

TOWN OF WINDHAM, VERMONT  
A TOWN ORDINANCE FOR THE CONSTRUCTION OF ROADS

NOTICE IS HEREBY GIVEN that the Board of Selectmen of the Town of Windham have ADOPTED MINIMUM ROAD SPECIFICATIONS establishing minimum standards of construction of all new roads within the Town of Windham, Vermont on AUGUST 7, 1989 under and pursuant to Title 19, V.S.A. Section 304 (a) (23).

The purpose of these road specifications is to establish minimum standards of construction for the development of all new roads within the Town of Windham.

The Town of Windham will not accept any roads for public use and maintenance if not constructed to these minimum specifications.

A THE MINIMUM ROAD SPECIFICATIONS ARE:

1. All proposed streets or roads shall be at least fifty (50) feet in width. The traveled roadway of such streets or roads shall be in the center of the highway right-of-way. The traveled portion of the street or road shall be at least twenty two (22) feet in width. The shoulders of the street or road shall be at least two (2) feet on both sides of the traveled portion of the street or roadway. All side ditches shall be at least two (2) feet below the traveled portion of the street or roadway.
2. Trees and underbrush shall be cleared at least twenty (20) feet from the centerline of the traveled portion of the street or roadway.
3. All telephone or other utility poles shall be located at least twenty-four (24) feet and to the extreme limits of the road right-of-way from the centerline of the traveled portion of the street or roadway.
4. The traveled portion of the street or road shall consist of a minimum sub-base of coarse gravel of at least eighteen (18) inches; twenty-one (21) inches over ledge. A six (6) inch crushed topping is required. The traveled portion must be graded and crowned in accordance with State of Vermont Highway Standards.
5. Proposed streets and roads shall be so drained that no water will remain and collect in any one spot or form a pool. To ensure proper drainage, ditches must be dug along both sides of the proposed street or road. All culverts must be at least 15 inches in diameter, of the corrugated type used for road work, coated, (if not aluminum) and all sections joined together with bands. All culverts must be installed twenty-one (21) inches below the surface of the street or roadway with adequate pitch to carry water run off.
6. Any secondary approach to a main thoroughfare, including private driveways, shall be made at a right angle.
  - (a) No drainage shall be dispersed from a secondary or private drive onto a main thoroughfare.
  - (b) Secondary approaches and private driveways shall be provided with proper ditching and culverts so as to allow for the proper flow of water.
  - (c) Secondary approaches and private driveways shall not intercept a main thoroughfare at a level higher than the shoulder of the main thoroughfare.

7. Guard rails or posts shall be installed at all culvert and areas of steep fill locations.
8. Slopes shall be seeded, fertilized and mulched in accordance with Vermont Highway Department specifications or equal.
9. All streets or roads shall not have a grade exceeding ten (10%) per cent.
10. All dead end roads must have at least a one-hundred (100) foot diameter turn-around, and not exceed a two (2%) per cent grade.
11. Minimum radius of curves shall be eighty (80) feet.

B CONNECTIONS WITH TOWN HIGHWAYS:

1. A private road or driveway intersecting with a town highway shall have a traveled surface at least twenty (20) feet in width for a distance of at least twenty (20) feet from said intersection, and it shall intersect with said town highway at an angle of ninety (90) degrees.
2. The construction of such intersections shall conform with Vermont Department of Highway Standard B-71, insofar as profiles of said intersections are concerned.
3. Any person proposing to construct an intersection of a private road or driveway with a town highway, or to alter or relocate an existing intersection, must first receive from the Selectmen of the Town of Windham, or their agent, a permit for said construction, alteration, or relocation.
  - (a) An APPLICATION FOR ACCESS PERMIT, on a form provided by the Town, will be filed, with a plot plan, and accompanied by a filing fee as established by the Board of Selectmen. The applicant shall put "stakes" at each side of the proposed driveway.
  - (b) If the proposed construction or alteration or relocation meets the standards of this Ordinance, a permit shall be issued within thirty (30) days of filing, which permit will expire one Hundred and eighty (180) days from date of issue.
  - (c) If the proposed construction, alteration, or relocation does not meet said standards, the application shall be denied within said thirty (30) days and the applicant may appeal in writing to the Board of Selectmen.
  - (d) Final approval of the project under authority of the permit will be given upon completion of the project, notification to and inspection by the Selectmen or their agent. If, upon inspection, changes in the project are found necessary in order to meet the standards of this Ordinance, they shall be made after which a re-inspection shall take place.

C DEDICATION AS TOWN HIGHWAY:

1. Conveyance of proposed streets or roads together with all necessary drainage easements being dedicated to the Town of Windham and to be accepted by the Town shall be by means of a good and sufficient Warranty Deed conveying good and marketable title free and clear of all attachments, liens or encumbrances of the proposed street or road. The grantor shall obtain a certificate of title or certificate of title insurance for the Town of Windham certifying or insuring that the street or road to be dedicated and accepted is free and clear of all attachments, liens or encumbrances.
2. Any proposed road or street to be accepted by the Town shall have been in use by members of the public for at least four (4) consecutive months which will include the months of March and April.
3. Any proposed road or street to be accepted by the Town shall be paved in accordance with State of Vermont Highway specifications.
4. All costs in connection with the dedication and acceptance of proposed streets or roads as Town Highways including, but not limited to, the construction of the road or street itself, surveying, the preparation of the Warranty Deed, the title examination and/or issuance of a title policy and other legal expenses incurred in connection with the approving and acceptance of streets and roads shall be paid by the owner.
5. Prior to construction of the street or road, blue prints and specifications for such proposed street(s) or road(s) must be filed with the Windham Town Clerk and the Windham Board of Selectmen.
6. The Selectmen of the Town of Windham reserve the right to accept or reject any proposed street or road.

These Regulations are recorded at the Windham Town Clerk's Office and copies may be obtained from the Windham Town Clerk.

Questions regarding these Regulations may be directed to: Donald F. Coburn, Burbee Pond Rd., R R 1, Box 161, Windham, (via: W. Townshend, Vermont) 05359, telephone #1-874-4528; or to Kenneth V. Fisher, Jr., Esquire, P.O. Box 621, Brattleboro, Vermont 05301, telephone # 802-254-4488.

These Regulations shall be effective sixty (60) days from AUGUST 7, 1989 unless a Petition pursuant to 24 V.S.A. Section 1973 is presented to the Windham Board of Selectmen or the Windham Town Clerk within forty-four (44) days of SEPTEMBER 20, 1989. Such Petition, if signed by five per cent (5%) of the voters of the Town of Windham shall call for a special public meeting at which voters may disapprove of these Regulations.

Dated: AUGUST 7, 1989.

BOARD OF SELECTMEN, TOWN OF WINDHAM, VT.

Donald F. Coburn  
DONALD F. COBURN

Helen George  
HELEN GEORGE

Walter Woodruff  
WALTER WOODRUFF

Post(5) Town Clerk's Office; Town Hall; Windham Vol. Fire Co.; Windham Elem. School; Tater Hill Country Club.

Publish(1X) The Message For The Week( week of Aug. 14th issue)

Recorded Windham Town Record Book 9 Pages 285-287 Date posted: August 8, 1989.

Attest: Carol C. Mesnik TOWN CLERK