

VILLAGE OF BARTON HIGHWAY ACCESS POLICY

Section 1 – Authority.

This Highway Access Policy (hereafter "Policy") is enacted pursuant to the authority granted to the Village under 19 V.S.A. §§ 303 and 1111.

Section 2 – Purpose.

This Policy regulates access to the Village Highway system. It is the purpose of this Policy to protect and preserve the safety and convenience of the inhabitants of the Village and the traveling public and to protect the public investment in the Village Highway system through the regulation of highway access.

Section 3 – Definitions.

For the purpose of this Policy the terms defined in this Policy shall have the following meanings:

"Access Permit" means the permit issued by the Board of Trustees to access the Village Highway system after following the procedural requirements of this Policy.

"Highway" means the highway system for the Village of Barton, which includes the public rights-of-way, bridges, drainage structures, signs, guardrails, areas to accommodate utilities authorized by law to locate within highway limits, areas used to mitigate the environmental impacts of highway construction, vegetation, scenic enhancements, and structures.

"Notice" means the written Notice of Permission to Proceed, described in Section 5c of this Policy, issued by the Board of Trustees after an application for an access permit is approved.

"Person" means an individual, corporation, government, governmental subdivision or agency, business trust, estate, trust, partnership or association, or other legal entity.

"Board of Trustees" means the Board of Trustees of the Village of Barton.

"DPW Foreman" means the Department of Public Works Foreman of the Village of Barton.

"Village" means the Village of Barton.

"Vermont Agency of Transportation Standards B-71A, B-71B and A-76" shall mean the most recent versions of the Vermont Agency of Transportation standard sheets B-71A, Standards for Residential Drives, B-71B, Standards for Commercial Drives and A-76, Standards for Town and Development Roads.

Section 4 – Permit required.

No person shall install, develop, construct, regrade, or resurface any driveway, entrance, or approach, or build a fence or building, or deposit material of any kind within, or to in any way affect the grade of a highway right-of-way, or obstruct a ditch, culvert, or drainage course that drains a highway, or fill or grade the land adjacent to a highway so as to divert the flow of water onto the highway right-of-way, within the Village unless an Access Permit has been obtained from the Board of Trustees in accordance with this Policy.

A driveway or other access created or developed by the Village for official Village purposes is not required to obtain an Access Permit.

Section 5 – Process.

a. Application.

A person may apply for an Access Permit from the Village using the Access Permit Application form provided by the Barton Village Office. The application shall be in writing and shall be signed by the applicant or an individual authorized to act for the applicant. A fee of \$10.00 shall be paid at the time the application is submitted. A completed application must be submitted to the Board of Trustees at least 30 days before work is scheduled to begin. The Board of Trustees may modify the time requirements of this Policy for good cause shown provided the public health and safety will not be jeopardized by such action.

b. Consideration.

Prior to any action by the Board of Trustees, the application will be reviewed by the DPW Foreman.

The Board of Trustees will consider a completed application at a regular or special Board of Trustees meeting and may recess the meeting on the application as necessary to receive additional information. The Board of Trustees may approve, approve with conditions/modifications, or deny an application upon consideration of the approval standards set forth in Section 7 of this Policy.

c. Notice of Permission to Proceed.

If an application is approved, the Board of Trustees will issue written permission in the form of a Notice of Permission to Proceed ("Notice"). The Notice will list the specifications, requirements, and restrictions for the work. The Notice may require supervision and/or inspection by the Village. The Notice will state the date on which construction/development of the Access may proceed.

d. Notification of completion.

The applicant shall notify the Board of Trustees within 30 days after construction is completed.

e. Final inspection.

The Board of Trustees shall conduct a final inspection to determine if the work has been completed according to the requirements listed in the Notice.

f. Issuance of Permit.

If, after inspection, it is determined that the Access has been constructed /developed in compliance with the Notice, a written Permit shall be issued by the Board of Trustees within 30 days after final inspection.

g. Recording of Permit.

A Permit shall not be valid until recorded in the Town Land Records at the expense of the Permittee.

Section 6 – Contents of Application.

An application for an Access Permit shall be on the form provided by the Village and shall be deemed to be complete if it includes the following:

1. The name, address, and telephone number of the applicant, the principal officers of the applicant, the individual making the application, and any other individual authorized to represent the person applying for the Permit;
2. If the applicant is not the owner of the premises where the access is to be constructed, the name and contact information of the owner or other person that has the authority to consent to the use and development of the premises, and a signed statement from that person stating that consent is given to the applicant;
3. The location of the access, including street address (if any), and parcel ID # of the property;
4. The date on which construction is proposed to begin;
5. A visual depiction of the premises indicating location, layout, adjacent state and local highways, entrances and exits, traffic flow patterns, parking and land uses of the surrounding area;
6. Any additional information the applicant wishes to furnish that assists the Board of Trustees or its designee in determining that the proposed access will comply with the applicable standards; and
7. The signature of the applicant or an individual authorized to act for the applicant.

Section 7 – Approval conditions.

When issuing a Notice under this Policy, the Board of Trustees shall require that the proposed access will be constructed or developed according to the standards in Vermont Agency of Transportation Standards B-71A, B-71B and A-76.

In addition, the Board of Trustees shall require conditions to avoid: (1) undue adverse traffic congestion and unsafe conditions regarding the use of public roads, sidewalks and other public rights-of-ways; (2) unhealthy conditions regarding water supply, sewage disposal, or solid waste disposal; and (3) adverse effects on drainage ditches, culverts or other drainage facilities.

In addition, the Board of Trustees may require the posting of a security bond or the establishment of an escrow account to ensure compliance with the conditions of the Notice or Permit and protection of the Village Highway system. In addition, the Board of Trustees may attach any such reasonable conditions as they deem appropriate to mitigate or eliminate any impacts reviewable under the approval standards set forth above.

Section 8 – Expiration of Notice of Permit.

The authorization conveyed by a Notice of Permit shall expire 1 year after the issuance of that Notice unless the work authorized by such Notice has been substantially commenced.

Section 9 – Damage to Village highways.

In the event that damage to a Village Highway is caused by improper construction, maintenance, or grading of a driveway or other highway access point, it shall be the responsibility of the property owner to compensate the Village for any expenses involved in restoring that highway to its original condition.

Section 10 – Revocation of Permit; Frontage road.

As per 19 V.S.A. § 1111(f), the Board of Trustees may, as development occurs on land abutting a Village Highway, require the elimination of an access previously permitted and require the construction of a common frontage road or other access improvements which may serve more than one property or lot.

Section 11 – Responsibility for culverts and headwalls.

Culverts and headwalls installed on private property, even when located within the municipal right-of-way, are the responsibility of the property owner. Property owner retains exclusive legal and financial responsibility to repair, replace, and maintain those culverts and headwalls. Nevertheless, property owner must obtain permission from the Village in the form of a written Notice of Permission to Proceed before any repair or replacement may take place.

Section 12 – Applicability of other laws and ordinances.

The Permit required under this Policy shall not replace or eliminate any requirement to obtain approval under any other applicable State laws or municipal land use ordinances. Applicants and Permittees are solely responsible for ensuring that their access is in compliance with applicable State laws and municipal land use ordinances.

Section 13 – Enforcement and Penalties.

In the event that a person fails to obtain a Notice/Permit as required by this Policy, fails to abide by the terms and/or conditions of a Notice/Permit, or misrepresents any information contained within or in support of a Notice/Permit application, the Board of Trustees may resort to any or all of the following enforcement options:

a. Optional Notice of Violation

Prior to instituting any legal action or proceeding to enforce this Policy, the Board of Trustees or its designee may issue a notice of violation setting forth the nature of the violation, the corrective action necessary to abate the violation, and notice of intention to institute an action or proceeding against the person responsible for the violation. 19 V.S.A. § 1111(i).

b. Assurance of Discontinuance

The Board of Trustees or its designee may accept an “assurance of discontinuance” of any violation of this Policy, including a schedule for abatement of a violation. 19 V.S.A. § 1111(i). When such assurances are allowed, they must be in writing and must be filed not only with the Village, but also with the attorney general, the Superior Court, and the town clerk’s land records.

c. Permit Suspension

The Board of Trustees or its designee may suspend a Permit until compliance with State statute and the Policy is obtained. 19 V.S.A. § 1111(g). The Board of Trustees or its designee may physically close the driveway or access point, if there is continued use or activity after suspension of a Permit, and in the opinion of the Board of Trustees, or its designee, the safety of highway users is or may be affected. 19 V.S.A. § 1111(g).

d. Injunction

If the Board of Trustees believes that any person is in violation of the provisions of Title 19 V.S.A. §§ 1111 *et seq.*, it may bring an action in the name of the Village against the person to collect civil penalties as provided in 19 V.S.A. § 1111(j) and to restrain by temporary or permanent injunction the continuation or repetition of the violation. 19 V.S.A. § 1111(h).

e. Civil Penalties

Persons who violate the requirements of this Policy or fail to adhere to Permit conditions, or the terms of and order issued by a court of law may be subject to civil

penalties of not less than \$100.00 and not more than \$10,000.00 for each violation. When the violation of an order is of a continuing nature, each day during which the violation continues after the date fixed by the court for correction or termination of the violation constitutes an additional separate and distinct offense except during the time an appeal from the order may be taken is pending.

Section 14 – Severability.

If any section of this Policy is held by a court of competent jurisdiction to be invalid such finding shall not invalidate any other part of this Policy.

Section 15 – Effective Date.

This Policy shall become effective upon adoption by the Board of Trustees.

Adopted this 9th day of October, 2023.

Regina L. Lyons
Maurice R. Price

Board of Trustees

Village of Barton
Highway Access/Right-of-Way Permit Application

NOTICE TO APPLICANT: This form is for use in conjunction with the Village's Highway Access Policy. Before submitting an application, applicants are urged to review the Village Highway Access Policy in full.

If an application is approved, the Board of Trustees will issue written permission in the form of a Notice of Permission to Proceed ("Notice"). The Notice will list the specifications, requirements, and restrictions for the work. The Notice may require supervision and/or inspection by the Village. The Notice will state the date on which construction/development of the Access may proceed.

Once construction/development is completed, the Board of Trustees shall conduct a final inspection to determine if the work has been completed according to the requirements listed in the Notice. If, after inspection, it is determined that the Access has been constructed/developed in compliance with the Notice, a written Permit shall be issued by the Board of Trustees within 30 days after final inspection. An access is not considered legally permitted until the written Permit has been recorded in the Town Land Records at the expense of the Permittee.

THIS FORM MUST BE COMPLETED FULLY AND ACCURATELY

Name of applicant

Parcel ID #

Mailing address

Telephone number

Owner name and address if different from applicant

Application is hereby made for issuance of a permit to allow use of the Village Highway pursuant to 19 V.S.A 1111 as follows:

911 Address # _____ Proposed Activity _____

(YOU MUST DESCRIBE THE WORK TO BE PERFORMED IN DETAIL AND A SURVEY, SKETCH OR PLAN DRAWN TO SCALE
 DELINEATING THE SITE OF THE PROPOSED ACTIVITY **MUST** ACCOMPANY THIS APPLICATION. THE SURVEY, SKETCH OR PLAN WILL
 CONTAIN THE CURB CUT LOCATION, THE BOUNDARY LINE AND NAMES OF ALL ABUTTERS TO THE AFFECTED PROPERTY)

Signature of applicant

Date

Signature of landowner (if different)

I have reviewed the application and site plan, as well as actual site and approve the application with the following conditions/recommendations:

Barton Village DPW Foreman signature

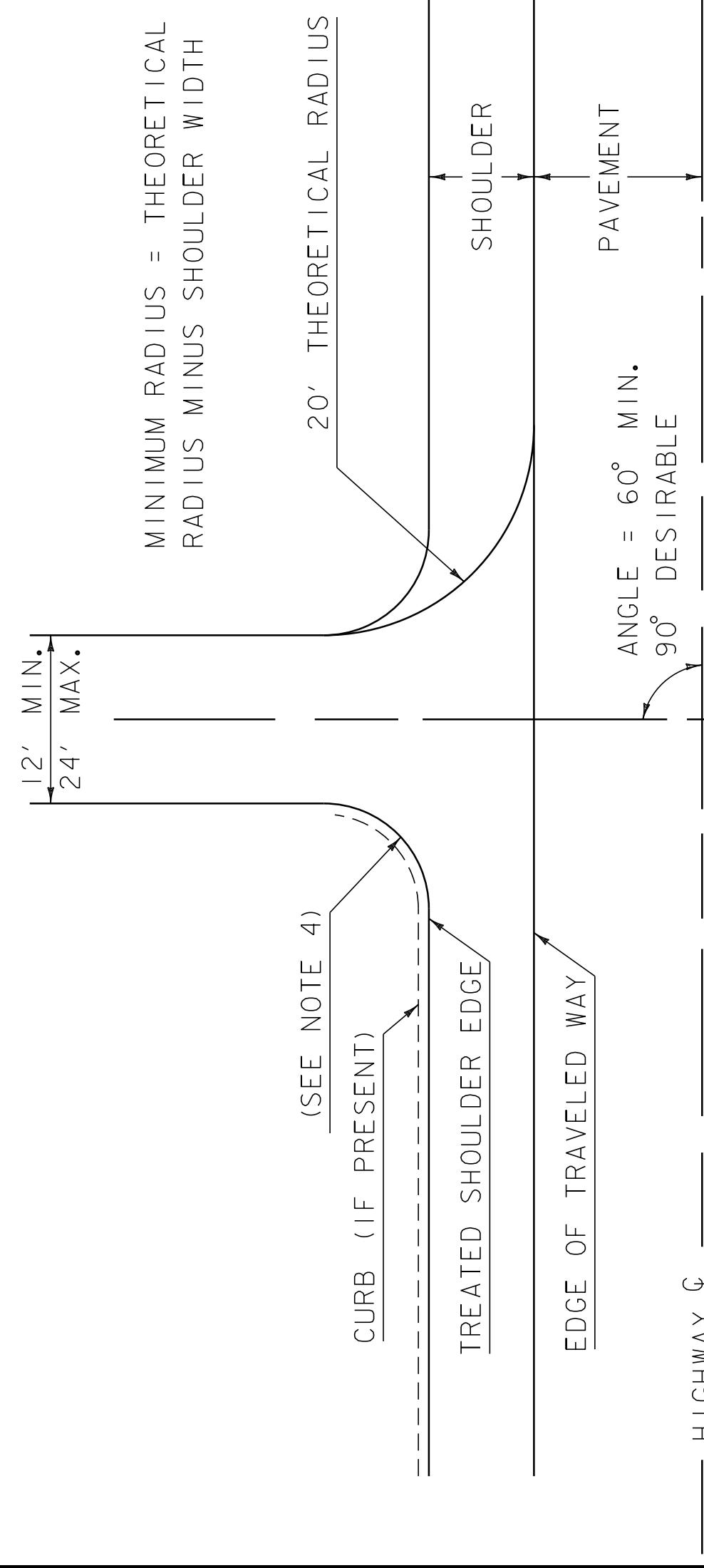
Date

DO NOT WRITE BELOW THIS LINE

DATE PERMIT DENIED: _____ DATE PERMIT APPROVED: _____

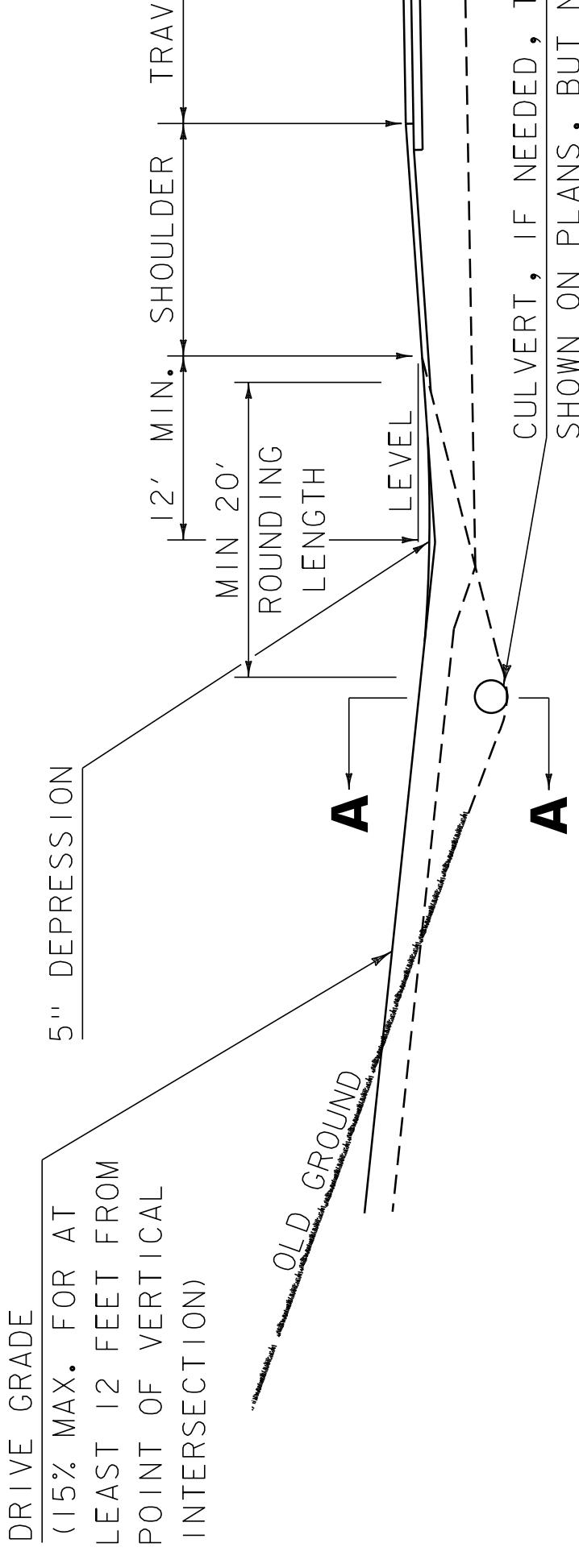
DETAIL A

RESIDENTIAL DRIVE PROFILE OF DRIVE INTERSECTION
(FILL SECTION)

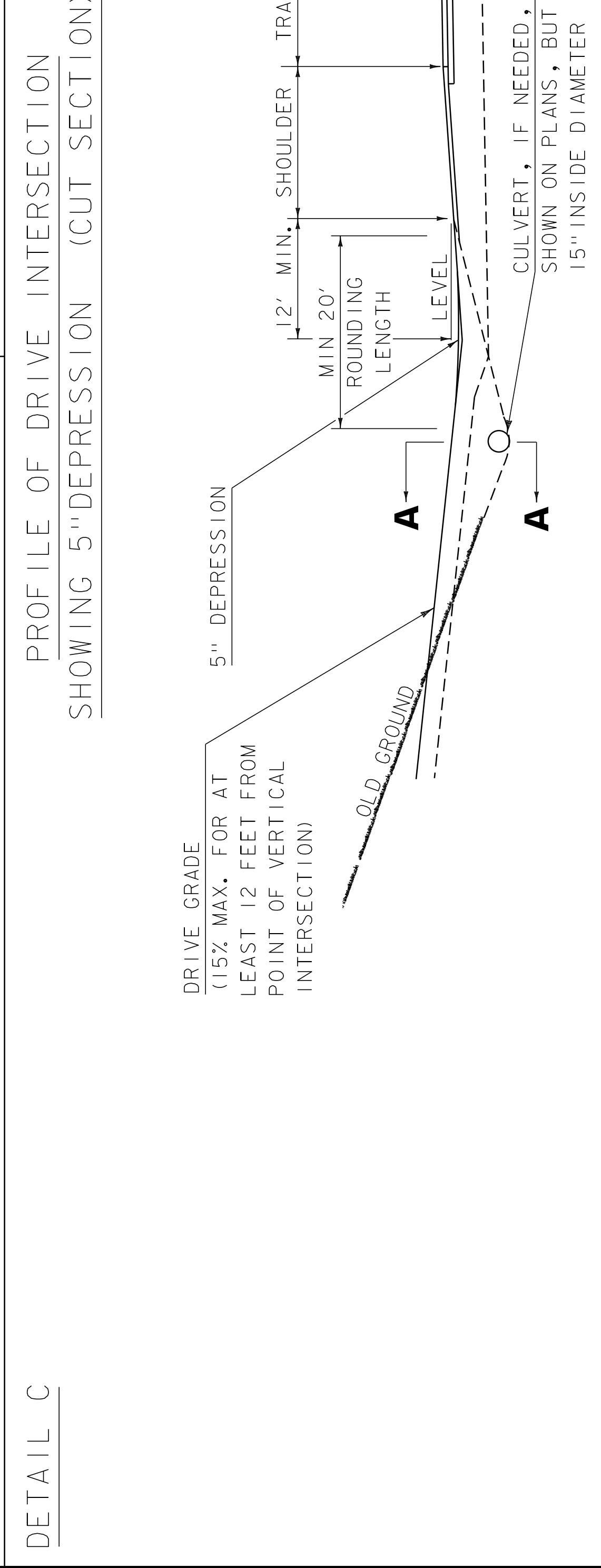


DETAIL C

PROFILE OF DRIVE INTERSECTION
SHOWING 5" DEPRESSION (CUT SECTION)



DETAIL D



REV.	DATE	DESCRIPTION
0	JUL. 1, 2019	ORIGINAL APPROVAL
		OTHER STANDARDS REQUIRED:

I. THIS SHEET IS INTENDED FOR USE BY DESIGNERS ON HIGHWAY PROJECTS AND IN CONJUNCTION WITH A PERMIT FOR WORK WITHIN HIGHWAY RIGHTS OF WAY. ALL CONSTRUCTION REQUIRED BY THE PERMIT AND INDICATED ON THIS SHEET SHALL BE THE RESPONSIBILITY OF THE APPLICANT AND IS SUBJECT TO THE APPROVAL OF THE VERMONT AGENCY OF TRANSPORTATION. WHEN USED WITH THE PLANS FOR A HIGHWAY CONSTRUCTION PROJECT, THIS SHEET IS INTENDED TO BE A CURVE FOR THE DESIGNER CONCERNING DRIVE WIDTHS, HORIZONTAL, VERTICAL AND GEOMETRIC CHARACTERISTICS.

2. DEPTH OF SUBBASE AND PAVEMENT TO BE THE SAME AS HIGHWAY OR AS SHOWN IN DETAIL D WITHIN THE LIMITS OF THE HIGHWAY RIGHT-OF-WAY.

3. VEHICULAR ACCESS FROM PARKING AREAS TO THE RIGHT-OF-WAY AT OTHER THAN APPROVED ACCESS POINTS WILL BE PREVENTED BY THE CONSTRUCTION OF CURBING OR OTHER SUITABLE PHYSICAL BARRIER.

4. IF CURB IS PRESENT, SEE APPROPRIATE CURB DETAIL STANDARD.

5. CIRCULAR DRAINAGE CULVERTS UNDER DRIVES SHALL HAVE A MINIMUM INSIDE DIAMETER (I.D.) OF 15" OR AS OTHERWISE SHOWN ON THE PLANS. PIPE ARCHES USED UNDER DRIVES SHALL HAVE A MINIMUM CROSS-SECTIONAL AREA EQUIVALENT TO THAT PROVIDED BY A 15" CIRCULAR PIPE. IF A CULVERT LARGER THAN 15" IS LOCATED UPSTREAM OF THE PROPOSED CULVERT THEN THE NEW CULVERT SHALL, AT A MINIMUM, MATCH THE SIZE OF THE UPSTREAM CULVERT.

6. THE OFFSET BETWEEN THE PROPERTY LINE AND THE EDGE OF THE DRIVEWAY MAY BE GOVERNED BY LOCAL ZONING LAWS. DRIVEWAY WIDTH RESTRICTIONS SHOWN PERTAIN ONLY TO THE AREA WITHIN THE HIGHWAY R.O.W. OR THE END OF THE TURNING RADIUS WHICHEVER IS GREATES.

7. DRIVEWAY GRADES STEEPER THAN THOSE SHOWN MAY BE ALLOWED AS LONG AS A 20' APPROACH AREA IS ACHIEVED FOR THE VEHICLE TO PAUSE BEFORE ENTERING THE HIGHWAY.

8. THIS STANDARD APPLIES TO FIELD DRIVES, LOGGING DRIVES, AND RESIDENTIAL ACCESSES SERVING UP TO TWO SINGLE FAMILY HOMES OR A DUPLEX. FOR LARGER RESIDENTIAL DEVELOPMENTS, SUBDIVISIONS AND OTHER COMMERCIAL ACCESSES SEE VTRANS STANDARD B-71B.

9. INTERSECTION SIGHT DISTANCES, AND STOPPING SIGHT DISTANCE,

EQUAL TO OR GREATER THAN THOSE SHOWN BELOW, SHOULD BE PROVIDED IN BOTH DIRECTIONS FOR ALL DRIVES ENTERING ON PUBLIC HIGHWAYS, UNLESS OTHERWISE APPROVED BY THE AGENCY OF TRANSPORTATION. INTERSECTION SIGHT DISTANCE IS MEASURED FROM A POINT ON THE DRIVE AT LEAST 15 FEET FROM THE EDGE OF TRAVELED WAY OF THE ADJACENT ROADWAY AND MEASURED FROM A HEIGHT OF EYE OF 3.5 FEET ON THE DRIVE TO A HEIGHT OF 3.5 FEET ON THE ROADWAY. STOPPING SIGHT DISTANCE IS MEASURED FROM AN EYE HEIGHT OF 3.5 FEET TO AN OBJECT HEIGHT OF 2.0 FEET ON THE ROADWAY.

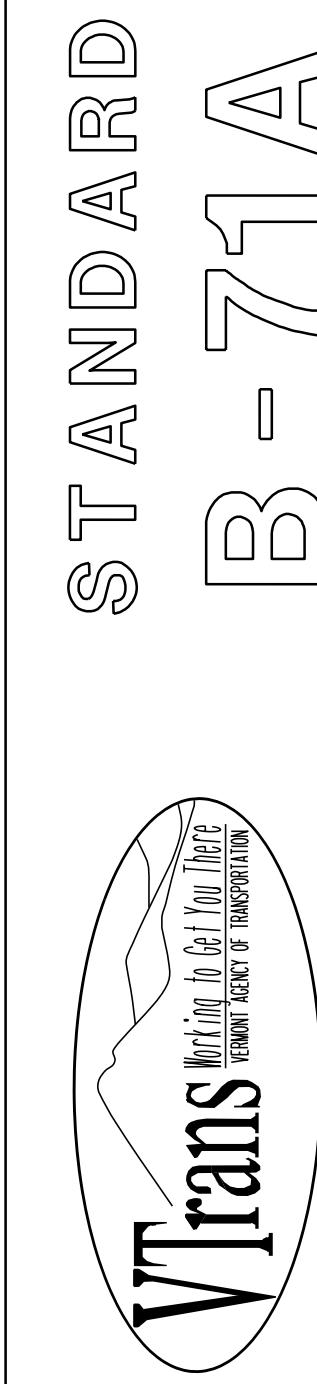
10. FOR DRIVEWAY AND INTERSECTION SPACING DISTANCES REFER TO THE "VERMONT AGENCY OF TRANSPORTATION ACCESS MANAGEMENT PROGRAM GUIDELINES" LATEST REVISION.

SIGHT DISTANCE TABLE

POSTED SPEED OR DESIGN SPEED (MPH)	MINIMUM STOPPING SIGHT DISTANCE (FT)	MINIMUM INTERSECTION SIGHT DISTANCE (FT)
25	155	280
30	200	335
35	250	390
40	305	445
45	360	500
50	425	555
55	495	610

THE ABOVE VALUES ARE TAKEN FROM THE 2011 AASHHTO "A POLICY ON GEOMETRIC DESIGN OF HIGHWAYS & STREETS."

RESIDENTIAL DRIVES



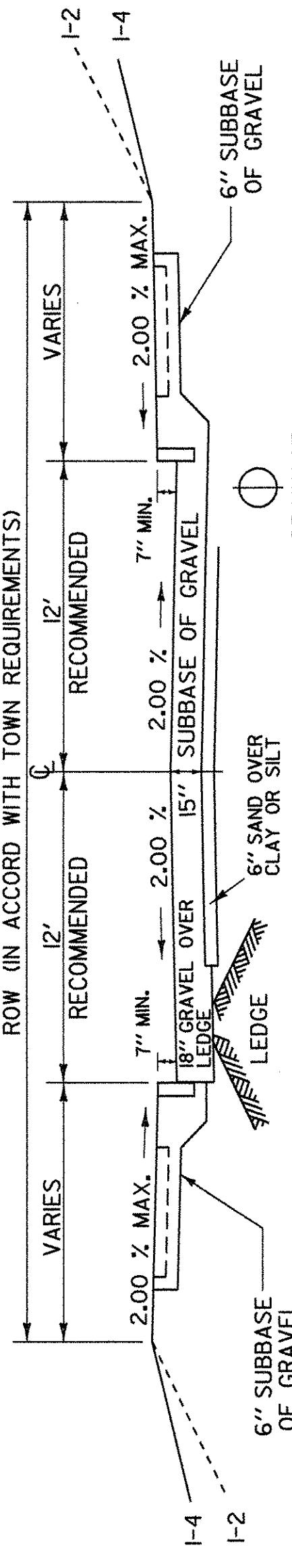
STANDARD

B - 71 A

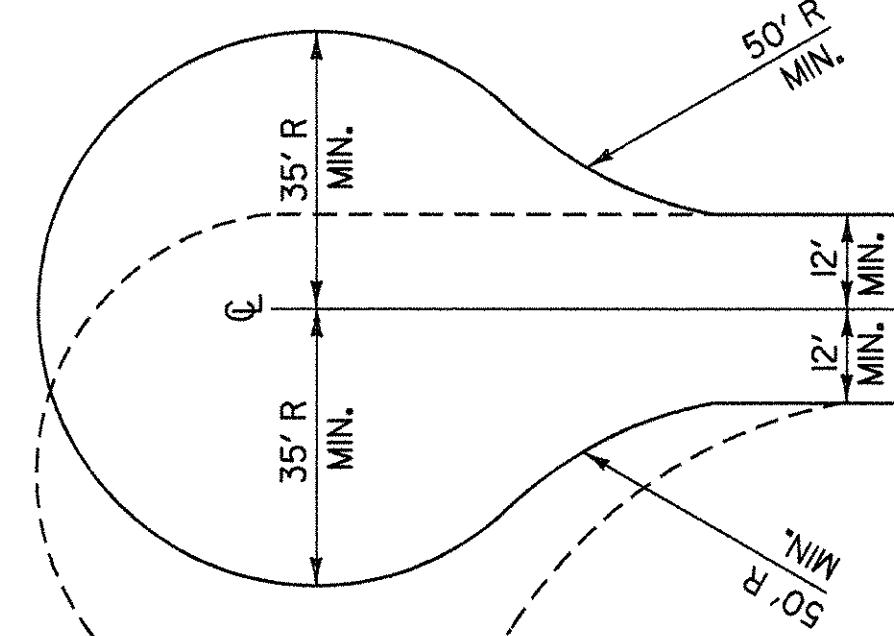
ROADWAY TYPICALS

GENERAL NOTES FOR LOCAL ROADS

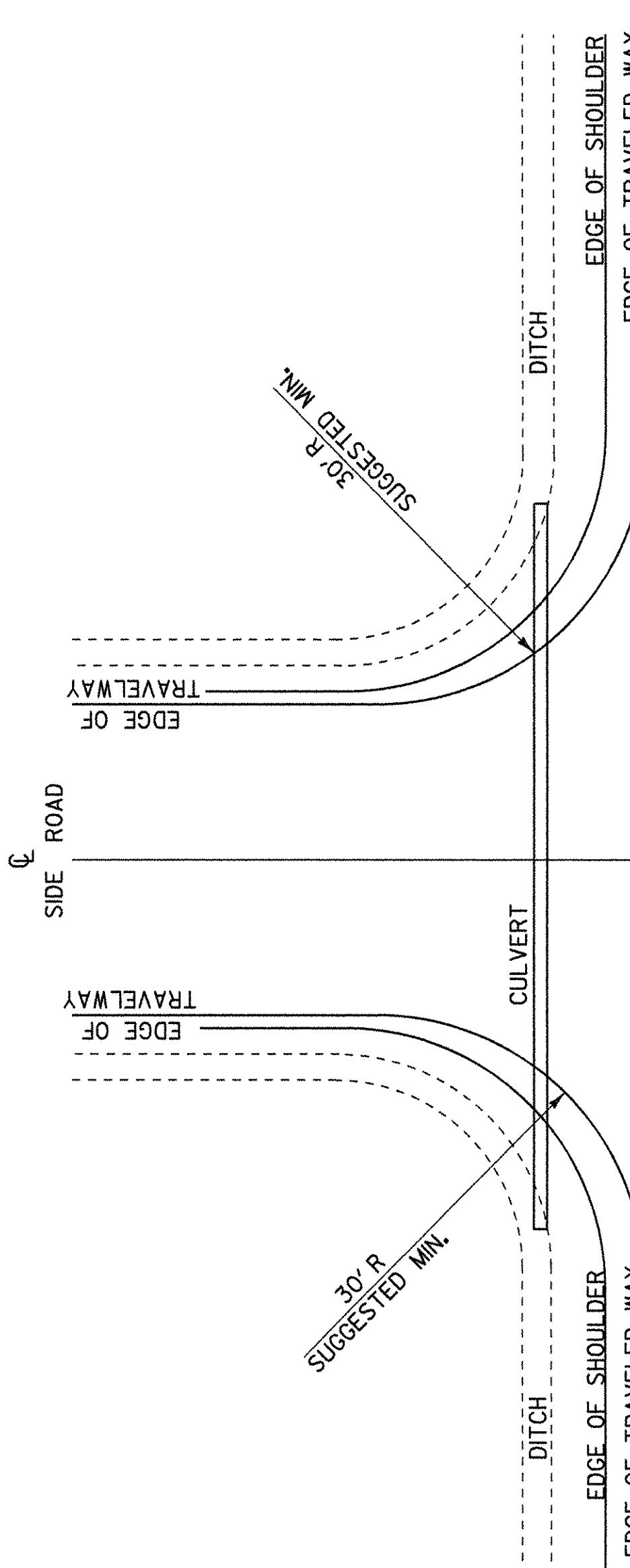
1. SUBBASE, SAND CUSHION AND SUBGRADE SHOULD BE CONSTRUCTED AND COMPAKTED TO THE DIMENSIONS SHOWN IN ACCORDANCE WITH VAOT STANDARD SPECIFICATIONS FOR CONSTRUCTION. WHERE LOCAL ORDINANCES HAVE BEEN ADOPTED RELATIVE TO ROAD DIMENSIONS AND CONSTRUCTION, THEY SHOULD GOVERN. THE DIMENSIONS SUGGESTED ARE INTENDED TO BE APPLIED ONLY IN LOW TRAFFIC VOLUME CONDITIONS (AVERAGE DAILY TRAFFIC LESS THAN 250 VEHICLES PER DAY, AND WHERE HEAVY TRUCK TRAFFIC IS INFREQUENT).
2. EXPOSED EARTH SLOPES SHOULD BE SEDED, FERTILIZED AND MULCHED IN ACCORDANCE WITH VAOT STANDARD SPECIFICATIONS FOR CONSTRUCTION.



CUL-DE-SAC FOR DEAD END ROADS



INTERSECTION OF THROUGH ROAD AND SIDE ROAD



FOR THROUGH ROADS WITH SIDEWALKS & CURBING, SEE STANDARDS C2 & C3.
PROVIDE DROP INLETS ON EACH SIDE OF SIDE ROAD AT INTERSECTION AS NECESSARY.

REVISIONS AND CORRECTIONS	APPROVED
JAN. 21, 1971 - ORIGINAL DATE OF ISSUE MAR. 12, 1971 - DIMENSIONS CHANGED ON TURN-A-ROUND JULY 13, 1973 - INTERSECTION PROFILES ADDED DEC. 7, 1993 - REVISED TO REFLECT CURRENT DESIGN	
C. Allen Knight CHIEF OF UTILITIES	
M. [Signature] FEDERAL HIGHWAY ADMINISTRATION	
MARCH 3, 2003 - REVISED TO REFLECT CURRENT DESIGN CRITERIA	

STANDARDS FOR TOWN & DEVELOPMENT ROADS

1. SUBBASE, SAND CUSHION AND SUBGRADE SHOULD BE CONSTRUCTED AND COMPAKTED TO THE DIMENSIONS SHOWN IN ACCORDANCE WITH VAOT STANDARD SPECIFICATIONS FOR CONSTRUCTION. WHERE LOCAL ORDINANCES HAVE BEEN ADOPTED RELATIVE TO ROAD DIMENSIONS AND CONSTRUCTION, THEY SHOULD GOVERN. THE DIMENSIONS SUGGESTED ARE INTENDED TO BE APPLIED ONLY IN LOW TRAFFIC VOLUME CONDITIONS (AVERAGE DAILY TRAFFIC LESS THAN 250 VEHICLES PER DAY, AND WHERE HEAVY TRUCK TRAFFIC IS INFREQUENT).
2. EXPOSED EARTH SLOPES SHOULD BE SEDED, FERTILIZED AND MULCHED IN ACCORDANCE WITH VAOT STANDARD SPECIFICATIONS FOR CONSTRUCTION.

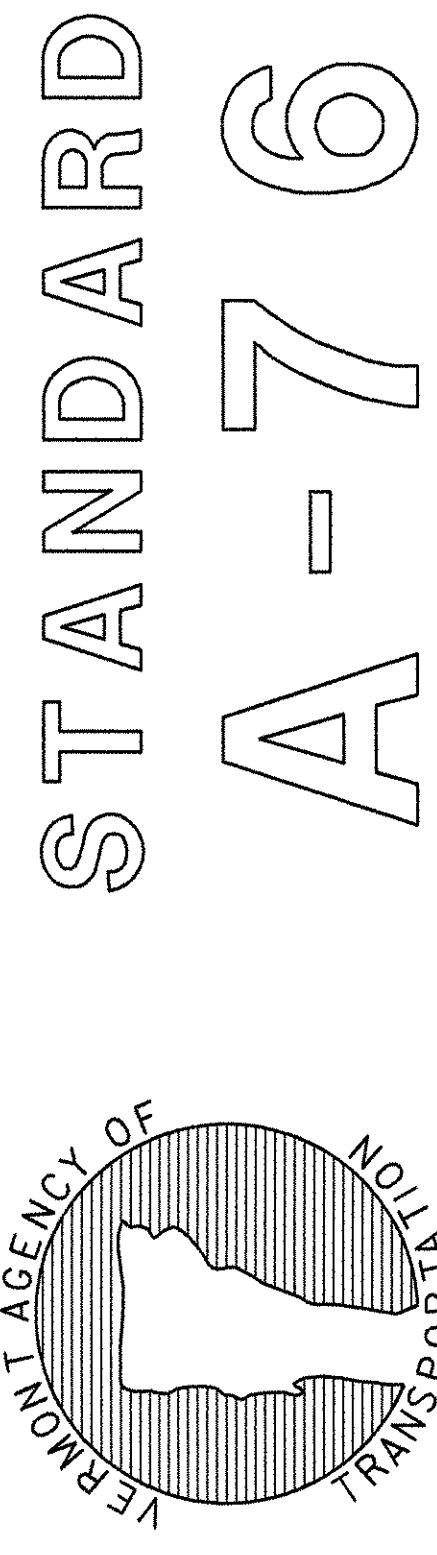
3. DRAINAGE:
ROADWAY - 18" MINIMUM DIAMETER, OF METAL, REINFORCED CONCRETE OR POLYETHYLENE PIPE, WITH DROP INLETS OR CATCH BASINS, AS REQUIRED. HYDRAULIC ANALYSIS TO DETERMINE APPROPRIATE PIPE DIAMETER IS RECOMMENDED FOR ALL LIVE STREAM CROSSINGS AND ELSEWHERE WHERE LARGE STORM FLOWS MAY BE EXPECTED.
4. DRIVE - 15" MINIMUM DIAMETER, OF METAL, REINFORCED CONCRETE OR POLYETHYLENE PIPE.
5. UNDERDRAIN - 6" MINIMUM DIAMETER, OF METAL, PVC PLASTIC OR POLYETHYLENE PIPE.
6. LOCATION, DEPTH AND CONSTRUCTION DETAILS SHOULD FOLLOW PRACTICE SPECIFIED BY LOCAL ORDINANCE OR THE VAOT STANDARD SPECIFICATIONS FOR CONSTRUCTION.

4. HORIZONTAL CURVATURE - THE FOLLOWING WILL APPLY:

DESIGN SPEED	MINIMUM RADII RURAL	MINIMUM RADII URBAN
25 MPH	185 FT.	180 FT.
30 MPH	275 FT.	300 FT.
35 MPH	380 FT.	460 FT.
40 MPH	510 FT.	675 FT.
45 MPH	660 FT.	945 FT.
50 MPH	835 FT.	1280 FT.

7. PAVING - ROADS WITH GRADES EXCEEDING 7% SHOULD BE PAVED UNLESS WAIVED BY THE LOCAL GOVERNING BODY. FOR TRAFFIC VOLUMES GREATER THAN, OR EQUAL TO, 250 VEHICLES PER DAY, OR WHERE HEAVY TRUCKS ARE COMMON, A PAVEMENT DESIGN SHOULD BE PERFORMED TO DETERMINE APPROPRIATE THICKNESSES OF SUBBASE AND PAVEMENT.
8. TRAVELED WAY AND SHOULDER WIDTHS - WIDTHS SHOWN ON THIS STANDARD ARE FOR LOW SPEED/LOW TRAFFIC VOLUME CONDITIONS. FOR ADDITIONAL GUIDANCE IN THE DESIGN OF LOCAL ROADS AND STREETS, SEE THE LATEST EDITION OF AASHTO'S PUBLICATION "A POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS", OR THE VAOT "VERMONT STATE STANDARDS".
9. UTILITY LINE LOCATION TO CONFORM TO LOCAL REQUIREMENTS.

10. ROADWAY - 10% MAXIMUM GRADE SUGGESTED, ALTHOUGH GRADES UP TO 16% MAY BE ALLOWED IN MOUNTAINOUS TERRAIN.
11. GUARD RAIL - PROVIDE GUARD RAIL WITH TREATED WOOD OR STEEL POSTS, OF A DESIGN IN ACCORDANCE WITH VAOT STANDARD SPECIFICATIONS FOR CONSTRUCTION. THE AASHTO ROADSIDE DESIGN GUIDE, AND VAOT STANDARD DRAWINGS, GENERALLY, WHERE SLOPES ARE 1:3 OR STEEPER, AND THE HEIGHT OF DROPOFF AT EDGE OF SHOULDER EXCEEDS 5', GUARD RAIL SHOULD BE INSTALLED. ALSO, WHERE SLOPES ARE 1:3 OR FLATTER, GUARD RAIL MAY NOT BE NEEDED IF THE AREA AT THE BOTTOM OF THE SLOPE IS FREE OF HAZARDS. THE LOCAL VAOT DISTRICT TRANSPORTATION ADMINISTRATOR MAY BE CONTACTED FOR ASSISTANCE.
12. CULVERT, IF NEEDED
13. PROFILE OF INTERSECTION (CUT SECTION) SHOWING 5" DEPRESSION
14. PROFILE OF INTERSECTION (CUT SECTION) SHOWING 5" DEPRESSION (CROWN)
15. PROFILE OF INTERSECTION (CUT SECTION) SHOWING 5" DEPRESSION (CROWN)



A - 7 6