

**TOWN OF TROY**  
**Damage to Objects/Obstructions in Highway Right-of-Way**  
**Policy**

In order to provide for fair and uniform resolution to disputes involving damage to objects placed within the highway right-of-way resulting from Town highway maintenance activities, the Town of Troy Selectboard establishes the following policy:

1. Title 19, Section 1111 prohibits the encroachment of the Town right-of-way (ROW) without prior approval by the Selectboard. Objects in the ROW are placed there at the owner's risk and the Town assumes no responsibility for any damage to objects placed in violation of the statutes. Common items damaged are, but not limited to mailboxes, fences, flower pots/beds, basketball hoops, etc.
2. Although it is the Town's policy to use special care and consideration when plowing in the vicinity of mailboxes, the Town will not repair or replace, mailboxes damaged by snow or ice clearing operations. Heavy snow coming off the plow blade will often knock over and damage mailboxes/posts that have not been adequately mounted and maintained or braced, or those mailboxes with doors left open.
3. Recovery of damages may be pursued by the Town if Town equipment is damaged due to objects placed in the Town ROW.
4. The utility companies are responsible for marking, maintaining and replacing any utilities in the Town ROW.
5. Driveways cannot interrupt the natural or ditch line flow of drainage water. In some cases where shallow ditch lines or natural drainage courses exist, driveways may be swelled at a point beyond the road shoulder to accommodate the flow of storm water. In all cases, driveways must have sufficiently sized culverts installed and forever maintained by the property owner or developer. In no case shall the culvert pipe under a driveway be less than 15 inch diameter.

Culverts that are currently in private driveways must be maintained by the owner whether the culvert was previously installed by the Town or by the owner. Culverts previously installed by the Town will not be replaced.

In the event that a property owner does not maintain a culvert, causing damage to the town road, then necessary ditches to bypass the culvert will be constructed and maintained until such time as the culvert is cleaned or replaced and working adequately.

Driveways shall intersect the roadway at a preferred angle of 90 degrees but in no case shall the intersecting angle be less than 50 degrees. No driveway will be permitted to be


constructed within 75 feet of an intersection street and 100 feet is desirable. Under no circumstances shall a driveway permit allow construction which will result in drainage or washing directly out to a town highway. In the event a driveway causes damage to a town highway through improper construction, maintenance, or grading, it shall be the responsibility of the property owner to make the necessary repairs upon notification in writing by the town. In the event such repairs as are required are not made within 30 days, the Town shall take whatever steps are necessary to insure the interest of the Town and shall bill the property owner for any expenses involved.

Adopted this 19th day of May, 2014  
by the Town of Troy Selectboard.



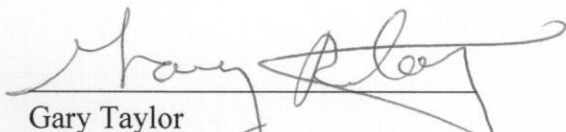
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Chair, Mark Sapville



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Robert Langlands



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Gary Taylor