Final Draft September 29, 1993

POLICY AND GUIDELINES RELATED TO

RURAL ROAD SPECIFICATIONS AND STANDARDS

APPROVED:

RICHMOND PLANNING COMMISSION

CHAIRPERSON: Virginia M. Clarke
DATE: 9/29/93

ADOPTED BY: after public hearing 11.15.93

RICHMOND SELECTBOARD

DATE: 15 NOV 1993

Wright C. Preston, Chairman _____ J. Scott Funk _____
Harvey Lawrence _____

Prepared by Planning Staff with Assistance from Chittenden County RPO and VT Local Roads Program

PURPOSE AND AUTHORITY

This policy is adopted by the Richmond Selectboard under authority granted to the Selectboard by Title 19 of the Vermont State Statutes Annotated and administered through the authority granted to the Richmond Planning Commission (hereinafter called "Commission") by 24 V.S.A. Section 4417 which states the following:

> "A planning commission may require as a condition to the approval of any plat:
> 1) That streets and highways shall be of sufficient width and suitable grade and shall be so located to facilitate fire protection and coordinated so as to compose a convenient system properly related to the plan; ...
> 3) That land shown on such plats shall be of such a character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace;
> 6) That streets be laid out, buildings oriented, and vegetation controlled so as to promote conservation of energy and to permit the utilization of renewable energy resources."

The policy is adopted to guide the Commission while reviewing subdivision applications and to offer applicants an alternative to the Richmond Public Works Specifications. The Rural Road Policy is hereby adopted as a separate policy. It is further intended that this policy shall provide a mechanism whereby development in the remaining "rural" areas of Richmond may be enhanced by the creation of aesthetically pleasing and effective rural roads to serve areas of low density residential usage. Any part or portion of the Richmond Public Work Specifications may also be utilized as a condition to rural road approval.

The Rural Road Policy is designed to apply to the following single-family residential developments in the Town of Richmond:

1. **Those single-family dwelling unit subdivisions (single-family meaning to include up to one accessory apartment in conformance with applicable regulations) consisting of four to nine residential lots that use a single shared access to a town road.**

2. **Those within the Agricultural/Residential Zoning District or in an area of town where by deed or physical limitations shall remain a low-density area (low-density meaning less than one single-family housing unit within a 500 foot radius of any other existing or proposed house or nonresidential structure, such as a store, business office or similar primary use of a parcel).**

3. **Those subdivisions which have an expressed written goal to preserve the rural atmosphere of the development and the surrounding area.**

All larger subdivisions will be required to meet the Public Works Specifications. A subdivision of 3 or less residential units are required to meet the driveway requirements as provided in the Richmond Public Works Specifications and to provide safe access for emergency vehicles. Waivers to either set of specifications will not be readily available. Approval, after formal application, to use the Rural Road Specifications shall be received by the applicant. Nonresidential uses proposed to be added to or made a part of a development which will utilize a Rural Road are prohibited.

(Purpose and Authority continued)

All roads created under the Rural Road Policy will be considered private roads for a minimum of 5 years and to be maintained by a homeowner's association consisting of all residences served by the rural road. All applicants for rural road approval must submit copies of a draft "Private Road Waiver" and "Homeowner's Association Bylaw" for Commission review and approval prior to final subdivision approval. Any rural road homeowner's association may seek town acceptance for the road as a public highway 5 years after completion and occupancy of the last housing unit by making application to the Selectboard. This road must meet the Public Rural Road Specifications of this policy to be considered by the Selectboard. The Town of Richmond will only accept roads if it feels that this action is in the Town's best interest.

Section 100 - Application

The applicant requesting permission to utilize the Rural Road Specifications and Standards Policy shall submit the required sketch plan application (as found in the Richmond Subdivision Regulations) incorporating a "Rural Road Plan" at a scale of no less than 1" = 50' in conformance with Section 400 - 01 of this policy and the site plan requirements for sketch plan application of the Richmond Subdivision Regulations. The plan and an attached written letter requesting Rural Road Policy use describing the total project shall be sent or delivered to the Richmond Planning Commission at the Richmond Town Center, P.O. Box 285, Richmond Vermont 05477. The request will be received by the Commission at their next meeting and a sketch plan rural roads review will be scheduled for the earliest opening on the Commission's agenda if the Commission determines the application complete. Once deemed complete and scheduled for a meeting, the application will be forwarded to the Richmond Selectboard, Highway Department and Conservation Commission for review and comment within 30 days. Comments made to the Commission shall be considered prior to proceeding to the next level of subdivision review. Serious negative concerns about the use of the rural road specification instead of the public works specifications may result in denial of the rural road use request.

This policy can only be utilized by those applicants proposing the development of a parcel resulting in the use of a single access which serves more than three but less than ten individual residential units (including apartments units permitted by the zoning regulations). All condominium, town house, multi-family, commercial, industrial or mixed uses or other nonresidential uses shall meet the requirements of the Richmond Public Work Specifications.

Section 200 - Letter of Approval

The Rural Road Policy may be utilized only after a determination has been made through the Planning Commission sketch plan review (including proposed "rural roads") that the proposed road can meet all safety and environmental concerns related to road construction and long-term maintenance and any concerns relative to the impact of this road and its traffic volume on existing town roads. A written letter of approval must be obtained by the applicant from the Planning Commission and Selectboard prior to the planning commission acting on the sketch plan application under the Richmond Subdivision Regulations (or prior to acting on a request to amend a prior Commission approval).

200.01 - Waivers

Waivers of any specification or standard from these guidelines shall only be permitted when extenuating physical limitations (not financial) are present on the site and both the Planning Commission and Selectboard agree to such specific waiver request, in writing.

200.02 - Reasons for Approval

The written Letter of Approval to utilize the less restrictive Rural Road Specifications and Standards must include the reasons for granting such approval and may include any additional conditions on construction or use as deemed necessary by the governing bodies. Approval or denial shall be given in writing to the applicant and mailed within 60 days of the complete application being accepted by the Planning Commission. The primary reason for approving a rural road application shall be to retain the rural character of the area.

200.03 - Denial of Request

If the road can not be built to the specifications contained in this policy and the governing bodies believe that the future residents on that road will not have a safe access for emergency, commercial or private vehicles, then that request for rural road construction shall be denied by the planning commission. Rural road requests may be denied for the following reasons as well as safety; aesthetic impact, potential erosion control problems, impact on any town highway and lack of long-term maintenance provisions. There shall be no appeal rights granted within this policy except as may be provided by law. Applicants will be encouraged to consider the reasons for denial and to submit a new Preliminary Sketch Plan with a complying road plan.

Section 300 - Implementation

No waivers may be requested after the Letter of Approvals are received. The Commission will administer the Rural Road design and construction after a complete study plan application is accepted by the Commission with no involvement from Selectboard unless part of a prior condition or other town bylaw.

A "Preliminary Rural Road Design" meeting the requirements of Section 400 - 02 of this policy and submitted with the Study Plan Application to the Commission must be incorporate the conditions and recommendations made a part of the approval to utilize the rural road specifications. The study plan may be refused and deemed incomplete if the conditions and recommendations are not incorporated into the application.

A "Final Rural Road Design" meeting the specifications of Section 400 - 03 of this policy shall be submitted with the Final Plan Application and also incorporate and conditions and recommendations of any prior approvals. The Final Plan Application may also be deemed incomplete if the Final Rural Road Design does not include prior conditions and recommendations.

Section 400 - Specifications and Standards

400 (a) Private Roads

1. All roads shall be gravel.
2. The right of way, whether public or private, shall be 60 feet in width or increased where necessary to accommodate improvements required for road construction and maintenance such as culverts, drainage areas and slope stabilization.
3. Engineered "Erosion Control Plans" may be required as part of the Commission review for any rural road proposal; and shall be required for grades of over 10% over any 50 foot section of road.
4. No grade shall exceed 12%.
5. Any grade of 10% to 12% will require a letter from the Fire Chief stating that year-round access is possible to all proposed structures by emergency vehicles. The Fire Chief may elect to add conditions to such letter if such conditions are necessary to provide emergency vehicle access and emergency service.
6. The width of the traveled portion of the road shall be 24 feet with two foot shoulders.
7. A76 State of Vermont Transportation Standards shall be utilized where deemed necessary by the Commission or other reviewing bodies, to provide an engineering standard for road construction.
8. Minimum sight distance at the intersection with any town highway shall be as listed below:

Posted speed limit on town highway	<40 mph	250 feet	minimum	sight	distance
Posted speed limit on town highway	40 mph	325 feet	"	"	"
Posted speed limit on town highway	45 mph	400 feet	"	"	"
Posted speed limit on town highway	50 mph	475 feet	"	"	"

9. All intersections with town highways shall be constructed in accordance with A-76 standards as amended by the Vermont Agency of Transportation or other AOT specifications as determined by the Commission to best meet the needs of maintaining the town highway.
10. Shade trees of acceptable species shall be planted at intervals of 75 feet along the inside of highway right-of-way where possible. The roadside shall be seeded and mulched after road construction and be maintained by regular grass and brush cutting up to the shade trees. Where existing trees provide shade and can be maintained without damage to the street or hindrance to maintenance, no additional plantings shall be required. In either case, the appearance of the road should be improved to result in a tree lined road. In some instances, other suitable vegetation may be more suitable and serve to prevent soil erosion or similar negative impacts.
11. Stone walls shall be utilized if existing on the property to be subdivided whenever possible.
12. Bridges and culverts shall be designed to meet structural capacity for a 50-year storm.
13. A private road waiver must be signed by the applicant and town to formally enter into the land records of the Town of Richmond and subsequent deeds the understanding that the proposed rural road will be a private road.

400 (b) Public Rural Roads ***(Note : This designation may be considered by the Selectboard after five years from completion of project.)***

1. All roads shall remain gravel unless paving required by Selectboard to improve safety or reduce maintenance costs..
2. All roads shall meet all other Public Works Specifications with the exception of paving and no grade of a public rural roads shall exceed 8%.
3. All roads shall be reviewed by the Fire Chief. A letter approving the road must be received with the Study Plan Application stating that year-round access is possible to all proposed structures by emergency vehicles.
4. No Private Rural Road can be considered for acceptance into the town highway system by the Town unless:

   1) All construction and improvements to the road meet the requirements of the Town for acceptance as a public road;

   2) The town engineer has certified after the completion of all construction and improvements to a private rural road that such improvements comply with the current specifications; and,

   3) All improvements after the date of the town engineer's certification remain in substantial in compliance for a two-year review period with the standards of this public rural road policy.

   Note: Although a Private Rural Road can not be considered for town acceptance until after the five (5) year private road requirement, this would not prevent an applicant from applying for town engineer certification during the third year of that 5 year period.

5. If it becomes apparent that serious maintenance problems exist on the new rural road during the two year period the applicant will be requested to make necessary improvements. The applicant will be required to maintain the road for an additional term to insure that such improvements are adequate. The town may not accept the road if adequate improvements are not completed by the applicant within the time provided.

400.01 - Rural Road Plan

The Rural Road Plan shall be a sketch of the entire proposed road layout at a scale not less than approximately 1" = 50'. If possible, the road layout shall be drawn on a plan which also includes the entire parcel to the same scale as the road. If not possible, the road layout shall remain at a scale not less than 1" = 50' but shall only include the area within 200 feet of the edge of the proposed right-of-way.

On the plan shall be the following items within 150 feet of the proposed right-of-way:

A. Contours at 10' intervals for any areas in excess of 5% slope. 20 foot intervals elsewhere (Use of USGS maps are permitted.
B. All streams and watercourses (including drainage areas of seasonal nature)
C. A road profile showing the grade of the road at all points with clearly marked points of change in grade.
D. Location of all natural site characteristics such as wooded areas, large trees, ponds, fields etc.
E. Location of all other site characteristics such as power lines, trails, stone walls and structures.

400.02 - Preliminary Rural Road Design

The Preliminary Rural Road Design shall include all requirements of Section 400.01 and any conditions and recommendations of the "Letter of Approvals". On the plan shall be the following additional items:

A. A typical cross-section of the road bed and surface.
B. Notation of whether the proposed road is planned as a private road or a public road once the town accepts it and incorporates it into the highway system for town maintenance.

400.03 - Final Rural Road Design

The Final Rural Road Design shall include all requirements of Section 400.01 and 400.02 and any conditions and recommendations of prior approvals. On the plan shall be the following additional items:

A. Engineers stamp and signature that the work presented for final approval meets the standards of this policy and all recommendations and conditions of the town.
B. Proposed road name to be considered for adoption by the Selectboard. In most cases, proposed names will be accepted unless in conflict with or similar to an existing road name.

Section 500 Conflicting Guidelines

Where two or more guidelines within this policy or between this policy and another adopted policy, specification or bylaw addressing the same item conflict with one another, the Selectboard shall determine which shall apply based on the conditions and circumstances of the individual application.

END