

**POLICY STATEMENT
FOR CLASS 4 ROADS AND TOWN TRAILS
IN LONDONDERRY, VERMONT**

1. Definition:

Class 4 highways are all other roads 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 town highway having the same width as the designated town highway, or 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 for 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 of 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 or winter maintenance of class 4 highways.

Any winter plowing of a class 4 highway allowed by the Selectmen to parties other than a municipality shall not nullify the privileges under 23 V.S.A. 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 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;
- C) Requirements for temporary permits for heavy equipment access may be imposed and the stipulation included that any highway damaged will be repaired by or at the expense of the user, posting a bond or other security to guarantee that repairs are made may be a condition of any permits.

D) Speed limits and hours of use 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 as provided by law. Trails may be discontinued or upgraded to class 4 or higher status as provided by law. Reclassification will be done in accordance with Title 19, V.S.A. Sections 708-716.

At a minimum, no class 4 highway or trail may be upgraded in status or discontinued without the permission of the Selectmen. Selectmen may provide for an alternate travel easement or right-of-way replacing the travel route upgraded or discontinued to insure 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 may be assigned to the petitioner(s).

6. New Structures:

New structures on lots fronting on a class 4 highway are subject to 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 V.S.A., chapter 13, subchapter 15, vehicular use of highways and bridges is subject to limitations 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 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 V.S.A. section 1105). The Selectmen may post a road in accordance with 19 V.S.A. section 1110. The Selectmen may post a highway for the purposes of preserving the integrity of the road (19 V.S.A. #304).

10. Compliance With Other Regulations:

All other ordinances and regulations adopted by the Town of Londonderry shall remain in full force and effect, including without limitation.

ADOPTED by Board of Selectmen this 5 day of ^{August}~~July~~, 1996.

TOWN OF LONDONDERRY
BOARD OF SELECTMEN

Dyke R. Proarty

Mary R. Merrill

Clair C. Trank

Dyke R. Proarty

Wayne R. Rock