Eastman Town Board must approve additional driveways
- l) Overall Grade- The grade on the common run of the road shall not exceed 11 percent at any point.
- m) Organic Material in Roadway- No organic material, including down trees, brush, stumps or other organic matter or trash may be buried or placed in the roadway project.
- n) Right-of-Way Width- the right-of-way width for any public roadway shall be a minimum of 66 feet. The width will be evaluated by the Town Board.
- o) Roads in the Floodplain- Private roads may be permitted in the floodplain provided proper permits have been obtained by the owner from the Department of Natural Resources, Corps of Engineers, and other regulatory agencies as appropriate. The Town will consider requests to take over such roads on an individual case by case basis.
- p) Road Posting- When Public Roads are temporarily posted, permits to exceed weight limits are required from the Eastman Town Board. Permits are available from the Town Board and are issued at the Board's discretion.
- q) Seal Coat- A minimum of a double seal of oil and chipped rock following Public Road Requirements for sealcoating roads will be required on all roads followed by a maintenance seal at one year before the Eastman Town Board accepts the road as a Public Road. The seal coated surface includes the travel way and the shoulder. Any other hard surface application must meet State Road Standards.
- r) Slope- The human altered road bank slope shall not exceed 20% until it blends into the natural lay of the land. All altered soil/slopes shall be seeded with an appropriate vegetative mixture as soon as possible.
- s) Surface Course- the surface course of any road, public or private, subject to this ordinance shall be 6 inches of ¾ inch crushed gravel or at the option of the owner, or Town Board if the road is to be turned over to the Town, a double seal followed by a one year maintenance seal will be required.
- t) Surface Width- The surface width of public and private roads shall be 24 feet, and Private Drives, 16 feet. There is no Town standard for field road width.
- u) Utility Apparatus- utility apparatus must be placed at least 30 feet from the center of the roadway. Utility apparatus will be marked with orange 8 foot pole. Placement of the utility will be determined by the Town Board if located within the right-of-way.

- v) Turn-Around "T"- A thirty foot (30 ft.) (minimum) perpendicular extension off the side of a road or driveway built to the same specifications as the road or driveway.

#### **SECTION 5: ACCEPTANCE OF ROAD**

- a) Upon receipt of notice of completion of the proposed road, the Town Board will make a final inspection and will either accept or reject the road. If the road is rejected, the Board will give the applicant(s) written notice of the rejection and a list of corrections which must be made prior to further inspection. Failure to correct within sixty (60) days will be deemed a withdrawal of the application for the proposed roadway unless a time extension is requested from the Town Board and approved by it.
- b) Upon final approval of the proposed road, the owner or owners shall dedicate the property to become the highway right-of-way and provide title by proper conveyance and proof that all construction costs have been paid. The Town Board will then proceed to accept the highway.
- c) Construction or rehabilitation of a private road to town standards described by this ordinance does not necessarily mean or imply that that road will be accepted by the Town for Public Road status.

#### **SECTION 6: SEVERABILITY**

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by reason of any decision or any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause, or phrase or portion thereof.

#### **SECTION 7: PRIVATE ROAD STATEMENT OF UNDERSTANDING**

If a road is to remain private, a "Private Road Statement of Understanding" shall be placed on the certified survey map signed by the developer and notarized. The following is a Private Road Statement of Understanding that shall appear on all certified survey maps when roads are to remain private, as well as recorded against each parcel which abuts the road, by the Crawford County Register of Deeds.

Private Road Statement of Understanding: The undersigned developer and/or owner hereby acknowledges that he/she has been advised and understands that those roads denominated as "Private" on this certified survey map or which abut this property, are subject to the following provisions pursuant to Section 64.23 (A)(3) of subdivision ordinances of Crawford County, Wisconsin: (1) That the road is private and that the county, town, or governing body is not responsible for construction or maintenance of such road; (2) That the maintenance and care of the road is the responsibility of the subdivider or future owners of land within the subdivision or to the abutting landowners if there is no recognized subdivision, and (3) That if quality accessibility, maintenance

and care of the road is not provided, emergency vehicle and/or school bus service may be impeded or interrupted.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Developer

**SECTION 8: EFFECTIVE DATE**

This ordinance shall take affect upon passage and posting as required by law.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**TOWN OF EASTMAN**

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Town Chairman

\_\_\_\_\_  
Town Supervisor

\_\_\_\_\_  
Town Supervisor

Date Passed: \_\_\_\_\_

Date Posted: \_\_\_\_\_

Date Published: \_\_\_\_\_

### Road Standards for Town of Eastman

Road Classifications	T. of Eastman Public Road	T. of Eastman Pvt Road	T. of Eastman Pvt Drive	T. of Eastman Field Road	State Stat. <100 ADT	State Stat. 100-250 ADT
Description of Road Classifications	Any Town Rd open to the public	Any pvt maint rd 3 or > res.	Any pvt maint rd with 1 or 2 res.	Any road for any purpose not in other class		
ROW Width (Feet)	66 Min	66 min	-	-	50	66
Roadway width (Ft)	24	24	16	-	24	26
Travel Way	Incl. above	Incl in above	Incl. in above		18	20
Shoulders	Incl. above	Incl in above	Incl. in above		3	3
Grade-after 1 <sup>st</sup> 100 ft	11% MAX	11% MAX	11% MAX	-	9%-11%	8%-11%
Grade and Length at intersection entry	2.5% 1 <sup>st</sup> 50 ft 4.5% 2 <sup>nd</sup> 50 ft	2.5% 1 <sup>st</sup> 50 ft 4.5% 2 <sup>nd</sup> 50 ft	4.5% 30 ft	4.5% 30 ft		
Base course Surface course Pavement	6" of 2-3" bkr 6" of ¾" grvl Optional 3"	6" of 2-3" bkr 6" of ¾" grvl Optional 3"	6" of ¾" grvl Top coat-optional. 6" of 2-3" breaker rock	Discretion of Owner		
Culverts	As needed throughout length		@public rd int	@public rd int		
Min Length Ft	30	30	2 ft either side	2 ft either side		
Min diameter inches	15	15	15	15		
Material of Manufacture	Steel	Steel	Steel	Steel		
Curvature (Right of Left)	No less than 90 feet radius <sup>1</sup>		-	-	<sup>2</sup>	
Angle of Entry at Inter.	No < 60 deg	No < 60 deg	No < 60 deg	No < 60 deg		
Utilities	30 ft from CL	30 ft from CL	30 ft from CL	-		
Cul de Sac Radius Maximum length of run	At dead end in Eastman 45 ft Variable <sup>3</sup>	At dead end in Eastman 45 ft Variable	Turning Tee	None Required		

<sup>1</sup> The trend in the DOT is to express all curves in radius. A radius of 90 to 130 feet is recommended for lower volume Public roads and roads in residential subdivisions, as this permits safe speeds of 20 mph traffic. Curve radii of 350 to 450 feet are necessary for safe operation with heavier traffic in the 30-35 mph speed range.

<sup>2</sup> The recommendation of maximum 6 to 12.5 degree curvature becomes effective at an Average Daily Total (ADT) over 250. This is an equivalent to a radius of 955 to 1438 feet.

<sup>3</sup> The maximum length of a cul de sac street is determined by the total number of properties that would be affected if the street was blocked. A suggested number is no more than twenty-five houses or ADT 250.

**4 If Road Classification Changes, It Is Necessary To Apply For Another Road Permit.**



All classes of roads in Eastman are regulated at the point of entry onto another public or private road. This is intended to protect the physical integrity of the public road system, as well as the safety of the traveling public. All the standards developed and placed upon private roads by the Town are intended to protect the long term integrity of the road system which serves residents and travelers in the Town of Eastman, and to protect the Town's interests in the event of the eventual takeover of a currently private road by the Town.

A "**Private Drive**" is any road, which serves one or two residential dwelling units, regardless of buildings served is subject to the specifications set forth in this ordinance for private drives. A Private Drive with 3 or more residential dwellings becomes a **Private Road** and would need to meet town road standards.

A "**Field Road**" is any privately owned or maintained drive or road for any purpose or any length, that intersects with a public road or private road, and does not fit into the category of Private Road or Private Drive.