

**Town of St. Albans Municipal Code  
Chapter 3**

**Road Standards Ordinance**

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**SECTION 1. PURPOSE.** To provide standards and specify requirements for the construction or reconstruction of roads, drives, and driveway accesses in the Town of St. Albans for the purpose of ensuring the safety of the traveling public, minimizing damage to road infrastructure during flood events, and enhancing water quality protections by minimizing sediment delivery to surface waters and/or wetlands. The town road and bridge standards in this ordinance apply to the construction, maintenance, and repair of all town roads, drives, and bridges.

**SECTION 2. AUTHORITY.** This Code of Ordinances is adopted by the Selectboard of the Town of St. Albans under the authority granted in 24 V.S.A. Chapter 59 and 24 V.S.A. Chapter 61 which provides the powers to adopt, amend, repeal, and enforce ordinances, and to manage and regulate activities within the Town Of St Albans.

**SECTION 3. APPLICABILITY AND EXCEPTIONS.** This ordinance applies to all persons responsible for the planning, construction, or maintenance of roads in the Town. Any new road, whether or not that road is proposed to be conveyed to the town, shall be constructed according to the minimums of these standards.

**3.1 Exception:** The Development Review Board reserves the right to modify the standards for a particular project, where, because of unique physical circumstances or conditions, there is no possibility that the project can be completed in strict conformance with these provisions. Any modifications to the standards must be done in a manner that protects the underlying intent of the management practice, be it public safety, flood hazard avoidance, or water quality protection and will only be approved after consultation with the Public Works Director. Fiscal reasons are not a basis for modification of the standards. Questions about modifications to the State of Vermont standards adopted herein should be directed to the Vermont Agency of Transportation (VTrans) District Office. If any federal and/or state funding is involved in a project, the VTrans district office will be notified prior to any field changes taking place that would alter the original scope of work.

**SECTION 4. SEVERABILITY.** The sections of this ordinance and its parts are separable. If any portion of this ordinance or application thereof to any person or circumstance shall be held invalid, the remainder of this ordinance shall not be affected. If any matter mentioned in this ordinance is said to be controlled by a specific State Statute, the reference to the State Statute shall apply.

**SECTION 5. ENFORCEMENT & PENALTIES.** Failure to construct or repair roads to the standards of this ordinance may result in a violation of permit conditions and the issuance of fines and penalties by the Zoning Administrator on behalf of the Development Review Board. Additionally, the Town will not accept any road for the purposes of maintenance or repair that does not comply with the standards herein.

**SECTION 6. DEFINITIONS.** Whenever in this chapter the following terms are used, they shall have the meanings respectively given in this section.

**6.1 A-76 Standards.** Current VTrans A-76 Standards for the construction of Town and development roads.

**6.2 B-71 Standards.** Current VTrans B-71 Standards for the construction of residential and commercial drives.

**6.3 Curb Cut.** The adjoining to, or intersection of, a Town highway by a road or a drive/driveway.

**6.4 Drives.** Commercial or residential vehicle access to access properties to include driveways.

**6.5 Minimum Right of Way.** The right of way of any road in the Town of St. Albans constructed or reclassified after the date of this ordinance will be a minimum of sixty feet (60 ft).

**6.6 Road/Roads.** Any vehicle access constructed with the intent of adoption by the Town and future classification as a Town Highway. All commercial drives and all residential drives that serve 6 or more properties are considered roads for the purposes of this ordinance.

**6.7 Town Highway.** Any road that has been adopted by the Town. All Town Highways will be classified in accordance with 19 V.S.A. § 302. Classification of town highways, i.e., Class 1, 2, or 3 (Class 4 gravel roads will not be constructed or adopted in the Town).

**6.8 Utility Lines.** A utility including water, sewer, stormwater conveyance, electric or gas. Excluding driveway culverts, see section 7.8

**SECTION 7. ADOPTION – VTrans A-76.** Through the enactment of this ordinance, the Selectboard of the Town of St. Albans adopts the VTrans A-76 standards for all roads to be constructed in the Town. Clarifying and additional standards are delineated below for all roads constructed in the Town.

**7.1 Width Requirements.** The width of travelled portion shall be twenty-two feet (22 ft).

**7.2 Grading Requirements.** All roadways will be graded so water does not remain on the road surface. For roadways that are not superelevated, this generally means a 1 to 2 percent ( $\frac{1}{8}$ " -  $\frac{1}{4}$ " per ft) crown for paved roads to promote sheeting of water.

**7.3 Utilities.** Any utility line or manhole located within the right of way shall be first approved by the Development Review Board, which may request technical assistance from the Public Works Director or, if unavailable from him/her, an engineer selected and compensated by the entity constructing the road.

**7.4 Berms.** Any berm along the roadway shoulder that prevents the proper sheeting of water will be removed.

**7.5 Subsurface.** Prior to construction, all sod and topsoil shall be stripped from the roadway subsurface to the satisfaction of the Public Works Director.

**7.6 Paving Requirements:** The roadway shall be paved (bituminous concrete) in the year of construction (for at least twenty-two feet (22') of its travelled width) compacted to a minimum of 2.5 inches. Three years later, a final coat of bituminous concrete compacted to a minimum thickness of 1.5 inches will be applied. At least two weeks prior to the initial paving, the entity constructing said road shall give a written notification thereof to the Public Works Director. Such entity shall make such repairs deemed necessary by the Director prior to paving.

**7.7 Ditches and Slopes.** Soil exposed during ditch and slope construction or maintenance will be treated immediately following the operation. Priority should be given to areas vulnerable to erosion immediately adjacent to, or discharging to, surface waters and/or roadway drainage facilities. The following are minimum erosion control measures:

**7.7.1** Seed and mulch ditches with grades less than 2%. Use biodegradable, non-welded matting and seed on ditches with grades between 2% and 5%. Stone line all ditches with grades greater than 5%; alternatively, install stone check dams. Dams should be comprised of a well graded stone matrix 2 to 9 inches in size. Dams should not exceed 2 feet in height and check dam crest should be at least 6" below the top of the ditch.

**7.7.2** Create parabolic (wide "U" shaped) ditches when constructing new or substantially reconstructing ditches, rather than narrow "V" shaped ditches. Ditches with gradual side slopes (maximum 2H: 1V ratio) and a wide bottom (at least 2 feet) are preferred.

**7.7.3** Use biodegradable, non-welded matting to stabilize side-slopes where slopes are greater than 1:1; apply seed and mulch to any raw or exposed side-slope if slopes are less than or equal to 1:1.

**7.7.4** Ditches should be turned out to avoid direct outlet into surface waters. There must be adequate outlet protection at the end of the turnout, either a structural (rock) or vegetative filtering area.

## **7.8 Culverts and Bridges.**

**7.8.1** All new road culverts will have a minimum diameter of 18 inches and be at least 30 feet in length.

**7.8.1.2** For replacement of road culverts within the Town right of way, the Town will provide the culverts to the homeowner or contractor at the Town's cost of the culverts. Culverts will be obtained from the Public Works Department and payment made to the Town Treasurer.

**7.8.2** Any culvert with a drainage area greater than 0.25 sq mi will require a hydraulic engineering study. Culverts will be designed to convey the Q25 design storm with minimal surcharge.

**7.8.3** All bridges (structures with spans greater than 6 feet) and open bottom structures will require a hydraulic engineering study. Structures will be designed to convey the Q25 design storm and allow for passage of ice and debris.

**7.8.4** When installing or replacing culverts, use appropriate techniques such as headwalls and wingwalls, where there is erosion or undermining or where it may occur.

**7.8.5** Install a splash pad or plunge pool at the outlet of drainage culverts where there is erosion or where erosion may occur. Splash pads and plunge pools are not appropriate for use in streams supporting aquatic life.

**7.9 Guardrails.** When roadway, culvert, bridge, or retaining wall construction or reconstruction projects result in hazards such as foreslopes, drop offs, or fixed obstacles within the designated clear-zone, a roadside barrier such as guardrail shall be installed. The most current version of the AASHTO Roadside Design Guide will govern the analysis of the hazard and the subsequent treatment of that hazard.

**SECTION 8 ADOPTION – VTrans B-71.** Through the enactment of this ordinance, the Selectboard of the Town of St. Albans adopts the VTrans B-71 standards for all drives and driveways to be constructed or reconstructed in the Town. B-71 Standards delineate the requirements for the connection points (within the right of way) of drives and driveways to a

State or Town Highway. Clarifying and additional standards are delineated below for the portion of all drives and driveways constructed within the right of way of any State or Town highway.

**8.1 Utilities.** Any utility line or manhole located within the right of way shall be first approved by the Development Review Board, which may request technical assistance from the Public Works Director or, if unavailable from him/her, an engineer selected and compensated by the entity constructing the road.

**8.2 Subsurface.** Prior to construction, all sod and topsoil shall be stripped from the roadway subsurface to the satisfaction of the Public Works Director.

**8.3 Ditches and Slopes.** Soil exposed during ditch and slope construction or maintenance will be treated immediately following the operation. Priority should be given to areas vulnerable to erosion immediately adjacent to or discharging to surface waters and/or roadway drainage facilities. The following are minimum erosion control measures:

**8.3.1** Seed and mulch ditches with grades less than 2%. Use biodegradable, non-welded matting and seed on ditches with grades between 2% and 5%. Stone line all ditches with grades greater than 5%; alternatively, install stone check dams. Dams should be comprised of a well graded stone matrix 2 to 9 inches in size. Dams should not exceed 2 feet in height and check dam crest should be at least 6" below the top of the ditch.

**8.3.2** Create parabolic (wide "U" shaped) ditches when constructing new or substantially reconstructing ditches, rather than narrow "V" shaped ditches. Ditches with gradual side slopes (maximum 2H: 1V ratio) and a wide bottom (at least 2 feet) are preferred.

**8.3.3** Use biodegradable, non-welded matting to stabilize side-slopes where slopes are greater than 1:1; apply seed and mulch to any raw or exposed side-slope if slopes are less than or equal to 1:1.

**8.3.4** Ditches should be turned out to avoid direct outlet into surface waters. There must be adequate outlet protection at the end of the turnout, either a structural (rock) or vegetative filtering area.

**8.3.5** If in the best professional engineering judgment of the VTrans Operations Division, there is a cost effective ditch treatment that will meet the intent of the management practices described above, but represents a departure from these standards, the municipality may implement the more cost effective ditch treatment alternative with the professional recommendation submitted in written form by VTrans prior to the municipality executing the work.

**8.3.6** When constructing new or substantially reconstructing side slopes, use appropriately sized stone armament on slopes that are 1:1 1/2 or greater. If perennial streams are affected by the toe of slope the project must conform to the statewide Stream Alteration standards.

#### **8.4 Culverts.**

**8.4.1** All new roadway culverts will have a minimum diameter of 18 inches and be at least 30 feet in length.

**8.4.1.2** For replacement of drive/driveway culverts within the Town right of way, the Town will provide the culverts to the homeowner or contractor at the Town's cost of the culverts.

Culverts will be made available by the Public Works Department upon request and payment made to the Town Treasurer.

**8.4.2** When installing or replacing culverts, use appropriate techniques such as headwalls and wingwalls, where there is erosion or undermining or where it may occur.

**8.4.3** Install a splash pad or plunge pool at the outlet of drainage culverts where there is erosion or where erosion may occur. Splash pads and plunge pools are not appropriate for use in streams supporting aquatic life.

**8.4.4.** Replacement of existing bridges and culverts and any new bridges and culverts must be designed in accordance with the VTrans Hydraulics Manual, and, in the case of perennial streams, conform to the statewide Stream Alteration standards.

**SECTION 9. CURB CUT PERMIT.** Any intersection to, or adjoining of, a Town Highway requires a permit from the Public Works Director. Permission to connect to a Town Highway with any road or drive/driveway must be requested 30 days prior to any work commencing in the Town's right of way. The cost of the permit is \$50.00. Penalty for constructing a curb cut without a permit is \$300.00.

**SECTION 10. APPEALS.** Any entity disagreeing with the application of this ordinance, including any decision of the Public Works Director, may appeal to the Town Manager. Further appeals will be heard by the Selectboard whose decision will be final.

**SECTION 11. ACCEPTANCE OF ROADS.** No road built after the effective date of this ordinance will be accepted by the Selectboard if it does not comply with the standards set forth herein. Acceptance of a road to become a Class 1, 2, or 3 Town Highway shall be at the Selectboard's sole discretion and must also meet the following conditions.

**11.1 Deed.** All roads must have a warranty deed that is free and clear of any and all encumbrance other than Utility Lines that have been approved by the Development Review Board.

**11.2 Survey.** All roads must have a recordable survey and a title certificate prepared by a Vermont Attorney for the benefit of the Town.

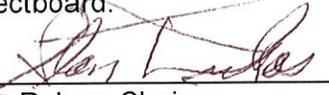
**11.3 Stormwater.**

**11.3.1** All permits for stormwater will be current with the State and all fees up-to-date. All physical structures/treatments for stormwater (ponds, swales, culverts, ditches, etc) required by any permit must have been inspected in the past year and any repairs or maintenance accomplished. All appropriate rights of ways to any stormwater structure/treatment must be in place to allow all inspection, maintenance, or reconstruction activities. An engineer shall certify that the stormwater system is constructed in conformance with the approved design and is operating as designed.

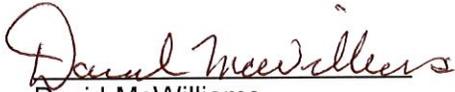
**11.3.2** A stormwater maintenance agreement, in the form as set forth in Exhibit A, which may be amended from time to time, shall be executed as a condition of road acceptance.

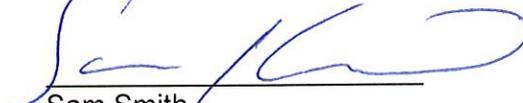
**SECTION 12. TRAINING.** Town highway maintenance crews must collectively attend a minimum total of 6 hours of training per year on best road management practices. The town must keep documentation of their attendance of a period of three years.

**SECTION 13. EFFECTIVE DATE.** 60 days after passage by the Town of St Albans Selectboard.

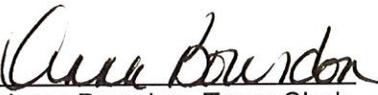
  
Stan Dukas, Chair

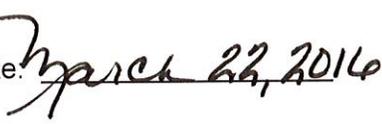
  
Bruce Cheeseman, Vice Chair

  
David McWilliams

  
Sam Smith

  
William Nihan

Attest By:   
Anna Bourdon, Town Clerk

Date: 

**Adoption History – Road Standards Ordinance**

1. Agenda item at regular Selectboard meeting on 8/27/2012.
2. Read and approved at regular Selectboard meeting on 9/10/2012 and entered in the minutes of that meeting which were approved at the meeting of 9/24/2012.
3. Posted in public places on 9/11/2012.
4. Notice of adoption published in the St. Albans Messenger newspaper on 9/13/2012 with a notice of the right to petition.
5. No petitions received.
6. Ordinance effective 11/10/2012.
7. Agenda item at regular Selectboard meeting on 8/12 and 8/26/2013.
8. Read and approved at regular Selectboard meeting on 9/9/2013 and entered in the minutes of that meeting which were approved at the meeting of 9/23/2013.
9. Posted in public places on 9/10/2013.
10. Notice of adoption published in the St. Albans Messenger newspaper on 9/12/2013 with a notice of the right to petition.
11. No petitions received.
12. Ordinance effective 11/9/2013.
13. Agenda item at regular Selectboard meeting on 3/21/2016 and approved.
14. Notice of approved changes published in St. Albans Messenger newspaper on 3/24/2016 with a notice of right to petition and posted in public places on 3/22/16.
15. 3/21/16 Selectboard meeting minutes approved at meeting of 4/4/16.
16. No petitions received.
17. Ordinance effective 5/20/16

ST. ALBANS TOWN CLERK'S OFFICE  
RECEIVED FOR RECORD / DISCHARGE  
at May 26 A.D. 2016  
at 10 o'clock 00 minutes 14 M  
and recorded in Book RD2 Pages 109-116  
Attest: [Signature] Asst. Town Clerk

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