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Attest: MSH
Town Clerk, Duxbury

Town of Duxbury, Vermont Class 4 Roads and Trails Policy

It is the goal of Duxbury to provide regular to semi-regular maintenance on all Class 4 roads that are in sufficiently good condition as to allow them to be maintained by the Town. The purpose of this goal is the continued protection of Town assets. This policy is to clarify the Town's maintenance practices on Class 4 roads.

1. Definitions

Vermont State Statute 19 V.S.A. 302 defines the following:

(1) Class 1 town highways are those town highways, which form the extension of a state highway route and which carry a State highway route number. The Agency shall determine which highways are to be class 1 highways.

(2) Class 2 town highways are those town highways selected as the most important highways in each town. As far as practicable they shall be selected with the purposes of securing trunk lines of improved highways from town to town and to places which by their nature have more than normal amount of traffic. The selectmen, with the approval of the Agency, shall determine which highways are to be class 2 highways.

(3) Class 3 town highways:

(A) Class 3 town highways are all traveled town highways other than class 1 or 2 highways. The selectboard, after conference with a representative of the Agency shall determine which highways are class 3 town highways.

(B) 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 to provide winter maintenance, except that based on safety considerations for the traveling public and municipal employees, the selectboard shall, by rule adopted under 24 V.S.A. chapter 59, and after following the process for providing notice and hearing in section 709 of this title, have authority to determine whether a class 3 highway, or section of highway, should be plowed and made negotiable during the winter. However, a property owner aggrieved by a decision of the selectboard may appeal to the transportation board pursuant to subdivision 5(d)(9) of this title.

(C) A highway not meeting these standards may be reclassified as a provisional class 3 highway if within five years of the determination, it will meet all class 3 highway standards.

(4) Class 4 town highways are all town highways that are not class 1, 2, or 3 town highways or unidentified corridors. The selectboard shall determine which highways are class 4 town highways.

(5) Trails shall not be considered highways and the town shall not be responsible for any maintenance including culverts and bridges.

2. Class 4 Road Classifications

It is the right of a landowner to request changes in highway status. The Selectboard, if so petitioned, will follow the procedures set out in Title 19, V.S.A 708-716.

All Class 4 Roads will be placed into one of two groups by a committee of two made up of the Road Foreman and a Selectboard Member. Criteria used to group Class 4 roads will be condition, topography, slope and use. The Selectboard will review and approve the groupings. The groups will be as follows:

Group A: These roads are determined to be of sufficiently good condition that Town equipment will not be damaged if used on these roads.

Group B: These roads are determined to be not maintainable by Town equipment.

Residents of Class 4 roads may request a change in grouping at any time. All changes will be made via a joint decision of the Highway Foreman and one Selectboard member and approved by the Selectboard. Residents of Class 4 roads can upgrade them from Group B to Group A by the interested landowners committing, in a written letter to the Selectboard, to meeting all agreed upon variances to Standard A-76 of the Vermont Department of Highway Standards. In addition, a Group A roads are required to have an adequately sized and maintained turnaround that has been fully licensed to the Town.

Reclassification from Class 4 to Class 3: Upgrading is a common issue faced by the governing body as landowners often locate homes in remote areas. There is no statutory requirement that such requests must be granted by the governing body; however, there may be an issue of constitutional equal protection if the municipality is shown to be disparate in its treatment of similar highways. The governing body may grant the request but order the petitioner bear the cost of the upgrade (19 V.S.A 711).

3. Summer Maintenance

It is the policy of the Town of Duxbury that public expenditures on Class 4 Group A Town roads and trails should be held to a minimum amount necessary that the public investment is preserved through basic maintenance and limited to the amount budgeted and approved by the Selectboard on an annual basis. Regular maintenance is defined as shaping and grading yearly or every other year. Materials such as stone and gravel will be used at a minimum and at such time as to work onto the Road Foreman's schedule.

4. Winter Maintenance

It is the policy of the Town of Duxbury that Class 4 Group A Town roads, Class 4 Group B Town roads, Town trails and private roads will receive no Winter maintenance, including but not limited to snow plowing. The winter maintenance of these roads is the responsibility of the residents in all circumstances. Group A Town roads will have the snow banks pushed back at the convenience of the Road Foreman and the turnaround is not obstructed.

5. Control

The Selectboard shall exercise control of Class 4 roads 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. Enforcement of vehicle weight limits.
- b. Prohibition or restriction of wheeled vehicle use during mud and snow season. Signs and barriers may be used to accomplish this purpose.
- c. Requirements for temporary permits 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.

6. Policy Review

The Class 4 Roads and Trails policy should be reviewed annually to ensure that directives put forth in this policy are working to the benefit of the Town of Duxbury.

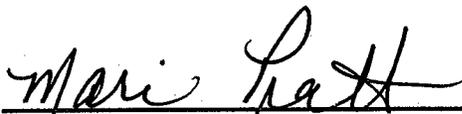
CLASS 4 ROADS AS OF AUGUST 26, 2019

<u>ROAD # AND MILEAGE</u>	<u>GROUP</u>	<u>LOCAL NAME</u>
H26/0.37	A	Ryan Road
H5/0.51	A	Marshall Road
H6/0.83	B	Scrabble Hill Road
H12/0.13	B	Camel's Hump Road
H14/0.04	B	Richardson Road
H15/0.09	B	Delong Road
H30/0.10	B	Connolly Road
H37/0.11	B	Mill Street
H20/0.17	B	Devlin Road
H36/1.14	B	Ward Hill Road

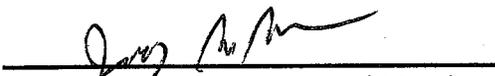
Adopted this 26 day of August in the year 2019 by the Town of
Duxbury, VT Selectboard



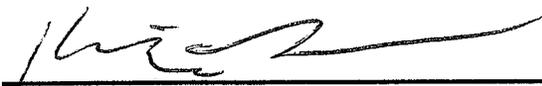
Bob Magee, Selectboard Chair



Mari Pratt, Selectboard Vice Chair



Jerry McMahan, Selectboard Member



Kevin Garcia, Selectboard Member

Dan Schillhammer, Selectboard Member