

Permit # \_\_\_\_\_

Date Approved: \_\_\_\_\_

**Town of Westfield**  
**Class 4 Highway & Legal Trail Improvement and Maintenance**  
**Permit Application**

Town Offices ♦ 38 School Street, Westfield, VT 05874

Phone: (802) 744-2484 ♦ Email: info@westfield.vt.gov

**There is a \$150 permit fee and a \$15 recording fee payable to the Town of Westfield**

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Owners/Applicants Name & Address: \_\_\_\_\_

Phone: (    ) \_\_\_\_\_ Email: \_\_\_\_\_

Contractor Name & Address: \_\_\_\_\_

Phone: (    ) \_\_\_\_\_ Email: \_\_\_\_\_

The location of proposed work: \_\_\_\_\_

- Parcel ID: \_\_\_\_\_
- Property Deed Reference: Book: \_\_\_\_\_ Page: \_\_\_\_\_
- Names of All Property Owners Along Length of Road Being Maintained (Attach an extra sheet if needed):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Length of Road Being Maintained/Improved (in miles) \_\_\_\_\_
- Attach drawings and descriptions of work to be done to this document or other required documents.

Abutting landowners will be notified in writing by the Town of Westfield when a permit has been submitted for review. Abutters will have a 15-day period of appeal after the Selectboard makes a decision.

Date Applicant expects work to begin: \_\_\_\_\_

Owner/Applicants Signature: \_\_\_\_\_

**Check the box on page 3 to show that you have read and agree to the information below:**

**NOTICE** This permit is issued in accordance with V.S.A. Title 19, Section 1111, relative to all highways within the control and jurisdiction of the Town of Westfield and the Town of Westfield Class 4 Highway and Legal Trail Ordinance. The issuance of this permit does not release the applicant from requirements of statutes, rules and regulations administered by other governmental agencies. The permit becomes effective upon compliance with all of these requirements which are applicable and remains in effect for as long as the present land use continues. The permit holder is solely responsible for the costs of the approved work and for obtaining all other state, Federal, and local permits, permissions, licenses, and approvals required to perform work under this permit. Any change from the present land use will require a new permit. This permit is issued subject to the applicant following the directions, restrictions and conditions listed below.

Violations are subject to the penalties set forth in V.S.A. Title 19 §1111 of fines not less than \$100 nor more than \$10,000 for each violation.

### **Town of Westfield Class 4 Highway and Legal Trail Ordinance Terms & Conditions**

**IMPORTANT NOTICE: *This permit covers only Legal Trails and Class 4 Highways. It does not release the applicant from the requirements of other statutes, ordinances, rules or regulations.***

1. The "Owner/Applicant" means the party(s) to whom the permit is issued.
2. The "Contractor" means the party who performs the work, if other than the Owner/Applicant.
3. The Owner/Applicant shall be responsible for all damages to persons or property resulting from work done under this permit, even if the Applicant's Contractor performs the work.
4. The Owner/Applicant must comply with all regulations controlling the occupancy of public highways including:
  - o Federal and state statutes or regulations
  - o Local ordinances
  - o Town of Westfield Class 4 Highway and Legal Trail Ordinance
5. The Owner/Applicant must in every case, where there is a possibility of injury to persons or property from blasting, use blasting mats and bags of sand, if necessary, to prevent the stone from scattering. All existing utility facilities shall be protected from damage or injury.
6. The Owner/Applicant shall erect and maintain barriers needed to protect the traveling public. The barriers shall be properly lit at night.
7. The Owner/Applicant shall not do any work or place any obstacles within the town highway right-of-way, except as authorized by this permit. Roadway shoulder areas will be maintained free of unnecessary obstructions, including parked vehicles, at all times while work is being performed under this permit.
8. The Owner/Applicant shall install catch basins and outlets, as may be necessary, in the opinion of the Selectboard/Road Commissioner, to preclude interference with the drainage of the town highway. All grading within the highway right-of-way shall be subject to inspection and approval by the Selectboard/Road Commissioner if determined by the conditions set forth by the Selectboard. In areas to be grass covered, the turf shall be restored by preparing the area and applying topsoil, limestone, fertilizer, seed, and mulch to the satisfaction of the Selectboard/Road Commissioner. If a culvert needs to be placed, the size shall be a minimum of 18 inches in diameter. The culvert shall be placed so that existing normal drainage flow is undisturbed and ponding is not created. Culvert location shall be staked, reviewed and approved by the Selectboard/Road Commissioner prior to installation if determined by the conditions set forth by the Selectboard. There shall be no headwalls allowed within the high right-of-way on the ends of drive culverts. If water prevention measures are not constructed satisfactorily, the Selectboard/Road Commissioner can order reconstruction at the expense of the Owner/Applicant.
9. Upon completion of the work by the Owner/Applicant, a final inspection will be held by the Selectboard/Road Commissioner. Any elevated level of review that requires a licensed professional to oversee or inspect the project will be at the cost of the owner/applicant.

10. The Selectboard/ Road Commissioner may modify or revoke the permit at any time for safety related reasons, without rendering the Town of Westfield liable in any way.
  11. In addition to any other enforcement powers that may be provided for by the law, the Selectboard/Road Commissioner may suspend this permit until compliance is obtained. If there is continued use or activity after suspension, the Selectboard/Road Commissioner may physically close the work area and take corrective measures to protect the safety of the highway users.
  12. The Owner/Applicant shall obtain the written consent of the adjoining landowners regarding the cutting of or injury to trees on property lines.
  13. Where the cutting or trimming of trees is authorized by permit, all debris resulting from such cutting and trimming shall be removed from the highway right-of-way.
  14. The party or parties to whom the permit is granted shall be responsible for the full cost of any corrective action that may be needed within the work area, while the permit is active.
  15. All work shall be accomplished in accordance with the attached detailed drawing.
  16. Excavation at any location requires a state "Dig Safe" permit at least 48 hours prior to work. Telephone 1-888-344-7233 for compliance.
  17. **By accepting this permit, or doing any work hereunder, the Owner/Applicant agrees to comply with all of the restrictions and conditions.**
  18. **This permit does not become effective until the Selectboard approves the permit and the 15-day appeal period has passed. The \$15 recording fee and \$150 permit application fee are due when the permit application is submitted.**
  19. **Permit is subject to review at minimum every 2 years. The Selectboard retains the right to revoke any permit where work has not been started during this two-year period.**
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Please check here to demonstrate that you have read and understand the Terms and Conditions of this permit application as well as the Town of Westfield Class 4 Highway and Legal Trail Ordinance.

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