

From BOS draft Minutes 4/15/24 re Roads and Road Waivers

vi. Ken met with John, Art Rose, Kent, and Beth to discuss using ARPA money on dirt roads. Ken is waiting on some info from Art Rose to move forward with that. See Selectboard Minutes 4/1/24 Section 7.a. for previous discussion.

5. d. Road Waivers

i. Greg spoke with Ken previously about the road waiver application. The language of the Zoning Ordinance has changed and now the Zoning Ordinance and the Road Waiver Application use different standards.

ii. The Zoning Ordinance refers to “current Class VI road standards” (Article 5, Section 5.2, D, 166 4). The Road Waiver application refers to “a suitable width for travel” and “a good and passable condition”. iii. The PB has discussed changing their language to match the application by defining a standard below Class VI for things like shared driveways. iv. Scott expressed his desire to require fire truck access at a minimum. v. Ken said that the Town may not have any power to dictate such a standard for driveways. Currently, the Town only looks at where the driveway intersects with a public road. vi. Defining the difference between a private road and shared driveway could be a function of how many houses are on the “road”.

From BOS draft minutes work session 4/16/24 re road waivers

See Selectboard Minutes 4/15/24 Section 5.d. for previous discussion.

ii. The Selectboard can issue road waivers with or without an improvement plan created by the Road Agent. The waiver simply removes liability from the Town if something happens (e.g. EMS can't get up the road in an emergency). iii. In a few recent cases, the BOS required the road be improved before building. Some towns don't issue waivers, they just don't allow building unless a road meets certain standards. iv. The Road Agent conducts inspections twice a year for roads with improvement plans. If work needs to be done, the Road Agent can tell the owner to make repairs. If the owner doesn't make repairs, the Town can make the repairs and then send the owner a bill. v. 5/6 years ago the Selectboard decided that Class V standards are too onerous, so they changed the language to “good and passable”. It is subjective and judged by the Road Agent. vi. The Selectboard have the authority to change this process at any time. In 1991 the Selectboard decided to pause granting road waivers. Not sure when they resumed. vii. Kent will ask the Planning Board for clarification about what action they want from the Selectboard regarding the language in the application.

