

Town of Hartland
Policy on Maintenance and Improvement of Town Highways

I. Objective

It is the objective of the Town of Hartland to maintain and improve its roads for safe, convenient, and enjoyable travel by motor vehicles as well as for recreational use by horse, bicycle, or pedestrian. It is, not the intention of town policy to straighten and widen town highways so as to encourage speeding, excessive use, or shortcutting.

Trees and stone walls along town highways contribute significantly to the beauty of the town. Proper tree trimming and, where warranted, tree removal, are essential for safe movement of people and vehicles.

II. Purpose of Policy

To provide guidance to town officials and information to residents and landowners about maintenance, improvements, and alterations to Class 2 and 3 town highways.

III. Planning and Implementation

The Town Manager, in consultation with the Selectboard, is responsible for general planning and implementation of road maintenance and improvement projects. Known plans for new roads or for modification of existing roads will be summarized in the Town Report and be available in the Town Manager's office. Nothing in this policy is intended to restrict the performance of necessary or emergency repairs.

Highway work falls into two categories: maintenance and alteration.

A. Highway maintenance

Defined as maintaining of the established condition of a highway or section of highway within the right-of-way, depending on seasonal requirements (see examples in Appendix). Approach to work involving disturbance of stone walls is described in Section V, and clean-up following maintenance is described in Section VI.

Trees less than 6 inches DBH (Diameter at Breast Height) will be selected to be left to mature into replacement trees.

If live trees of more than 6 inches DBH are to be cut during maintenance, the procedure is as follows:

1. Town Manager or Road Foreman and tree warden (if necessary) will meet with affected landowner and furnish copy of this policy.
2. If all are in agreement work may proceed.

3. If no agreement, work will not proceed. Either Town Manager, Road Foreman, tree warden, or landowner may initiate an appeal in writing to the Selectboard .

4. Final decision rests with the Selectboard.

B. Highway Alteration

Defined as altering of the established condition of a highway or section of highway within the right-of-way beyond the work defined as Highway Maintenance. Alteration work includes: changes of road course, road surface type, or road width, and the cutting of live trees larger than 6 inches DBH. Disturbance of stone walls is described in Section V; clean-up is described in Section VI.

1. Planning of Highway Alteration

At least 15 days prior to commencement of work, the Town Manager will mark all trees to be cut, stake road widths or road course to be changed, and identify any other features to be altered.

2. Notification policy

At least 15 days prior to commencement of work, the Town Manager will notify all abutters of the proposed work. If after 15 days neither abutters, other residents, nor the tree warden have registered written disagreement with the Town Manager's office, work may begin. If there is disagreement during this 15 days, an appeal to the Selectboard may be taken by abutters, residents, tree warden, or Town Manager.

3. Hearing Policy

No significant changes in road surface will be undertaken without holding a duly warned public hearing. Any written request for a public hearing or triggering of any provision of the Vermont Statutes Annotated requiring a public hearing shall also cause a properly warned public hearing to take place.

4. Implementation

Work may proceed any time after, but not necessarily immediately after, expiration of the 15-day notification period. Final decision in cases where there is disagreement rests with the Selectboard.

IV. Trees

A. General Principles

Shade and ornamental trees within the limits of public ways and places shall all be under the control of the Town Manager and the Tree Warden. Consistent with 19 VSA 303 and

304, the Town Manager, in cooperation with the tree warden, may plan and implement community shade tree preservation program for the purpose of shading and beautifying public ways and places by planting new trees and shrubs; by maintaining the health, appearance and safety of existing trees through feeding, pruning and protecting them from insect and disease damage; and by removing diseased, dying or dead trees that either create a hazard to public safety or threaten the effectiveness of insect or disease control programs.

B. Cutting and Trimming of Trees

1. Public land in village areas

Unless otherwise provided in this policy, a public shade tree shall not be cut or removed, in whole or in part, except by a tree warden, an agent of the tree warden, or a person having written permission of the tree warden.

2. Along right-of-way on town highways

a. Routine maintenance: The objective of trimming is to maintain the right-of-way and to remove limbs that could be hazardous to traffic. Every effort will be made to see that trimming does not destroy an existing canopy over a road. Trimming must be done in accordance with good forestry practices as defined by the tree warden.

b. Storm damage: Under normal circumstances, town responsibility for downed or damaged trees following a storm will be limited to clearing of the traveled portion of the road and the ditches. Only in the case of extreme and imminent hazard to life and possibly property will responsibility extend completely throughout the right-of-way. The Highway Department or the landowner (if they so choose) will return within a reasonable time to complete cleanup.

c. Trees that are located within the right-of-way along town highways that do not present a hazard to public safety will not be removed by the Town. Determination of whether a tree presents a hazard to public safety shall be decided by the Town Manager in cooperation with the Tree Warden.

C. Planting of New Trees

1 .The planting of new trees on public land in village areas requires the approval of the Board of Selectmen.

2. The town will not enter into a tree-planting program along a town highway without prior approval of the abutters.

3. Landowners who are planting (on private property) trees that may interfere with sight lines and maintenance of the right-of-way should discuss these future effects with the T own Manager.

V. Stone Walls

Stone walls are assumed to be the highway right-of-way boundary, but in no way is this meant to be a local definition. Existing roadside stonewalls should not be disturbed, damaged, moved, or removed. If any circumstances seem to call for changes in stone walls, such a project falls under the category of Highway Alteration and is subject to the notification and implementation procedures In Section III B.

VI. Clean up

Materials cut from the right-of-way will be removed as reasonably appropriate. Material from chipping can be spread on abutters' property with their prior approval. Logs of an agreed-upon length may be left on abutters' property only with landowners' approval. Any wood from trees less then 6 inches DBH that are removed by the Town belongs to the Town. Any wood from trees removed by the landowner belongs to the landowner.

VII. Amendment

The Board of Selectmen reserves the right to establish internal guidelines consistent with this policy and to amend the policy from time to time without future notice.

Adopted August 21, 1995
Revised March 15, 2010
Revised October 20, 2014

Appendix
Seasonal Highway Maintenance
(Not an Exclusive List)

Spring

1. Clean ditches and shape roads.
2. Clean culverts and post.
3. Fill mud areas as necessary.
4. Patch holes in hardtop.

Summer

1. Grade gravel roads and maintain dust control on a regular schedule.
2. Replace culverts (12 or so annually) .
3. Maintain rails on bridges.
4. Mow roadsides.
5. Trim or remove brush or trees that could interfere with operation of equipment.
6. Gravel and resurface where necessary.
7. Re-treat and maintain hardtop where necessary.

Fall

1. Grade roads and clean ditches for winter .
2. Trim and remove dead trees and limbs.

Winter

1. Plow, sand, and salt as required.
2. Respond to routine and emergency requests to remove downed trees and limbs, clear culverts.

