



EXAMPLE ACCESS MANAGEMENT REGULATIONS IN VERMONT

- **EXAMPLE OF GENERAL ACCESS MANAGEMENT REGULATION
Waterbury (Section 301 Site Plan Review and Approval (j) Special
Considerations for Projects bordering on Routes 2, Route 100, or Interstate
89):**
- (3) Development access roads shall be designed to limit curb cuts in the area. A development will be permitted only one access curb cut, unless the planning commission finds that more than one is required for safety or effective traffic flow. The planning commission may require that access to properties be limited to secondary, frontage, or common access roads. The Planning Commission may require designation of a portion of the lot as a right of way for a frontage or common road access. Where a frontage road or common access road is planned but not yet constructed, temporary access from the main road may be permitted.
- **EXAMPLES OF EXPLICIT ACCESS MANAGEMENT REGULATION
Manchester (8.9.11 Commercial Districts (C-1, C-2, and C03))**
High traffic generators, such as window service drive-up fast food restaurants and drive-up banks, shall not access directly to Routes 7 North, 7A, 11/30, or 30 North.
- Bennington (Draft Planned Commercial District Design Standards)**
- (1.5) Whenever possible, attempt to link with adjacent parking lots or provide shared parking areas which can serve neighboring buildings simultaneously. This provides a secondary means of access to the site and can ease congestion on the main road.
- (1.9) Minimize the amount of curb-cuts by having a single driveway in and out of the property from the main road whenever possible. Secondary access points from side roads are encouraged on larger projects when warranted. Curb cuts should only be as wide as necessary to accommodate needed lanes. Curb radiuses should be kept to a minimum.
- (1.14) Alternative gas station layouts include placing the pumps near the rear of the lot while having the convenience store out in front near the street. This helps to highlight the building, shield the utilitarian pump canopy and pulls the curb-cuts away from the intersection, creating easier access.



➤ **EXAMPLE OF LOCAL ACCESS PERMIT**

Waterbury (Section 413 Driveways and Curb Cuts) (a)

Driveways and their intersections with public roads must obtain a curb cut permit from the municipal manager for driveways intersecting municipal roads, or the Vermont Agency of Transportation for driveways intersecting state roads.

(see example permit application following)



Example Access/Curb Cut Permit

FEE \$50.00, Date Paid _____

APPLICATION # _____

TOWN/VILLAGE OF WATERBURY ACCESS/CURB CUT PERMIT

Applicant: _____ Phone No. (____) _____

Mailing Address: _____

The applicant requests an Access Permit to allow _____

(Contractor)

to construct an access in accordance with Vermont Agency of Transportation and Town/Village of Waterbury standards to serve the applicant's property located on Town/Village Road/Street named _____ and numbered (Town Roads only) # _____. The Parcel No. is _____ and the curb cut will be located as shown on the attached plan. A sketch plan drawn approximately to scale is required unless waived by the Town/Village Authorized Agent. The plan must show the location of the access point and distance along the road to the nearest property line.

The applicant agrees to maintain said access and adhere to the directions, restrictions, and conditions which are part of this permit.

Applicant's signature

Date

ACCESS PERMIT

NOTICE: This permit is issued in accordance with V.S.A. Title 19, Section 43, relative to all highways within the control and jurisdiction of the Town/Village of Waterbury. The issuance of this permit does not release the applicant from any requirements of statutes, ordinances, rules, and regulations administered by other governmental agencies. The permit will be effective upon compliance with all of these requirements which are applicable and continue in effect for as long as the present land use continues. Any change from the present land use will require a new permit. This permit is issued subject to the applicant following the attached sketch plan and the directions, restrictions, and conditions listed below. Violations are subject to the penalties set forth in V.S.A. Title, Section 43, of fined not less than \$100 nor more than \$10,000 for each violation.

Directions, Restrictions and Conditions: _____

Construction must be completed by _____ unless extension is authorized in writing.

Town/Village Authorized Agent

Date

Title

cc: Highway/Street foreman
Listers
Zoning File
Owner



➤ **EXAMPLE OF COMPREHENSIVE ACCESS MANAGEMENT LAND USE AND DEVELOPMENT REGULATION**

Bennington (Section 4.3 of Land Use Development Access Management & Frontage Requirements)

(A) **Required Frontage.** No land development may be permitted on lots which have a frontage of less than fifty (50) feet on a public street. However, if the Development Review Board has approved a parcel in accordance with Section 7.5, land development may be permitted on a lot which otherwise conforms with these regulations which has access to a public street by a permanent easement or right-of-way not less than 50 feet wide. The required right-of-way width may be increased by the Board as necessary, as determined from an evaluation of the proposed use, site and traffic conditions.

(B) **Access (Curb Cuts).** Access onto public highways is subject to the approval of the Town of Bennington, and for state highways, the approval of the Vermont Agency of Transportation. As a condition to access approval, compliance with all local ordinances and regulations pertaining to roads and land use is required. Access permits must be obtained prior to the issuance of a zoning permit. In the event approval of the Development Review Board is required for the use or development, the access permit(s) shall be obtained after Development Review Board approval. In addition, the following provisions shall apply to all parcels having road frontage on town and state highways:

(1) With the exception of accesses (curb-cuts) used solely for agricultural or forestry purposes, or for the exclusive use of emergency vehicles, no lot in existence as of the effective date of these regulations may be served by more than one access (curb cut). The Development Review Board may approve or require additional accesses in the event that:

- a. the additional access is necessary to ensure vehicular and pedestrian safety; or
- b. the strict compliance with this standard would, due to the presence of one or more physical features (e.g. rivers and streams, steep slopes, wetlands), result in a less desirable development or subdivision design than would be possible with the allowance of an additional access; or
- c. a traffic management plan is developed in association with a planned residential development or planned unit development approved in accordance with Article 8; or
- d. the additional access is necessary to provide interconnectivity between streets and the integration of site development between contiguous parcels; or
- e. emergency vehicle access.

(2) Applicants for a zoning permit for any parcel where the number of existing accesses exceeds the number allowed under this section must eliminate or combine accesses in order to meet the applicable standard unless otherwise approved by the Development Review Board.



(3) Subdivision of a parcel after the effective date of these regulations shall not create a right to construct more than one access unless otherwise approved or required by the Development Review Board in accordance with subsection (1), above.

(4) Access shall be limited to an approved width, and shall not extend along the length of road frontage.

(5) An access shall be located at least 150 feet from the intersection of public road rights-of-way, for all uses except for single and two family dwellings, which shall be located at least 50 feet from such intersections, unless otherwise approved by the Development Review Board in accordance with approval under Article 6 or subdivision approval under Article 7. Distance should be measured from the radius of the driveway.

(6) Shared access is encouraged, and may be required for development subject to review and approval by the Development Review Board. In appropriate instances, including the presence of compatible adjacent uses, areas characterized by congestion and frequent and/or unsafe turning movements, or parcels having direct access to more than one public road, the Development Review Board may require provision for shared access between adjoining properties or may limit access to the property to a side street or secondary road. Requirements for shared access shall be made either at the time of Board approval under Article 6 or Article 7, if similar provision has been made on contiguous parcels, or contingent upon future development of neighboring properties.

(7) All access drives fronting upon a paved road shall have a paved apron of at least 20 feet from the right-of way.

(C) No fence, wall, hedge, shrubbery, or other obstruction to vision in excess of 3 feet in height, as measured above the nearest portion of the traveled way, shall be placed or allowed to grow at a street intersection within the area formed by a line joining points on each front line 20 feet from the intersection of the tangents of such streets.

(D) The use of land for access or parking in connection with a use shall be considered to be accessory to and part of such use, except that this provision shall not prohibit access across a Commercial District to a use lying in an Industrial District. Except as otherwise provided in these regulations, access to a permitted use may take place in any portion of the lot, including the required front, side, or rear yard.



ACCESS MANAGEMENT PLANS TO ADDRESS SPECIFIC ACCESS MANAGEMENT ISSUES IN COMMUNITIES

- Waitsfield Circulation and Access Management Plan (1997) (Contact - Central Vermont Regional Planning Commission – (802) 229-0389)
- VT 78 (Swanton) Access Management Plan (1998) (Contact – Northwest Regional Planning Commission – (802) 524-5958)
- Route 100 (Waterbury, Stowe, and Morristown) Access Management Plan (2004) (Contact Lamoille County Regional Planning Commission - (802) 888-4548 or Central Vermont Regional Planning Commission - (802) 229-0389)
- Vermont 7A/67A (Bennington/North Bennington) Access Management Plan (2004) (Contact – Bennington County Regional Planning Commission – (802) 375-2576)
- Bennington Access Management Plan (1997) (Contact – Bennington County Regional Planning Commission – (802) 375-2576)