

Policies Related to Roads

Road Policy [1999]

I. Classification of Highways

All Highways in the Town of Middletown Springs are classified as Class 1, 2, 3, or 4 as specified in 19 VSA Section 17. The purpose of each class and the Town's responsibilities thereto, are as follows:

Class 1 Town highways are those highways that form the extension of a State highway route and that carry a State route number.

Class 2 Town highways are those highways selected as the most important highways in each town. As far as practicable, they shall be selected with the purpose of securing trunk lines of improved highways from town to town and to places which, by their nature, have more than normal amounts of traffic.

Class 3 Town highways are all traveled town highways other than Class 1, 2, or Class 4 highways. The selectboard, after conference with a representative of the State Transportation Agency, shall determine which highways are Class 3 town highways.

In their determination, the selectboard shall consider that the minimum standards for Class 3 highways are a highway negotiable under normal conditions, all seasons of the year by a standard manufactured pleasure car. This would include, but not be limited to, sufficient surface and base, adequate drainage and sufficient width capable of supporting winter maintenance.

Class 4 Town highways are all other town highways, including trails and pent (confined) roads. The selectboard shall determine which highways are Class 4 town highways. The Town will not provide improvements or maintenance to any Class 4 roads which are not presently being maintained. Class 4 roads which are presently being maintained will not be maintained beyond their current level of maintenance.

II. General Policy

All expenses, legal or otherwise, shall be borne by the applicant in the process of laying out and constructing proposed new highways, constructing drives, or installing culverts or signs. All expense incurred by the Town in connection with these processes must be borne by the applicant.

III. Acceptance Procedures

Application. A developer of a housing project or business development, or the owner of a dwelling, may apply to the Town for acceptance of his/her road as a Class 3 town highway after meeting the criteria set forth in **Section IV: Specifications** below. The application must be accompanied by a survey in form acceptable to the Town Clerk for accuracy,

thoroughness and legibility and a proposed warranty deed of the land to be conveyed for highway purposes, said warranty deed to be in form acceptable to Town Attorney.

Inspection. The Selectboard or its designee will inspect the proposed road within 30 days of receiving the application for acceptance. No roads will be accepted between November 15 and May 1 of each year.

Hearing. The selectboard or its designee will inspect the proposed highway and within 60 days of receipt of the completed application, will hold a public hearing to receive suggestions and recommendations on the application. Affected property owners will receive 30 days notice of the hearing, and notice will be posted in the Town offices and published in the newspaper of general circulation not less than 10 days before hearing.

Acceptance. A decision on the application will be made by the selectboard and the next duly called meeting after the public hearing. a copy of the decision, in writing, will be sent to the applicant and will be posted in the Town offices.

IV. Specifications

The following are the minimum specifications of roads for acceptance by the Town of Middletown Springs as Town Highways:

1. all proposed roads will be required to meet all material and construction methods of the current State of Vermont Standard Specifications.
2. In addition, all proposed roads shall have a minimum of three rods, or fifty (50) foot right-of-way. The traveled roadway shall be in the center of the right-of-way and shall be no less than twenty-four (24) feet wide.
3. Roadways originating at blacktop Town highways, any State Aid Highways, or any State Highway shall consist of a minimum sub-base of bank run gravel of at least eighteen (18) inches, a shaping course of crushed gravel of at least four (4) inches, topped with a two (2) inch coat of oil-treated surface or bituminous concrete surface at the discretion of the Selectboard. In any case, the roadway shall be paved with a two (2) inch bituminous concrete surface for a distance of twenty-five (25) feet from the intersection with the Town highway. Where roads are built on clay, any approved filter blanket (a geo-textile fabric) or six (6) inches of sand cushion below gravel sub-base will be required.
4. The Town shall require paving on grades over 7% unless the Selectboard waives the requirement in specific instances.
5. Roadways originating at gravel surfaced Town Highways shall consist of a minimum sub-base course of bank run gravel of at least eighteen (18) inches and a topping of at least eight (8) inches of two-inch-minus crushed gravel. Where roads are built on clay, an approved filter blanket (a geo-textile fabric) or six (6) inches of sand cushion below gravel sub-base will be required.
6. All proposed roads shall be so drained that no water will remain and collect in any one spot, or form a pool. To ensure proper drainage, sufficient ditches must be dug along both sides of the proposed road and culverts must be at least fifteen (15) inches in diameter for driveways and eighteen (18) inches in diameter for culverts

under roadways or larger, depending on the need as determined by the Road Commissioner and/or Selectboard, not less than thirty (30) feet in length (Longer if fill over culvert so warrants). All culvert materials must be approved by the Road Commissioner and/or Selectboard. Drainage pipe sizes and catch basins shall conform to good road construction practices. Under drains shall be installed if required, and outfall or all drainage shall be at approved locations. Posts, or posts and guardrails shall be required where fill exceeds ten (10) inches in height and slopes are steeper than 1:3, and culverts, or where the Selectboard determines a hazard warrants installation. Appropriate easements shall be obtained prior to the installation of any drainage facility.

7. Any person wishing to build an access road to any town highway must first obtain approval from the Selectboard.
8. The centerline grade of all proposed roads shall not exceed 10%.
9. Curve radius for any proposed road shall be a minimum of one hundred (100) feet.
10. Conveyances of all proposed roads being dedicated to the Town of Middletown Springs, and to be accepted by the Town, shall be by means of a warranty deed conveying the Right-Of-Way to the proposed road. Title examination, together with Title Certificate, shall be furnished to the Town by an attorney, to be approved by the Selectboard.
11. All costs in connection with the dedication and acceptance of any proposed roads as Town Highways, including the construction of the road itself, surveying, the preparation of the Warranty Deed, the Title Examination and other legal expenses incurred by the Town of Middletown Springs in connection with the approval and acceptance of roads, shall be borne by the applicant.
12. Dead-end streets shall terminate in a circular turnaround having an outside radius of not less than ninety (90) feet, or in a non-circular turnaround approved by the Selectboard.
13. Suitable Vegetation shall be planted and established wherever construction has left the earth subject to erosion.
14. Brush and trees shall be cut to a width of at least thirteen (13) feet from each side of the gravel surface, and shall be removed from the right-of-way.
15. Any road less than five hundred (500) feet in length shall be considered a private drive.
16. Before the Town of Middletown Springs accepts any proposed road, blueprints and specifications for such proposed road must be filed with the Town Clerk, by the applicant.
17. No proposed road will be accepted by the Town of Middletown Springs as a Town highway until such proposed road, upon completion, shall have been placed in service and used by the public as a thoroughfare for at least one (1) year. The Selectboard may waive this requirement.
18. At the time that the road is accepted by the Town, the Selectboard will affix the official name of the road, after taking into consideration all legitimate requests that were submitted with the road acceptance petition.

V. Other Considerations

- The Selectboard reserves the right to make changes or omissions to this policy following proper procedure.
- The Selectboard reserves the right to accept or reject any proposed Town highway based on the Selectboard's belief of what it feels is in the best interest of the Town.
- The Selectboard is the final arbiter.
- The Selectboard reserves the right to waive any of the above provisions/requirements on a case by case evaluation.
- Selectboard approval is required prior to commencement of any work in any Town Highway right-of-way, as per Selectboard policy established on 13 July 1999 as part of original road policy draft 1.

This policy was adopted by the following members of the Select Board of the Town of Middletown Springs, Vermont at its meeting of May 24, 1999

- Henry Gerberding, Chair
- Clarence Haynes
- John Atkins
- Francis Haley
- Robin Chesnut-Tangerman

Town Road and Bridge Standards [2013]

The Town of Middletown Springs hereby adopts the following Town Road and Bridge Standards which shall apply to the construction, repair, and maintenance of all town roads and bridges.

The standards listed here are considered minimum and apply to construction projects and repair and maintenance activities. The standards include management practices and are designed to: ensure the safety of the traveling public, minimize damage to road infrastructure during flood events, and enhance water quality protections by minimizing sediment delivery to surface waters and/or wetlands.

The Select Board reserves the right to modify the standards for a particular project or repair or maintenance activities where, because of unique physical circumstances or conditions, there is no possibility that the project or activities can be completed in strict conformance with these provisions. Any modifications to the standards must be done in a manner that serves the underlying intent of the management practice, be it public safety, flood hazard avoidance, or water quality protection. Fiscal reasons are not a basis for modification of the standards. Questions about modifications to the standards should be directed to the VTrans District Office.

Municipalities must comply with all applicable state and federal approvals, permits and duly adopted standards when undertaking road and bridge activities and projects. Any new road regulated by and/or to be conveyed to the municipality shall be constructed according to the minimums of these standards. If any federal and/or state funding is involved in a project, the VTrans district office must be notified prior to any field changes taking place that would alter the original scope of work.

Roadways

- All new or substantially reconstructed gravel roads shall have at least a 12-inches thick processed gravel sub-base, with an additional 3 inches (minimum) top course of crushed gravel.
- All new or substantially reconstructed paved roads shall have at least a 15 inches thick processed gravel sub-base.
- All roadways shall be graded so water does not remain on the road surface. For roadways that are not super-elevated, this generally means a 2-4% (1/4" - 1/2" per ft) crown for gravel roads and a 1-2% (1/8" - 1/4" per ft) crown for paved roads to promote sheeting of water.
- Proper grading techniques for gravel roadways must be used to avoid creating a ridge or berm between the crown and the ditch.
- Any berm along the roadway shoulder that prevents the proper sheeting of water must be removed.

Ditches and Slopes

Soil exposed during ditch and slope construction, repair or maintenance must be treated immediately following the operation and temporary erosion prevention and sediment control practices must be installed and maintained during construction activities and until the ditch or slope is permanently stabilized.

The following are minimum erosion control measures. Careful attention must be given to areas vulnerable to erosion and immediately adjacent or discharging to surface waters and/or roadway drainage facilities:

- Seed and mulch all ditches with grades less than 5% when undertaking projects or repairs or maintenance activities that result in exposed soil. Vegetation must be established and monitored. If vegetation is not established within 10 days of placement, install biodegradable non-welded matting with seed.
- Stone line all new or reconstructed ditches or whenever soils are disturbed by maintenance activities with grades equal to and greater than 5%; alternatively, install stone check dams. The check dams must meet criteria outlined in the *“Standards and Specifications for Check Dams,”* from the *Vermont Standards and Specifications for Erosion Prevention and Sediment Control*. Specifically, dams must be placed so that the crest of the downstream check dam is at the same elevation as the base of the upstream dam.
- Create parabolic (wide “U” shaped) ditches when constructing new or substantially reconstructing ditches, rather than narrow “V” shaped ditches wherever lateral space allows. Ditches with gradual side slopes (maximum of 1:2, vertical to horizontal ratio) and a wide bottom (at least 2 feet) are preferred. Use biodegradable, non-welded matting to stabilize side-slopes where slopes are greater than 1:2 and less than 1:1 VS; apply seed and mulch to any raw or exposed side-slope if slopes are less than 1:2.
- All ditches must be turned out to avoid direct outlet into surface waters. There must be adequate outlet protection at the end of the turnout, either a structural (rock) or vegetative filtering area.
- If in the best professional engineering judgment of the VTrans Operations Division, there is a cost effective ditch treatment that will meet the intent of the management practices described above, but represents a departure from these standards, the municipality may implement the more cost effective ditch treatment alternative with the professional recommendation submitted in written form by VTrans prior to the municipality executing the work.
- When constructing new or substantially reconstructing side slopes, use appropriately sized stone armament on slopes that are 1:1 VS or greater. If perennial streams are affected by the toe of slope the project must conform to the statewide Stream Alteration standards.

Culverts and Bridges

- Replacement of existing culverts and any new culvert must have a minimum culvert diameter of 18 inches.
- Replacement of existing bridges and culverts and any new bridges and culverts must be designed in accordance with the VTrans Hydraulics Manual, and, in the case of

perennial streams, conform to the statewide Stream Alteration standards.

- All new driveway culverts must have a minimum diameter of 15 inches.
- When installing or replacing culverts, use appropriate techniques such as headwalls and wingwalls, where there is erosion or undermining or where it is expected to occur.
- Install a splash pad or plunge pool at the outlet of new or repaired drainage culverts where there is erosion or where erosion may occur. Splash pads and plunge pools are not appropriate for use in streams supporting aquatic life.

Guardrails

When roadway, culvert, bridge, or retaining wall construction or reconstruction projects result in hazards such as foreslopes, drop offs, or fixed obstacles within the designated clear-zone, a roadside barrier such as guardrail must be installed. The most current version of the AASHTO Roadside Design Guide will govern the analysis of the hazard and the subsequent treatment of that hazard.

Access Management

The town must have a process in place, formal or informal, to review all new drive accesses and development roads where they intersect Town roads, as authorized under 19 V.S.A. Section 1111. Towns may reference VTrans A-76 Standards for Town & Development Roads and B-71 Standards for Residential and Commercial Drives; and the VTrans Access Management Program Guidelines for other design standards and specifications.

Training

Town highway maintenance crews must collectively attend a minimum total of 6 hours of training per year on best road management practices. The town must keep documentation of their attendance for a period of three years.

This policy was adopted by the following members of the Select Board of the Town of Middletown Springs, Vermont at its meeting of February 14, 2013

- Chris Larson, Chair
- Mike Lamson
- Shirley Moyer
- James Webber

Town Road and Bridge Standards [2011]

The Town of Middletown Springs hereby adopts the following Town Road and Bridge Standards which shall apply to the construction, maintenance and repair of all town roads and bridges.

The standards listed here are considered minimum and are presented for purposes of guiding construction and maintenance personnel. The standards listed here include three types of management practices and are designed to: ensure the safety of the traveling public, minimize damage to road infrastructure during flood events, and enhance water quality protections by minimizing sediment delivery to surface waters and/or wetlands. The select board reserves the right to modify these standards for a particular project, where, because of unique physical circumstances or conditions, there is/no possibility that the project can be completed in strict conformance with these provisions. Any modifications to the standards must be done in a manner that protects the underlying intent of the management practice, be it public safety, flood hazard avoidance, or water quality protection. Fiscal reasons are not a basis for modification of the standards. Questions about modifications to the standards should be directed to the VTrans District Office.

Any new road, whether or not that road is proposed to be conveyed to the town, shall be constructed according to the minimums of these standards. If any federal and/or state funding is involved in a project, the VTrans district office will be notified prior to any field changes taking place that would alter the original scope of work.

Roadways

- All new or substantially reconstructed roads will have at least a 15-inch thick processed gravel subbase, with gravel roads having the top 3 inches (minimum) as crushed gravel.
- All roadways will be graded so water does not remain on the road surface. For roadways that are not superelevated, this generally means a 2-4% (0" - 1/2" per ft) crown for gravel roads and a 1-2% (1/8" - 1/4" per ft) crown for paved roads to promote sheeting of water.
- Proper grading techniques for gravel roadways will be used to avoid creating a ridge or berm between the crown and the ditch.
- Any berm along the roadway shoulder that prevents the proper sheeting of water will be removed.

Ditches and Slopes

Soil exposed during ditch and slope construction or maintenance will be treated immediately following the operation. Priority should be given to areas vulnerable to erosion immediately adjacent to or discharging to surface waters and/or roadway drainage facilities. The following are minimum erosion control measures:

- Seed and mulch ditches with grades less than 2%. Use biodegradable, non-welded

matting and seed on ditches with grades between 2% and 5%. Stone line all ditches with grades greater than 5%; alternatively, install stone check dams. Dams should be comprised of a well graded stone matrix 2 to 9 inches in size. Dams should not exceed 2 feet in height and check dam crest should be at least 6" below' the top of the ditch.

- Create parabolic (wide "U" shaped) ditches when constructing new or substantially reconstructing ditches, rather than narrow "V" shaped ditches, Ditches with **gradual** side slopes (maximum 2H: IV ratio) and a wide bottom (at least 2 feet) are preferred.
- Use biodegradable, non-welded matting to stabilize side-slopes where slopes are greater than 1:1; apply seed and mulch to any raw or exposed side-slope if slopes are less than or equal to 1:1.
- Ditches should be turned out to avoid direct outlet into surface waters. There must be adequate outlet protection at the end of the turnout, either a structural (rock) or vegetative filtering area.

Culverts and Bridges

- All new driveway culverts will have a minimum diameter of 15 inches.
- All new roadway culverts will have a minimum diameter of 18 inches.
- **Any culvert with a drainage area greater than 0.25 sq mi will require a hydraulic engineering study. Culverts will be designed to convey the Q25 design storm with minimal surcharge,**
- **All bridges (structures with spans greater than 6 feet) and open bottom structures will require a hydraulic engineering study. Structures will be designed to convey the Q25 design storm and allow for passage of ice and debris.**
- When installing or replacing culverts, use appropriate techniques such as headwalls and wingwalls, where there is erosion or undermining or where it may occur.
- Install a splash pad or plunge pool at the outlet of drainage culverts where there is erosion, or where erosion may occur. Splash pads and plunge pools are not appropriate for use in streams supporting aquatic life.

Guardrail

When roadway, culvert, bridge, or retaining wall construction or reconstruction projects result in hazards such as foreslopes, drop offs, or fixed obstacles within the designated clear-zone, a roadside barrier such as guardrail shall be installed. The most current version of the AASHTO Roadside Design Guide will govern the analysis of the hazard and the subsequent treatment of that hazard.

Access Management

The town will have a process in place, formal or informal, to review all new drive accesses and development roads where they intersect Town roads, as authorized under 19 V.S.A. Section 1111. Towns may reference VTrans A-76 Standards for Town & Development Roads and B-71 Standards for Residential and Commercial Drives,

Training

Town highway maintenance crews will collectively attend a minimum total of 6 hours of training per year on best road management practices. The town will keep documentation of their attendance.

This policy was adopted by the following members of the Select Board of the Town of Middletown Springs, Vermont at its meeting of May 26, 2011

- Chris Larson, Chair
- Carl Haynes
- Shirley Moyer
- Mike Lamson
- Thomas [can't read]

Underground Burial Specifications for Road and Rights-of-Way [2012]

Items covered but not limited to in these specifications are as follows: Electrical, phone and other related cable, water, sewer, gas, culverts, signage, trees and all other items that maybe desired to be buried in the town roads and right of ways.

Any work to be performed in Middletown Springs roads or right of ways can only be approved by the Middletown Springs Selectboard or a person designed by the Selectboard. No work will be considered without a work in Right-of-way form filed with the Middletown Springs Selectboard, showing a detailed description and location of work to be done. No work will commence without prior approval of the Selectboard. All work will follow all Vermont Codes and Standards and in some cases may need to be upgraded to meet standards set by the Middletown Springs Selectboard.

Electrical Lines

Where electrical lines are buried they will cross the roads as close to 90 degrees as possible. They will be sleeved in metal conduit to the two most outer limits of the Right-of-way. The electrical lines will not be allowed to be buried running parallel in the road or parallel in the road right-of-way. The conduit pipe must be at least three feet from the highway surface to the top of the conduit pipe. If an obstruction occurs to prevent proper depth, burial will not be allowed until an alternative method is approved by the selectboard. Direct burial warning tape will be used on all burials within Middletown Springs Right-of-ways.

Telephone and other Related Cable

Where these cables cross the roads they will do so as close to 90 degrees as possible. They will be at a depth of no less than 3 feet and will be sleeved in metal conduit or a minimum of schedule 80 plastic conduit. Any of these cables buried running parallel with any town highway in Middletown Springs will be to the most outer edge of the Town right-of-way and at a minimum depth of 3 feet and will be marked with direct burial warning tape.

Water, Sewer and Gas

Water, sewer and gas service lines will be sleeved in steel conduit or plastic conduit not less than schedule 80 and at a depth of no less than 5 feet. To extend to the most outer limits of the towns Right-of-ways direct burial warning tape will be used to mark this type of burial.

Culverts

Culvert installation will follow standards set in Middletown Springs Road Policy.

Private Signage

New signage of any private nature will not be allowed to be placed in or on any town road or right-of-way of Middletown Springs.

Encroachment

There shall be no encroachment to any Middletown Springs Roads after October 15th of any calendar year to May 15th of any calendar year unless for an emergency and then only with authorization from the Middletown Springs Select board.

Supervision and Oversight

All burials will be overseen by a Town Employee designated by the selectboard and paid for by the applicant at the employee's normal rate of pay.

All applications will have detailed locations and depths of any and all burials. These will be formatted in map form and will be made available to the town on completion of any and all burials. Copies of said maps will be corrected and updated by the applicant at the time any change occurs.

During normal road maintenance or road re-construction burials may need to be located. This is the responsibility of the utilities or private individuals who are responsible for the maintenance and upkeep of said burials.

All specifications and agreements listed are under the sole discretion of the Middletown Springs Select board and a copy filed in the Middletown Springs Road Policy Book and adopted as part of the Road Policy. All parts of this document are subject to change by a majority vote of the Middletown Springs Selectboard.

This policy was adopted by the following members of the Select Board of the Town of Middletown Springs, Vermont at its meeting of May 2012

- Chris Larson, Chair
- Mike Lamson, Clerk
- James Webber

Winter Roads Policy [2006]

According to the Vermont Agency of Transportation driving too fast on wintery roads is the LEADING cause of crashes.

Plow routes are set up to open the major traffic and bus routes first (Route 140 and Schoolhouse Road). After those are done we will plow the roads which we feel cause the most problems for the public based on traffic volume, steep hills, curves, etc. The order of roads may vary from storm to storm.

The Town currently has one full time and one half time employee. We hire other qualified operators to plow as needed.

The Town maintains and plows over 27 miles of Class 2 and Class 3 highway. Please understand that not all roads can be plowed "first".

The Town does not plow private or Class 4 roads with the exception of a short stretch of Norton Road for emergency vehicle access.

The Road Crew is often out plowing in the middle of the night to have roads open for school and work. Some storms may require multiple treatments of Route 140 before other roads have been plowed at all.

Salt will be applied to most paved roads with a minimum amount of sand as needed. (Salt is not effective below 20 F). Sand mixed with salt will be applied to gravel roads. The town is now equipped to spray liquid calcium chloride and it will be applied where it proves effective.

Vehicles must be parked in driveways or otherwise off-road. Vehicles parked on-road, or that obstruct snow plowing, may be towed at the owner's expense.

Homeowners and contractors plowing private drives may not push the snow across public highways. IT IS AGAINST STATE LAW TO PLOW SNOW ACROSS PUBLIC ROADS (VSA 23 § 1126a). This leaves ridges and clumps which are hazardous to other drivers.

This policy was adopted by the following members of the Select Board of the Town of Middletown Springs, Vermont at its meeting of December 10, 2001

- Fred Bradley, Chair
- Robin Chesnut-Tangerman
- Patty McWilliams
- Matt Haley
- William Reed

Winter Operations Policy [2016]

The purpose of an accepted winter operations policy is to define the scope of procedures for snow and ice control and removal. The primary objective with winter operations is to maintain the safety and mobility of the travelling public. Although financial limitations ultimately affect the level of service that is provided, every effort will be made to provide safe roadway conditions as soon as possible with available resources (budget, personnel, equipment and materials).

Vermont storms vary dramatically in prediction, intensity, precipitation mix, timing, and geographic location. The Highway Department will coordinate operations to best address each event. This plan is intended as a general guide; the details of response to individual storms will be at the judgment of the Road Foreman.

Overview

During the winter period extending from November 1 — April 30, the Highway Department's primary objective is to control snow and ice on roughly 27 miles of Town Class 2 and Class 3 highway. Resource limitations do not allow for 24 hour continuous winter maintenance service during storm events. For safety reasons, and within the Town's insurance guidelines, the Highway Department limits employee plowing hours. Because of these limitations, there may be reduced or no winter maintenance between the hours of 10:00 PM and 4:00 AM.

The Highway Department strives to keep roads safe for the travelling public. However, the Town does not have a "bare roads" policy. Roads may be snow covered during and following storm events. Adverse driving conditions are to be expected and motor vehicle operators must be prepared for such. The following is a list of actions (provided by VTTrans) that drivers should adhere to in order to accommodate safe winter driving:

- A) Slow down. Driving too fast on wintry roads is the leading cause of crashes
- B) Travel at a safe distance. Allow at least 3 car lengths in order to leave plenty of room to stop.
- C) Watch for plow trucks. Do not crowd/tailgate slow moving maintenance and emergency vehicles.
- D) Do not use cruise control on snow covered roads.
- E) Do not overestimate the capabilities of four-wheel drive vehicles.
- F) Clear all snow and ice from vehicle prior to travel, including from roof, hood and trunk decks.
- G) Have proper snow tires on your vehicle.
- H) Be prepared for black ice on what appears to be bare pavement.

Prioritization

During a storm event, the Middletown Springs Highway Department will be responsible for five miles of Class 2 Town Highway (Route 140) and 22 miles of Class 3 Town Highways. Special attention will be given to intersections, hills and curves. School bus routes will be

prioritized as appropriate considering status of school operation, storm duration, and the nature of road conditions. The school bus stop at the Town Office lot will be cleared as soon as possible on school days.

Class 4 Town Highways will not receive winter maintenance unless authorized by the Middletown Springs Select Board per 19 V.S.A. Section 302 (a) (3) (b). The unmaintained Class 4 roads will be clearly marked by signs at the end of the maintained areas.

The Highway Department will not maintain private roads or private driveways.

Sidewalks will be addressed as soon as practical following a storm event.

Procedure

Using available resources and judgment based on experience, the Highway Foreman or his designated representative will determine the appropriate level and timing of snow and ice control to be performed by the Highway Department. Each storm is a unique event, so deviations from the routine maintenance plan may occur. Drivers have the responsibility for safe vehicle operation, based upon road and traffic conditions.

Communication with schools and school bus operators will occur early in the morning if road conditions have not improved or are deteriorating. This will allow the school district Superintendent to make a decision, based on the Highway Department's recommendation, on whether to close schools or have a delay. The Highway Department does not make the decision.

In general, snow will be plowed and sand or sand/salt mixtures will be applied during a storm to keep roads open to traffic and to provide an operable roadway surface. Sand or sand/salt mixtures will be applied to roadway centers. For paved roads, one-third (1/3) bare pavement will be provided in the middle of the road as soon as practicable. Curves, hills, intersections and bus routes will be given additional attention. For continuous storms, repeated applications will be required.

Generally, when temperatures are above 20 degrees Fahrenheit, salt or sand/salt mixtures will be applied to paved roads while sand will be applied to gravel roads. When temperatures are below 20 degrees Fahrenheit, sand will be used on all roads. The Road Foreman has discretion to apply materials according to his judgment.

Following storm events, continued maintenance will include improvement of road surfaces by clearing packed snow, pushing back snow on road shoulders (winging), removing excess snow piles within the village center, and opening/thawing culverts, ditches and storm drains.

Equipment and Materials

To support winter road-clearing operations, the Highway Department operates two single-axle plow trucks, each equipped with a one-way front plow, wing plow, and material spreaders. The Highway Department also operates a one-ton pickup with a one-way front plow, used for narrow areas and intersection clean-up. All vehicles have radio communications.

The town keeps a stockpile of sand, approximately 1,500 cubic yards at the beginning of winter, at the Town lot on North Street.. The town also stockpiles salt in a shed at the Town lot, beginning the winter with approximately 120 tons. A small stockpile of sand for public use is provided and will be replenished as needed. It is located to the south of the transfer station gate at the Town lot. For safety reasons, residents are to take sand only from that public-use area, and not from the Town's main stockpile.

Ordinances/Laws

Vermont roads are based on a right-of-way (ROW) which is wider than the paved or graded area of the road. Most often, Vermont roads are defined by a "three rod" width, or a total ROW of 49' 6". In the winter, the additional ROW width enables the actual travelled roadway to be adequately cleared, with accumulated snow plowed off the roadway and into the right of way.

Title 19, Section 1111 of Vermont Statutes Annotated prohibits the encroachment of the Town right-of-way without prior approval of the Select Board. Objects in the ROW are placed there at the owner's risk and the Town assumes no responsibility for any damage to objects placed in violation of the statute. Common items in the ROW are fences, flower pots, basketball hoops, etc. Recovery of damages will be pursued by the Town if any equipment is damaged due to placement of objects in the ROW.

Title 19, Section 1111 (b) prohibits the depositing of "material of any kind within, or to in any wayobstruct a ditch, culvert or drainage course that drains a highway." Snow is not to be pushed or placed into these areas at any time.

Title 23, Section 1126 (a) of Vermont Statutes Annotated prohibits plowing or blowing snow into or across a State or Town highway, shoulder or sidewalk. Although this is hard to avoid, material should not be left such that it creates an obstruction or mound. Violation of this law may result in a fine as determined by the State of Vermont (presently \$70.00). Parking within the right-of-way is discouraged at all times, but prohibited during snow removal conditions. Title 23, Section 1102 of Vermont Statutes Annotated prohibits unattended vehicles from interfering with highway maintenance. Vehicles may be towed without warning.

Public Communication/Information

The Highway Department does not purposely plow snow into private driveways; it is the natural result of plowing operations. When clearing walkways/driveways, individuals

should be aware of oncoming plow trucks. Do not attempt to “protect” cleared driveways/walkways by standing at the entrance.

Individuals in close proximity' to oncoming plow trucks may be injured by snow or debris in the snow from the plow or by the plow truck itself.

The construction of snow forts, tunnels or similar structures in roadside snow banks should be avoided.

The Town will investigate any reported damage to mailboxes caused by winter operations. The Town will repair/replace any mailboxes that suffered direct, physical damage from plows or Town equipment if the Select Board determines that the Town is at fault. Damage incurred from heavy snow coming off plows will not warrant repair/replacement. Property owners should properly secure all mailboxes before winter; severely weathered or badly decayed mailbox posts will not be replaced by the Town.

Lawn damage within the ROW can occur, and is, in fact, likely to occur wherever the mowed/maintained edges abut the traveled portions of the roadway. While it is almost inevitable that a certain amount of lawn damage will occur, our highway personnel do their best to prevent and minimize it while striving to maintain the safety and integrity of the highway for the general public. Excessive damage, as determined by the Select Board, may be repaired in the spring or when soil conditions allow.

Conclusion

Vermont winters provide a variety of challenges for town highway personnel, public travelers and private property owners. The adopted Winter Operations Policy should be a source of information and education for the general public. Working together, all entities involved can help to make aspects of winter maintenance easier and winter travel safer for everyone.

This policy was adopted by the following members of the Select Board of the Town of Middletown Springs, Vermont at its meeting of November 22, 2016

- Terry Redfield, Chair
- Herb Childress
- Chris Fenton
- Patty Kenyon

Guidance on Maintenance of Class 4 Roads [2001]

TO ALL RESIDENTS OF MIDDLETOWN SPRINGS AND ESPECIALLY THE RESIDENTS AND LAND OWNERS ON MIDDLETOWN SPRINGS CLASS FOUR (4) ROADS.

The Select Board realizes not all residents on Class 4 roads have received the same treatment. Some have received partial maintenance of their roads; while others have received none.

Therefore, on December 10, 2001 the Select Board voted to cease all winter maintenance/snow plowing on class 4 roads* as of January 1, 2001. 19 VSA 310.

*EXCEPTION: The Class 4 section of the Norton Road will “be maintained to the extent required by the necessity” of winter maintenance of the East end of that Class 3 road. Also the board amended the Town Road Policy, Class 4 Section, page one, addressing the obligations the town should afford its Class 4 roads and residents (the class of a road is a built-in factor on the property valuation). The policy will ensure that all town residents who live on Class 4 roads are treated equally by the town and that people who seek to move or to build or to live on a Class 4 road are aware of the level of road maintenance they can expect from the town. The policy will be reviewed each year.

Guidance on this policy is from the Vermont Local Roads Program, Vermont League of Cities and Towns, 19 VSA 310.

This policy was adopted by the following members of the Select Board of the Town of Middletown Springs, Vermont at its meeting of December 10, 2001

- **Name, Chair**
- John Colvin, Vice Chair
- Shirley Moyer, Clerk
- Henry Gerberding
- William Reed

Reclassifying Town Highways [2003]

General Policy

Town highways may be discontinued or Class 3 highways may be downgraded to Class 4 roads or trails by following statutory process.

Procedures

The process for altering, reclassifying, or discontinuing town roads is spelled out in 19 VS A §708-712 and §771-775.

Initiation

Persons who are either voters or landowners, and whose number is at least five percent of the voters in town may petition the Selectboard to have a highway reclassified, altered, laid out, or discontinued. The Selectboard itself may initiate the process if they consider the action to be in the best interests of the Town.

Inspection and Hearing

The Selectboard will set a time and date for inspecting the road in question and holding a hearing. Thirty days notice must be given to abutting landowners or persons having an interest, petitioners, the Planning Commission, and the VT Department of Forests, Parks, and Recreation. Public notice will be posted not less than 10 days before the hearing.

Decision

Within 60 days of the inspection and hearing the Selectboard must make a decision, notify the parties, and have the action recorded by the Town Clerk.

This policy was adopted by the following members of the Select Board of the Town of Middletown Springs, Vermont at its meeting of August 11, 2003

- Fred Bradley, Chair
- Robin Chesnut-Tangerman
- William Reed
- John Colvin
- Shirley Moyer

Clean Fill Policy [2003]

Clean fill will be determined as such by the landowner or owners of properties where fill will be placed for disposal by the town.

Examples of clean fill being disposed of by town are as follows but not limited to: Ditching materials, leaves, insufficient road base, stone, ledge, crushed glass, clean wood products, and other biodegradable products.

Landowner must insure the town that property to be filled in, is in no way considered wet lands. Property owners are responsible for all materials agreed upon for fill on their property or properties at the time of delivery and from thereafter.

The town will not be responsible for any part of landscaping of fill being disposed of, other than leveling as to allow continued dumping.

The town is not responsible for property damage that could occur during delivery. Examples are: septic, water, electric, rutting of driveway or lawn, etc.

The property owner or owners must agree with the terms set in this policy and acknowledge such by a signed and dated copy of such policy.

This policy was adopted by the following members of the Select Board of the Town of Middletown Springs, Vermont at its meeting of May 26, 2003.

- Name, Chair
- Name
- Name
- name
- name