

## Town of Duxbury Class IV Road and Trails Policy

It is the goal of the Town of Duxbury to provide regular to semi-regular maintenance on all Class IV 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 IV roads. Under State Law 19 V.S.A. 17 Class IV roads include roads, pent roads, trails, unimproved roads and other rights of way. Under this policy Class IV roads are divided further into two groups.

### 1. Class IV Road and Town Trail Definitions:

*Class IV Road:* Class IV roads are all other roads not falling under definitions of Class I, II and III highways. Class I, II and III are defined in Vermont Statutes for purpose of receiving state aid and are passable by a pleasure vehicle on a year-round basis.

*Town Trail:* Trail means a public right-of-way which is not a highway and which:

- a. Previously was a designated highway and having the same width as the designated Town highway, or a lesser width if so designated, or
- b. 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.

### 2. Class IV Road Classification:

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. section 708-716.

All Class IV roads will be placed into one of two groups by a committee of two made up of the Road Foreman and Selectboard member. Criteria used to group Class IV 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.

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Residents of Class IV roads may request a change in grouping at any time throughout the year. All changes will be made via a joint decision of the Road Foreman and one Selectboard member and approved by the Selectboard. Residents of Class IV roads can upgrade from a Group B to a 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 Highways Standards. In addition, a Group A road would be required to have an adequately sized and maintained turnaround that has been fully licensed to the Town.

Reclassification from a Class IV to Class 3: Upgrading is a common issue faced by the governing body as landowners often locate homes in remote locations. 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 can be shown to be disparate in its treatment of similar highways. The governing body may grant the request but order that the petitioner bear the cost of the upgrade (19 V.S.A. 775)

### 3. Summer Maintenance:

It is the policy of the Town of Duxbury that public expenditures on Class IV, 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 ever other year. Materials such as stone and gravel will be used at a minimum and at such time as to work into the Road Foreman's schedule.

### 4. Winter Maintenance:

It is the policy of the Town of Duxbury that Class IV, Group A Town roads, 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 IV 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.
- c. Prohibition or restriction of wheeled vehicle use during mud and snow season: signs and barriers may be utilized to accomplish this purpose.
- d. 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.
- e. Speed limits may be established.

6. Policy Review

This Class IV and Town trail policy should be reviewed each year to ensure that directives put forth in this policy are working to the benefit of the Town of Duxbury.

CLASS IV ROADS AS OF OCTOBER 1, 2015

ROAD # AND MILEAGE	GROUP	LOCAL NAME
H12/0.13	B	CAMEL'S HUMP
H6/0.83	B	SCRABBLE HILL
H5/0.51	B	MARSHALL ROAD
H14/0.04	B	RICHARDSON ROAD
H26/0.37	B	RYAN ROAD
H35/1.14	B	DOWSVILLE (LOOP)
H32/0.40	B	WEBSTER ROAD
H15/0.09	B	DELONG ROAD
H30/0.10	B	CONNOLLY ROAD
H37/0.11	B	MILL STREET

ADOPTED this 9 day of November 2015

**SIGNATURES OF THE SELECTBOARD**

B. R. [Signature]

Betty J. Gibbs

[Signature]

[Signature]

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