



TOWN OF HYDE PARK

## ROAD ACCEPTANCE POLICY

Adopted November 8, 2012  
HYDE PARK SELECTBOARD

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ROAD ACCEPTANCE POLICY

1.01 GENERAL

It is the policy of the Selectboard of the Town of Hyde Park to entertain applications for the acceptance of public highways and roadways and to adopt and adhere to an orderly procedure for the receipt of and acting upon such applications. The decision of an application for acceptance of a highway is reserved to the sole and absolute discretion of the Selectboard who will consider the grant or denial of an application on the basis of the best interest of the inhabitants of the Town, and whether the public good, necessity and convenience of the inhabitants of the municipality require the highway to be laid out.

An applicant shall secure all other necessary governmental permits for a land subdivision or for road construction as a condition precedent to the acceptance of a highway.

1.02 ACCEPTANCE

A. Upon completion, no road shall be considered for acceptance until:

1. It has been plowed and maintained through one freeze and thaw cycle during which the road shall be maintained by the developer and/or applicants, and
2. Upon completion and occupancy of three residences or business structures.

B. Preliminary Town Maintenance. After the initial freeze and thaw cycle, when the road has been inspected, and three structures, each of the three on their own individual parcels, have been occupied, the Town will, upon written request to the Selectboard, begin normal maintenance for 12 months. The town will not accept the road during this period.

C. After 12 months of maintenance, if no serious defects have been observed, the deed will be recorded and the road will become a Town highway. During the 12 months initial acceptance period, any flaws or defects which are pointed out to the road builder will become the road builder's responsibility to correct. If defects remain at the end of 12 months, or at the end of the period time approved by the Selectboard for the road builder to complete repairs, the Town will notify the developer-applicant in writing that requirements have not been met, and the Town will not accept the road as a Town highway and may stop maintaining the roadway and related infrastructure until repairs are completed to the satisfaction of the Selectboard. All questions arising from road construction relative to construction methods, materials or specifications shall be answered by reference to this ordinance, the Town of Hyde Park, Vermont, 2012 Highway Construction Specifications, as they may be amended, and to the Vermont Standard Specifications for Construction.

- D. Road specifications in effect at the time of the initial inspection will be applicable for a period of two years from that date after which time any new road specifications will apply. The only exception will be if the road in question at the end of the two year period in Section 1.08 is under the 12-month maintenance period.
- E. The Selectboard, or their representative, shall make final decisions over all questions arising during construction of new roads and shall approve all field changes.
- F. Existing driveways. If driveways have already been constructed, Town Highway Access Permits shall be required to be submitted, and be issued, as part of the acceptance of the road as a Town highway. This assures that such must be maintained to certain standards in the future.
- G. Any new road, whether or not that road is proposed to be conveyed to the town shall be constructed according to the minimum standards and other terms of the ordinances and bylaws of the Town of Hyde Park.

### 1.03 INSPECTION

- A. All highway designs, including cut and fill plans, gravel pit plans, surveys, layouts, right-of-way, utility locations, road construction site, preparation and construction may be inspected by the Road Commissioner or Road Foreman or designated representative at the following stages and as applicable.
- B. Inspection Reports. Applicant shall be responsible for submission of inspection reports to the Road Commissioner at each of the following stages. The inspection shall be provided and certified to under the direction of a Vermont licensed civil engineer.
  - 1. Erosion control devices prior to stumping
  - 2. After rough grading
  - 3. Upon completion of subgrade work and during compaction
  - 4. During graveling
  - 5. Before paved surface treatment is applied
  - 6. Final inspection (includes all road structures, signage and ditching)
- C. Grade Stakes. The developer shall have stakes set on centerline, with finish grades marked on them, at least every 100 feet for the entire length of the street, with distance and grades marked before each inspection. Stakes shall be set every 50 feet for any section of road to be paved.
- D. Culverts. The integrity of all culverts must be approved by the Town prior to acceptance.
- E. Clean-up & Damage Repair. Before final inspection, the developer shall remove all trash from the right-of-way and the center of the turn-around and shall repair any damage done to the roadway, shoulders, drainage structures and related road items. All slopes will be seeded and mulched.
- F. Inspections, samples and core tests may be taken by the town before final acceptance and all costs incurred shall be reimbursed by developer.

#### 1.04 APPLICATION, PLANS AND PLATS

A plan of proposed streets shall be submitted to the town for review with a written request to consider acceptance of a private road as a Town highway. The plan shall be in harmony with existing or proposed streets. As far as practicable, streets shall follow natural contours. All streets shall have free access to or shall be a continuation of one or more accepted Town streets or highways.

A written application for the acceptance of a highway shall be submitted to the Town ten weeks before road construction is started. The application shall be in the form of a cover letter to the Selectboard, accompanied by a survey, completed by a Vermont licensed surveyor, and in a form acceptable by the Selectboard for accuracy, thoroughness and legibility and a proposed warranty deed of the land to be conveyed for highway purposes. The metes and bounds of all lines or changes in line angles, the centerline grade line and minimum radii of all curves must be shown. The warranty deed must be free and clear without any encumbrances or easements to others.

Where application is made after construction is started, the Town may require additional testing of the road materials, change in layout and materials, and a longer period of freeze and thaw cycles or preliminary Town maintenance otherwise required under 1.02 above.

All monuments shall be of a reasonable permanent nature and where feasible shall be "tied" by survey to other objects of a permanent nature and the "ties" shall be shown on said map. The map shall show approximate location of any property line within 200 feet of the proposed right-of-way.

#### 1.05 FEES

A base fee, established by the Selectboard, shall accompany each application to cover the cost of inspections, legal costs, legal notices, mailing, bookkeeping and recording. All legal and advertising costs are to be borne by the applicant. Costs above the base fee will be billed to the applicant and paid in full prior to the Town's acceptance of a road as a Town highway. A fee, established by the Selectboard, will be charged to cover the cost of installation of each street name sign. Other signs along the proposed town highway must be paid for and installed by the road developed after approval of the type and location by the Road Commissioner and as may be required or advised to be installed by the Selectboard, MUTCD guidelines or other state or federal agencies and all costs will be billed to the owner at cost and payment must be received before final acceptance.

## 1.06 PERFORMANCE BOND

A 100% bond, escrow account, or other surety, in a form acceptable to the Selectboard, for the estimated cost of the proposed road shall be provided to the town prior to the stumping of the right-of-way. The Selectboard shall determine the amount of the bond. Permits may be withheld pending tender of proper bonds, escrow or surety or highway acceptance.

## 1.07 ROAD NAME

Applicant may, in the initial application, propose a name for the road, but the Selectboard will determine the road name. The State Agency of Transportation will assign a number to the road once accepted by the Town.

## 1.08 CONVEYANCE

All rights-of-way and slope rights shall be conveyed to the Town of Hyde Park by warranty deed in fee simple and free of all encumbrances.