

TOWN OF BRIDGEWATER
CLASS 4 ROADS AND TRAILS POLICY

1. **Definition:**

Class 4 highways are all other highways not falling under definitions of class 1, 2, and 3 highways. Class 1, 2, and 3 are defined for the purpose of receiving state aid and are passable with a pleasure vehicle on a year-round basis.

Trail means a public right-of-way which is not a highway and which: (A) previously was a designated highway having the same width as the designated town highway, or a lesser width if so designated, or (B) a new public right-of-way laid out as a trail by the Selectmen for the purpose of providing access to abutting properties or for recreational use.

2. **Existing Use:**

Existing rights-of-way of class 4 highways and trails as of the date of adoption of this policy shall be retained by the Town for purposes of recreational multi-use activities, access to private property, and agricultural and forest management.

3. **Maintenance**

The Town shall not provide any maintenance or upkeep on trails.

Permission for repair, maintenance, improvement, or restoration shall not be unreasonably withheld by the Board of Selectmen. The road shall be left in as good or better condition as when permission is granted.

The Town shall not provide any summer maintenance of class 4 highways except as required by necessity, and the public good and convenience of the inhabitants, such as bridges, culverts and ditches to control erosion of highways or runoff to adjacent property, and removal of obstructions.

The Town shall not provide any winter maintenance on class 4 highways and trails. Plowing by private parties shall be only with the permission of the Selectmen.

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Any winter plowing of a Class 4 road allowed by Selectmen to parties other than a municipality shall not nullify the privileges under 23 VSA 3206 (b) (2)

4. Control

The Selectmen shall exercise control of class 4 highways and trails to ensure their integrity as a public right-of-way by means which may include, but are not limited to, the following:

- A) Establishment of vehicle weight limits.
- B) Prohibition or restriction of wheeled vehicle use during mud and snow season; signs and barriers may be utilized to accomplish this purpose.
 - 1. All class 4 roads not permitted by the Selectmen to be plowed and/or maintained by private parties shall be closed to all motor vehicles weighing more than 1,000 pounds from December 15 to May 1 of each year.
 - 2. Each restricted class 4 road shall be posted with signs stating the restrictions.
 - 3. A list of class 4 roads permitted by the Selectmen to be plowed and/or maintained by private parties shall be available at the Town office or the Highway department and shall be updated as changes occur.
- C) Requirements for temporary permits for heavy equipment access may be imposed and the stipulation included that any highway damage will be repaired by or at the expense of the user; posting of bond or other security to guarantee that repairs are made may be required as a condition of any permits.
- D) Speed limits may be established.

5. Change in Classification:

Class 4 highways may be reclassified to trail status, discontinued, or upgraded to class 3 or higher status.

Trails may be discontinued or upgraded to class 4 or higher status.

Reclassification will be done in accordance with Title 19, VSA, Section 708-716 and upon findings by the Selectmen that the public interest will be substantially advanced by such change in status and that reasonable measures are taken to replace, substitute, or avoid the loss of public and commercial travel, intrinsic, aesthetic and recreational value, or other public interests afforded by the existing class 4 highway or trail.

At a minimum, no class 4 highway or trail may be upgraded in status or discontinued without the permission of the Selectmen.

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Selectmen may provide for an alternative travel easement or right-of-way replacing the travel route upgraded or discontinued to ensure that users and landowners have uninterrupted access.

The Selectmen may require that the cost of upgrading a trail to a class 4 highway or a class 4 highway to a class 3 highway be assigned to the petitioner(s).

6. New Structures:

New structures on lots fronting on a class 4 highway are subject to the requirements of applicable town ordinances.

7. Right-of-way Access:

Selectmen shall control access into the road right-of-way for the installation or repair of utilities and for access of driveways, entrances, and approaches.

8. Overweight Vehicles

Pursuant to 23 VSA, Chapter 13, Subchapter 15, vehicular use of highways and bridges is subject to limitation and regulation regarding gross vehicle weights, tire and axle weights, and overall length and width.

Written approval of the Selectmen, or their authorized agent, may be granted for use or travel over highways and by and between the Selectmen and applicant for compensation for wear and tear on highways anticipated or caused by use of highways in excess of the legal weight and size limitations. Vehicles used for agricultural or forest management shall not be held to a higher standard than other vehicles.

9. Posting

No highway of any class may be intentionally closed by a gate or other obstruction except upon approval of the Selectmen (19 VSA, Section 1105). The Selectmen may post a road in accordance with 19, VSA, Section 1110. The Selectmen may post a highway for the purpose of preserving the integrity of the road (19 VSA #304).

10. Compliance with other Regulations

This policy is written to establish and clarify standards of construction and the authority of the Selectmen and their agents.

All other ordinances and regulations adopted by the Town of Bridgewater shall remain in full force and effect.

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AMENDMENTS - This policy may be amended at any time by the Board of Selectmen of the Town of Bridgewater as provided by law.

NOTICE - This policy shall be entered into the minutes of the Town of Bridgewater records and shall be posted in at least five conspicuous places in the Town of Bridgewater. A concise summary of it shall be published in the Vermont Standard within 14 days of its adoption accompanied by information as to where the full text of it may be examined, the right of voters to petition for a vote, and the name, address and telephone number of a person who is available to answer questions about it.

Passed and adopted by the Selectboard of the Town of Bridgewater, County of Windsor, State of Vermont on April 23, 2002.

Nelson B. Lee, Jr.
Tom Zuba
Stephen G. Tarleton, Sr.

ADOPTION HISTORY

1. Agenda item at regular Selectboard meeting held on April 18, 2002
2. Read and approved at a regular Selectboard meeting on April 23, 2002 and entered in the minutes of that meeting which were approved on April 23, 2002
3. Posted in 5 public places on May 2, 2002
4. Notice of adoption published in the Vermont Standard on May 2, 2002 with a notice of the right to petition.