

**Town of Stratton  
Road Crossing and Access Ordinance  
(November 27, 2000)**

**Stratton Permit Handbook  
Addendum 2**

# **TOWN OF STRATTON**

## **ROAD CROSSING AND ACCESS ORDINANCE**

This Ordinance applies to any work performed within the Town right-of-way, which includes, but is not limited to, Driveway Access from a Town Highway onto a private lot, any underground utility work, or new Utility Pole and Line replacement within the Town right-of-way. Any such work must be presented to Stratton's Board of Selectmen via the **ROAD CROSSING AND ACCESS PERMIT APPLICATION** established within this ordinance. Said work may be performed only after the Board of Selectmen have approved the Permit Application and must conform to all applicable restrictions and conditions set forth in this ordinance as well as any additional direction determined by the Selectmen as listed on the approved Permit Application.

This ordinance pertains to the Town of Stratton's jurisdiction over its highways as specified in Title 19 Section 1111 VSA. It does not release the petitioner from the requirements of any other statute, ordinance, rule or regulation that also may apply to this project. Violations are set forth in Title 19, Section 1111 VSA of fines of not less than \$100.00 nor more than \$10,000.00 for each violation.

### **RESTRICTIONS AND CONDITIONS**

#### **General:**

- 1) Act No. 86 of 1987 (30 VSA Chapter 86) ("Dig Safe") requires that notice be given prior to making an excavation. It is suggested that the Permit Holder or his/her contractor telephone 1-888-344-7233 at least 48 hours before, and not more than 30 days before, beginning any excavation at any location.
- 2) The owner/applicant must comply with all federal and state statutes or regulations and all local ordinances controlling occupancy of public highways. In the event of conflict, the more restrictive provision shall apply.
- 3) The owner/applicant must, in every case where there is a possibility of injury to persons or property from blasting, use blasting mats and bags of sand, if necessary, to prevent the stone from scattering. All existing utility facilities shall be protected from damage or injury.
- 4) The owner/applicant shall erect and maintain barriers needed to protect the traveling public. The barriers shall be properly lighted at night.
- 5) The owner/applicant shall install catch basins and outlets as may be necessary, in the opinion of the Town, to preclude interference with the drainage of the Town highway.
- 6) The owner/applicant may be required to pay the entire cost of salary, subsistence, and traveling expenses of any inspector appointed by the Town to supervise such work.
- 7) The Town may modify or revoke the permit at any time for safety related reasons, without rendering the Town liable in any way.
- 8) In addition to any other enforcement powers that may be provided for by the law, the Town may suspend this permit until compliance is obtained. If there is continued use or activity after suspension, the Town may physically close the work area and take corrective action to protect the safety of the highway users.
- 9) In general, all utilities shall be located adjacent to the highway right-of-way boundary line and shall be installed with out damaging the highway or the highway right-of-way. No pole, pushbrace, guy wire or other above ground facilities shall be placed closer than 10 feet to the edge of traveled way. If the proposed utility facilities are in conflict with the above, each location is subject to the approval of the Town.

- 10) Poles, appurtenances and all debris from cutting shall be located out of conflict with ditches and culverts.
- 11) A preconstruction meeting must be held to discuss work to be completed **prior** to the Permit Holder's employees or contractors begin work. The Permit Holder is required to notify the Stratton Road Foreman (SRF) five (5) working days in advance of such a meeting.
- 12) Roadway shoulder areas will be maintained free of unnecessary obstructions, including parked vehicles, at all times while work is being performed under this permit.
- 13) All grading within the highway right-of-way associated with the proposed construction shall be subject to inspections and approval by the Selectmen or the SRF.
- 14) In areas to be grassed over, the turf shall be restored by preparing the area and applying the necessary topsoil, limestone, fertilizer, seed, and mulch to the satisfaction of the Selectmen or SRF.
- 15) All Underground work in the Town Highway right-of-way shall be performed during normal daylight hours and shall cease on Sunday, on all holidays, during or after severe storms, and between November 15 and April 15. No exceptions without specific written permission from the Selectmen or SRF. These limitations will not apply for the purposes of maintenance, emergency repairs, proper protections of the work which includes, but is not limited to, the curing of concrete and for the repairing and servicing of equipment.
- 16) The highway crossing shall be installed by the Open-Cut Method or by Jacking or Boring (attach drawings).
- 17) Open trenches or pits shall be filled at the end of each day. With permission from the Selectmen or SRF, trenches and pits may be left open for short periods of time if properly protected.
- 18) Where a trench is excavated within the roadbed, all backfill material within 24 inches of the bottom of pavement shall be new material from a source approved by the Selectmen or SRF. All backfill material shall be placed in six-inch (6") layers and compacted to not less than 95% of the material's maximum dry density as determined by AASHTO Standard Method of Test, T-99, Method C, using air or mechanical tampers.
- 19) Temporary pavement will be required within fifteen (15) days after completion of backfilling where an open-cut excavation has been made through a roadway subject to vehicular traffic or where construction for any roadway widening for turn lanes has been brought to grade. The temporary pavement shall consist of at least two inches (2") of compacted bituminous concrete. Temporary pavement shall be properly maintained and shall be replaced with four-inch (4") permanent pavement after the winter season.
- 20) The placement, size, shape, and color of all pavement markings will be in accordance with the Manual of Uniform Traffic Control Devices and Vermont Standards. All existing pavement markings that become disturbed or overlaid with pavement shall be replaced with "in kind" (durable or paint) markings. All costs associated with this work shall be borne by the Permit Holder.
- 21) The Permit Holder shall be responsible to rebuild, repair, restore and make good all injuries or damage to any portion of the highway right-of-way that has been brought about by the execution of the permitted work for a period of 18 months after completion of the work.
- 22) Any variance from approved plans is to be recorded on "as-builts" with copies provided to both the Board of Selectmen and the SRF.
- 23) The Permit Holder shall be responsible for all damages to persons and/or property due to or resulting from any work allowed under this permit. The Permit Holder shall defend, indemnify and save harmless the Town, its officers, agents and employees from all suits, actions, or claims of any character, name and description brought for or on account of any injuries or damages received or sustained by any person, persons or property, including all costs or expenses to defend against such suits, actions or claims.

- 24) A joint permit application is required when more than one party will be involved with the construction, maintenance, and/or operation of the facility being constructed under this permit. Examples include, but are not limited to, joint ownership or occupancy of a utility pole line and construction of a municipal utility line by a contractor. Both utility companies, and in the second case, the municipality and the contractor, must be joint applicants.

### **Driveway Permits:**

- 1) Driveway Permit Applications require a plan showing road frontage for the applicable property, with property boundaries, and the location of the entry onto the Town Highway. The applicant must indicate the distances from each property boundary to the proposed Access center line.
- 2) All Accesses to a Town Highway are to be at least 15 feet wide and may require a culvert. Culverts shall have a minimum diameter of 15 inches and length of 30 feet. The Access shall be level as it intersects the Town Highway as per the attached **Driveway Access Diagram** and sight distance in either direction from the Access should be at least 300 feet. These values are minimum standards. Actual specifications for a given Access shall be set by the Board of Selectmen. Any additional direction by the Selectmen shall be noted on the permit under “**Description of Work Authorized.**”
- 3) The Driveway Permit will be effective upon compliance with all applicable requirements established within this ordinance and it will continue in effect for as long as the present Land Use continues. Any change from the present Land Use will require a new permit.

### **Traffic Control**

- 1) It is incumbent upon the Permit Holder to verify the appropriate safety measures needed prior to construction so proper devices and/or personnel are available when and as needed. Traffic Control Devices shall be in conformance with the Manual on Uniform Traffic Control Devices, Agency of Transportation Standards and any additional traffic control deemed necessary by the Selectmen or SRF. Failure to utilize proper measures shall be considered sufficient grounds for the Selectmen or SRF to order cessation of the work immediately.
- 2) Construction will be performed in such a way as to minimize conflicts with normal highway traffic. Uniformed traffic officers or trained flag-persons shall be provided when two-way traffic cannot be maintained and at the request of the Selectmen or SRF whenever he deems it necessary for the protection of the traveling public.
- 3) When traffic control becomes so complex that traffic control cannot be accomplished using Town standards, the Permit Holder must submit a Traffic Control Plan to the Selectmen or SRF prior to beginning work.

By approval of the Board of Selectmen  
on this 27<sup>th</sup> day of November, 2000

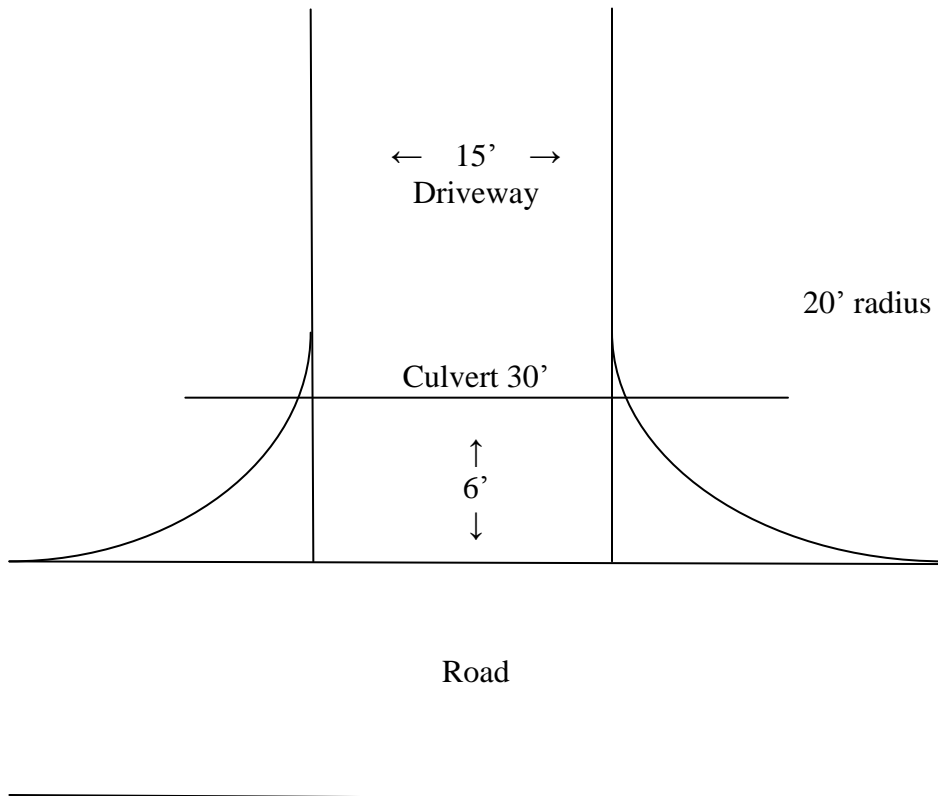
*Albert J. Dupell* \_\_\_\_\_

*Chris Liller* \_\_\_\_\_

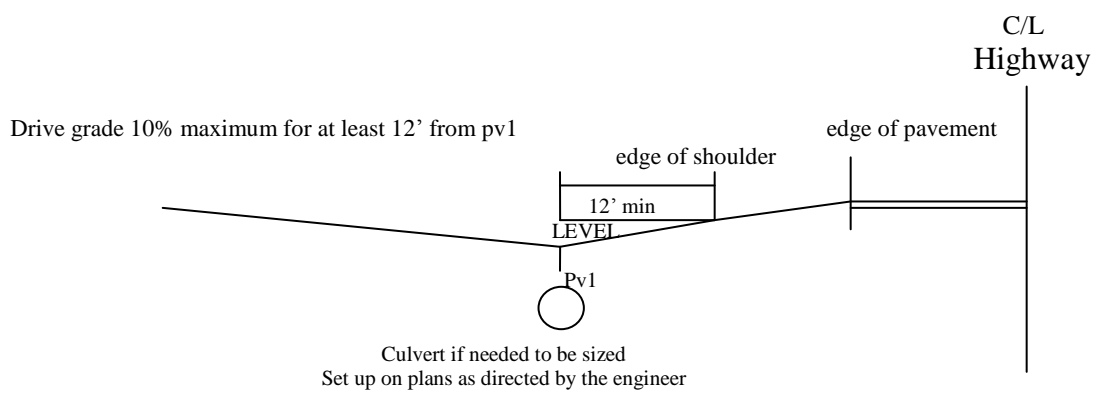
*Lawrence Bills* \_\_\_\_\_

*Stephen P. Maynard* \_\_\_\_\_

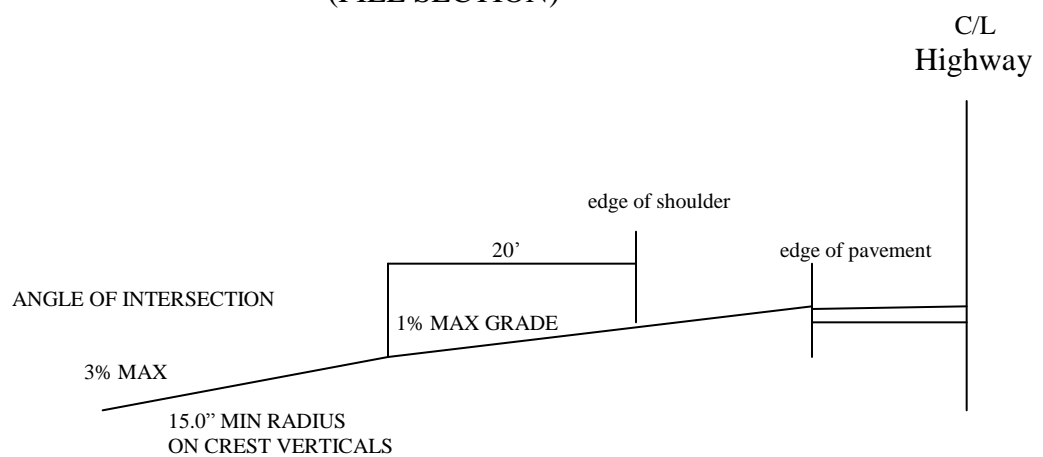
*Earl Pickering* \_\_\_\_\_



PROFILE OF INTERSECTION  
SHOWING 9" DEPRESSED RAMP (CUT SECTION)



PROFILE OF INTERSECTION  
(FILL SECTION)



**TOWN OF STRATTON  
HIGHWAY DEPARTMENT**

**ROAD CROSSING AND ACCESS  
PERMIT APPLICATION**

**This Permit applies to the Town Right-Of-Way only.  
An additional Zoning permit may be required for this project.**

Owner's / Applicant's Name, Address, & Phone # \_\_\_\_\_

Co-Applicant's Name, Address & Phone # (if different from above) \_\_\_\_\_

The location of work (Town, Highway route, distance to nearest mile marker or intersection & which side) \_\_\_\_\_

Description of work to be performed in the highway right-of-way (attach sketch) \_\_\_\_\_

Is a zoning permit required? YES  NO  - If yes, # \_\_\_\_\_

Is an Act 250 permit required? YES  NO  - If yes # \_\_\_\_\_

Other permit(s) required? YES  NO  - If yes name and # of each \_\_\_\_\_  
(Use additional sheets if necessary)

Date work expected to begin \_\_\_\_\_ 20\_\_\_\_\_

Owner/Applicant \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Co-Applicant \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

All work shall be accomplished in accordance with the attached plan dated \_\_\_\_\_

[Applicant - Do Not Write Below This Line]

**PERMIT APPROVAL**

(to be filled out by direction of the Select Board):

**Description of Work Authorized by this Permit (include Special Conditions / Directions)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**This work is subject to the restrictions and conditions of  
Stratton's ROAD CROSSING AND ACCESS ORDINANCE.**

Date work is to be completed \_\_\_\_\_ 20\_\_\_\_\_

**Approved / Denied**

\_\_\_\_\_  
\_\_\_\_\_

Board of Selectmen

Date

No work shall be performed under this permit until the owner / applicant has contacted the Stratton Road Foreman at \_\_\_\_\_ (If no response, contact the Town Garage at 896-6224 or the Town Office at 896-6184 during normal working hours).