

CLASS VI ROADS USE AND MAINTENANCE POLICY

(Recommended at Town Meeting 3/14/06)

DEFINITION AND PURPOSE

Class VI roads are public roads that have been discontinued as open highways and made subject to gates and bars as well as all public highways that have not been maintained or repaired by the town for 5 successive years or more. (RSA 229:5, VII)

In the interest of preserving and protecting Acworth's Class VI roads as multiple use public byways without liability by the Town for future repair or maintenance, the Citizens of Acworth do hereby recommend enactment the following policies by the Board of Selectmen:

ALTERATION OF ROAD CONDITION

In accordance with RSA 236:9 and RSA 41:11, any repair, maintenance and improvement of Class VI roads such as, but not limited to, cutting and clearing, grading, draining, removal of gates and bars, or alteration of stone walls, shall be prohibited without written permission from the Board of Selectmen.

Permission to alter Class VI roads will be contingent upon:

1. Written receipt of all required and appropriate state and local permits
2. Written plan and detailed map meeting road improvement guidelines set by Town:
 - Road surface minimum width of 15 feet
 - Road surface will be composed of compacted gravel at a minimum of 12" thick, at least 4" of which being crushed gravel.
 - Road surface height will be a minimum of 12" above side ditch bases
 - Culverts will be steel and a minimum of 8" diameter. Drainage will follow existing natural patterns wherever feasible, and alterations in flow will minimally impact abutting properties.
 - Improvements limited to the existing public right of way
 - Stone walls abutting or within the public right of way shall be preserved
3. Written notification of property owners abutting affected roadway section
4. Minimal interference with public travel.

The Board of Selectmen reserves the right to alter any of the above requirements in response to unique circumstances so long as doing so is in conformance with all state and local ordinances.

LOAD LIMITS AND USE RESTRICTIONS

1. Load limits established by the Board of Selectmen as a result of seasonal or other conditions shall be observed by all users unless a written exception is obtained from the Board. (RSA 231:191)
2. Class VI roads will be posted prohibiting wheeled vehicle use from February 1 to June 1. Residential, agricultural, and forestry use by abutting landowners, their tenants or leaseholds will be exempted from this restriction. This time period may be expanded or curtailed by the Board of Selectmen depending upon seasonal conditions.
3. Illegal usage of a posted road will be subject to a fine of up to \$1000.

4. Posted load or use limits may be waived on an individual basis if the Board of Selectmen determines doing so would be consistent with the intent of this policy. Any such cases must entail written permission from the Board.

5. Temporary and/or permanent driveway permits are required for any new or altered private access onto Class VI roads.

6. The Town may post signs at the beginning of Class VI roads stating “Road Unmaintained. Travel at Your Own Risk.”

BONDING FOR USE OF CLASS VI ROADS

Posting of a bond will be required for repeated commercial use or operation on any Class VI road. Operators are required to post a bond to be determined by the Board of Selectmen. Preliminary inspection prior to use will be conducted by the Board or their appointed representative. Written documentation of existing conditions including photographs will be filed at Town Hall. Upon completion of the usage, a representative of the Board of Selectmen will inspect the road condition and determine whether remedial action is needed. The Class VI roadbed, culverts and drainage shall be left in a similar or better condition than prior to this specific usage.

For specific bonding details, refer to the “Acworth Class VI Road Bonding Agreement”.

The Board of Selectmen reserves the right to provide a written waiver of this bonding requirement if they determine that such action is in keeping with the intent to conserve and maintain the condition of Acworth Class VI roads.

UPGRADE OF CLASS VI ROAD TO CLASS V STATUS

Any proposed change of road status must be placed on the annual Town Meeting Warrant for vote by the town. (RSA 231:22a.) The Town will not allow a Class VI road to change to Class V status unless and until such road has been brought up to specific NHDOT Class V road standards. These road improvements will not be funded by the Town of Acworth either in whole or part.

OTHER CLASS VI ROAD CLASSIFICATIONS

1. Scenic Road -- RSA 231: 157-158
2. Municipal Trail -- RSA 231-A: 1,2 & 8
3. Emergency Lane -- RSA 231:59a
4. Subject to Gates and Bars—RSA 231:21-A

ROAD INVENTORY AND ARCHIVE

It is recommended that a Class VI road information archive will be maintained by the Planning Board and will include a record for each road. This archive will include historical references to road status, actions by Town meeting and Board of Selectmen, related deeds and surveys, regulations, use and maintenance actions and field observation notes. A current working map of Town road status will be kept.