



TOWN OF WESTMINSTER

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POLICY ON RECLASSIFYING STREETS AND ROADS

INTRODUCTION

Currently roads in Westminster are classified as follows: Class 3 roads, Class 4 roads (including, trails and pent roads) and private roads. From time to time there may arise conditions that would lead residents to seek a reclassification of an existing road or portion thereof. The purpose of this policy is to provide a standard procedure to be used by the Selectboard in such instances.

The Town will not reclassify any Class 4 road or private road to Class 3 designation until such road has been brought up to Class 3 standards, as defined by the State of Vermont.

POLICY

1. Residents requesting a reclassification of a highway, road, or portion thereof, shall petition the Board of Selectmen.
2. Upon receipt of the petition to reclassify a highway or road the Board of Selectmen shall hold a duly warned public hearing for the purposes of giving those residents who may be impacted by the reclassification the opportunity to speak to the issue.
3. No later than 15 days prior to the public hearing the town manager shall cause to be sent to each owning property on the road under consideration, and each person whose property is primarily accessed through travel on the road under consideration, a notice of such hearing. This requirement is intended to supplement, not supplant, the public hearing noticing requirement outlined in Vermont State Statutes.
4. No later than 60 days after the close of the public hearing the Selectboard shall decide to move forward with the request, deny the request, or table the request. If the Selectboard decides to move forward with the request then the Selectboard shall:
 - Promptly appoint a time and date both for examining the highway, road or trail, and hearing the persons interested.
 - Give thirty days notice to the petitioners, and to persons owning or interested in lands through which the highway, road or trail may pass or abut of the time when they will inspect the site and receive testimony.
 - Give notice to the Westminster Planning Commission
 - Post a copy of the notice in the office of the town clerk
 - Cause a notice to be published in a local newspaper of general circulation in the area not less than ten days before the time set for the hearing

- Send the notice, by certified mail, to the official residence of the persons required to be notified.
5. After examining the highway, road or trail and hearing any interested parties, and if the Selectboard judges that the public good, necessity and convenience of the inhabitants of the town requires that the highway be reclassified as claimed in the petition and if the highway right of way cannot be determined, they shall cause to highway to be surveyed, and shall place suitable monuments to properly mark the boundaries of the survey.
 6. Within 60 days of the examination and hearing the Selectboard shall return the original petition with a report of their findings and of the manner of notifying the parties together with the survey, to the town clerk's office. The order of reclassification shall be recorded by the clerk.

The Town shall require the petitioner to bear the cost of upgrading Class 4 road to Class 3 standards prior to reclassification.

Before the Town approves the reclassification of a private road as a public road, and applicant shall cause to be recorded a Warranty Deed to the Town of Westminster for the 50' right of way, including slopage and drainage rights, the preparation of such deed to be paid by the applicant.

Adopted this 8th day of January, 2002.