

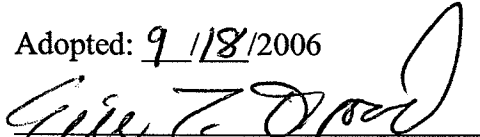
TOWN OF JOHNSON
Right of Way Access Permits
Policy

1. The Town of Johnson requires permits for any person or corporation wishing to use any part of the town highway right of way as described and defined in 19VSA, Chapter 11, Section 1111. "Permitted Use of Right of Way". A copy of the statute is attached and is made part of this policy and shall govern the Town's permit process.
2. The Town of Johnson has adopted the following policies which set forth standards and specifications for development roads and construction and improvements within the highway right of way. These Policies, or their most current amended versions, shall be incorporated in this policy as attachments A and B: "Town of Johnson Highway Policy Development Roads" (last amended on 1/16/95) and "Town of Johnson Policy for Transportation Construction and Improvements" (adopted 4/17/00).
3. Permits will be issued by the Road Commissioner and or Road Foreman as the Select board's duly authorized representatives in accordance with the statutory requirements.'
4. When pipes, wires, conduits, cables or other utilities or structures are proposed to be placed under the travel portion of the road, a damage deposit will be required and held by the town for at least one year after completion of the job. The minimum deposit will be \$500.00 but may increased, when in the judgment of the permit issuing official, the nature of the job and potential for damage to highways warrants it.
5. Where ever possible, any utilities or structures placed under the travel portion of a paved road shall be installed without open cutting or trenching of the road. Open trenching of a paved road will not be allowed unless, in the sole judgment of the permit issuing official, there is no other reasonable alternative or the condition of the existing pavement would not be adversely impacted by the open trenching. . Cost will not be a determining factor.
6. Wherever open trenching is allowed, the Road Foreman shall be notified and the backfilling of the trench properly compacted by means of mechanical compaction in no more than 6 inch lifts, with suitable material approved by the Foreman.
7. Upon a request to release the damage deposit by the applicant, the Road Foreman and or Road Commissioner shall inspect the job to see if any damage to the highway exists. If no damage has been done the deposit may be released by the Treasurer (with no interest). If the inspection reveals damage to the highway, the applicant shall either repair the damage to the satisfaction of the town no later than 30 days of notification, or sacrifice the deposit. The town reserves the right

to use any or all of the deposit to cure any damages resulting from the work performed under the permit.


8. The applicant shall be responsible for insuring that all work performed within the road right of way is done in accordance with any permit conditions, signage, traffic control and safety according to the current versions of: 1) the Manual on Uniform Traffic Control Devices (MUTCD), 2) VOSHA, 3) any other applicable federal, state or local rule(s) or regulation(s). Contractors shall provide a certificate of insurance naming the town as an additional insured during the period of the project.
9. All Permits, whether approved or denied, shall be recorded in the Land Records of the Town of Johnson at the expense of the applicant.
10. The Selectboard may set and revise a fee schedule for permit applications from time to time, the most current of which will be part of this policy.
11. The Town began issuing Right of Way Access, or "Driveway Permits" in November of 1980. Prior to that time no permits were required. It shall be the Policy of the Town of Johnson to recognize any driveways or accesses constructed prior to November 1st of 1980 within the town highway right of way, as being duly permitted. Any such access or driveways are nonetheless fully subject to all the provisions of 19VSA Section 1111.

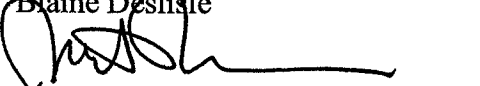
Adopted: 9/18/2006


Eric Osgood, Chair

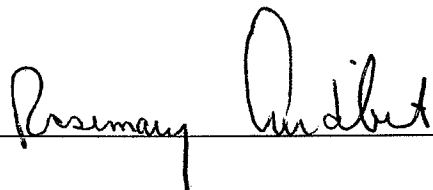

Brad Reed


Blaine Deslisle


Franklin Hooper


Howard Romero

Attest: Rosemary Audibert, Clerk

 10/16/2006