

TOWN OF CABOT POLICY AND PROCEDURES

POLICY: CLASS 4 ROADS AND TRAILS

DATE: October 15, 2014

I. PURPOSE

This Class 4 Roads and Trails Policy exists to provide guidance and clarification pertaining to the Town of Cabot's responsibilities and maintenance of its Class 4 Roads and Trails.

II. POLICY

1. Definitions & Criteria (See Attachment A)

- A. Class 4 highways are all other highways not falling under definitions of Class 1, 2 and 3 highways. Class 1, 2, and 3 are defined for the purpose of receiving state aid and are passable with a pleasure vehicle on a year-round basis.

Class 4 roads: Roads that are maintained during the summer season.
(See Attachment A for list of expected maintenance)

1. Class 4 roads receive culvert repair/replacement, bridge repair/replacement, ditching, gravel, grading and/or raking, and mowing at the Selectboard's discretion to facilitate summer use by a pleasure vehicle.
2. Winter maintenance is the responsibility of landowners.

- B. Trail: means a public right-of-way which is not a highway and which:

1. Previously was a designated highway having the same width as the designated town highway, or a lesser width if so designated, or;
2. A new public right-of-way laid out as a trail by the Selectboard for the purpose of providing access to abutting properties or for recreational use.

- C. Existing Use. Existing rights-of-way of Class 4 highways and trails as of the date of adoption of this policy shall be retained by the Town for purposes of recreational multi-use activities, access to private property, and agricultural and forest management.

- D. Maintenance. Work or repairs required for upkeep and access, including tree trimming and/or tree removal.

2. Standards

- A. The Vermont Agency of Transportation's "THE ORANGE BOOK" – A Handbook for Local Officials shall be utilized for approved maintenance practices and standards.
- B. The Town shall maintain bridges, culverts and ditches to control erosion of highways or runoff to adjacent property, and removal of obstructions as required by necessity, and the public good and convenience of the inhabitants of the town.
- C. Permission requested by residents living on a Class 4 road for repair, maintenance, improvement, or restoration of Class 4 roads shall not be unreasonably withheld by the Selectboard.
- D. After the Selectboard has authorized residents living on a Class 4 road to perform repair, maintenance, improvement, or restoration work, the road shall be maintained in as good or better condition as when the work began.
- E. The Town shall not provide any winter maintenance on Class 4 roads and trails.
- F. Any winter plowing of a Class 4 road performed by other parties other than a municipality shall not nullify the privileges under 23 V.S.A #3206 (b) (2).
- G. The Town, at the Selectboard's discretion, may provide disaster recovery assistance.
- H. Construction Standards (applicable to new construction or reclassification only):

Class 2: Applicable state standards;

Class 3: Vermont Department of Highway Standard A-76 plus Town policy;

Class 4: Vermont Department of Highways Standard A-76 modified to include at least 8 inches of gravel and 12 inches over ledge. No Class 4 highway or trail may be upgraded in status or discontinued without the permission of the Selectboard. Selectboard may provide for an alternative travel easement or right-of-way replacing the travel route upgraded or discontinued to ensure that users and landowners have continued access.

3. Control. The Selectboard shall exercise control of Class 4 highways and trails to ensure their integrity as a public right-of-way by means which may include, but are not limited to, the following:

- A. Establishment of vehicle weight limits;
- B. Prohibition or restriction of wheeled motor vehicle use during mud and snow season; signs and barriers may be utilized to accomplish this purpose;
- C. Requirements for temporary permit for heavy equipment access may be imposed and the stipulation included that any highway damaged will be repaired by or at the expense of the user; posting of bond or other security to guarantee that repairs are made may be required as a condition of any permits;

D. Speed limits may be established.

4. **Change in classification.** Class 4 highways may be reclassified to trail status, discontinued, or upgraded to Class 3 or higher status. Trails may be discontinued or upgraded to Class 4 or higher status. Reclassification will be done in accordance with 19 V.S.A. §§ 708-716 and upon findings by the Selectboard that the public interests will be substantially advanced by such change in status and that reasonable measures are taken to replace, substitute, or avoid the loss of public and commercial travel, intrinsic aesthetic and recreational value, or other public interests afforded by the existing Class 4 highway or trail.

At a minimum, no Class 4 highway or trail may be upgraded in status or discontinued without the permission of the Selectboard. The Selectboard may provide for an alternative travel easement or right-of-way replacing the travel route upgraded or discontinued to insure that users and landowners have continued access.

The Selectboard may require that the cost of upgrading a trail to a Class 4 highway or a Class 4 highway to a Class 3 highway be assigned to the petitioner(s).

5. **New Structures.** New structures on lots fronting on a Class 4 highway or trail are subject to the requirements of applicable town ordinances.
6. **Right-Of-Way Access.** Selectboard shall control access into the road right-of-way for the installation or repair of utilities and for access of driveways, entrances, and approaches in accordance with 19 V.S.A. section 1111, and the applicable Town ordinance and zoning regulations. If access is linked to a State highway, a State permit is also required.

Notwithstanding the above, nothing herein shall be deemed to negate or repeal the effect of Chapter, Articles relating to permit requirements for working in or adjacent to highway rights-of-way.

7. **Overweight Vehicles.** Pursuant to 23 V.S.A., Chapter 13, Subchapter 15, vehicular use of highways and bridges is subject to limitation and regulation regarding gross vehicle weights, tire and axle weights, and overall length and width.

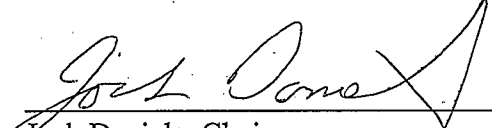
Written approval of the Selectboard, or their authorized agent, may be granted for use or travel over highways and by and between the Selectboard and applicant for compensation for wear and tear on highways anticipated or caused by use of highways in excess of the legal weight and size limitations. Vehicles used for agricultural or forest management shall not be held to a higher standard than other vehicles.

8. **Posting.** No highway of any Class may be intentionally closed by a gate or other obstruction except upon approval of the Selectboard. 19 V.S.A. § 1105. The Selectboard may post a road in accordance with 19 V.S.A., § 1110. The Selectboard may post a highway for the purposes of preserving the integrity of the road. 19 V.S.A. § 304.


9. **Compliance with Other Regulations.** This policy is written to establish and clarify standards of construction and the authority of the Selectboard and their agents.

All other ordinances and regulations adopted by the Town of Cabot shall remain in full force and effect, including without limitation.


Town of Cabot Selectboard
October 15, 2014



Jack Daniels, Chair

Ted Domey


Fred Ducharme

Jeff Gabrielson


Caleb Pitkin

ATTACHMENT A

Road maintenance expected on various Class 4 roads.

CLASS 4-A

1. Culvert repair/replacement
2. Bridge repair/replacement
3. Ditching
4. Grading, raking and/or sloping
5. Gravel
6. Mowing
7. Other maintenance as directed by Selectboard

CLASS 4-B

1. Culvert repair/replacement
2. Bridge repair/replacement
3. Ditching
4. Other maintenance as directed by Selectboard

ATTACHEMENT B

CLASS 4 ROAD CLASSIFICATIONS***

<u>ROAD NUMBER</u>	<u>CLASSIFICATION</u>	<u>LOCATION-NAME</u>	<u>MILEAGE</u>
12	B	Old Center Road	.28
14	A	Bayley-Hazen Road	1.05
24	A	Dubray Road	.47
33	A, B *	Blodgett Road	1.45
34	B	off Jug Brood Road	.10
40	B	Glinka Road	.12
41	A, B*	McKinstry Road	.60
43	B	Wheeler Road	.83
45	A	Last Road	1.27
46	B	Molly Road	.60
49	A	Houghton Road	.20
54	B	off Carpenter Road	.05
55	A	Chatot Road	.10
66	B	off VT 215 south	.19

* Part of Blodgett Road and part of McKinstry Road is Class A & Part is Class B.

***** A map identifying Class 4 Roads & Trails is available in the Town Clerks office.**