

# Town of Middlebury

## Creek Road Task Force

### Recommended Alternative

2/14/2020

Alternative 8 – Perform interim repairs to the road in order to open it to thru traffic in a safe condition. Obtain easements and/or land acquisition such that within 5 years there is alternative access available to property owners.

Description: This alternative would include interim improvements, maintenance, and monitoring of the road to allow it to be opened from Court Street to 3 Mile Bridge Road. Improvements could include a combination of guardrails and minor realignments within the existing right of way with the goal of extending use of the road, to the extent possible, while being fiscally responsible with Town funds. The Town would undertake a collaborative process with property owners and other stakeholders to find alternative means for long term access, such that the next time there is a major damage or failure to the road, there is a plan in place to avoid significant repair costs.

#### Pros

1. Town would fulfill its statutory responsibility for maintaining this Class 3 road.
2. Opening road will alleviate the stress of the closed road, ease tensions and allow time to negotiate with landowners.
3. Develops long-term plan to minimize future expenditures to maintain the road.
4. Assists landowners with securing alternative access to their properties in a collaborative process.
5. Provides time and options for negotiations to address the roads condition including possible easements and acquisitions to allow relocation of road in areas with reduced costs.

#### Cons

1. Ultimately, if the road is reclassified, Town will lose thru traffic capabilities.
2. Unknown present worth costs and time frame for when the road may need to be reclassified.

#### Outstanding Questions

1. What are the minimum repairs necessary to open the road and maintain it in a manner that is safe for the public? Where is the line between “modest” and “excessive” repairs that would trigger road closure or reclassification”?
2. What is the Town’s “cost appetite”? Where do we draw the line in how much we are willing to invest in the road?
3. Discussion with state agencies regarding permitting requirements. What might be required for remediation of an abandoned/Class 4, “hydrologically connected” roadway? Would the Town have ongoing obligations/expenses if the road was abandoned but continued to erode into the Creek?
4. What would the permitting requirements be for alternative accesses?

## Steps Forward

### Phase One

What	When	Who
<p>1A. Work with stakeholders to determine reasonable improvements to be made at various sections such that public works and emergency services both agree that the road is safe to open to thru traffic.</p> <p>1B. Design and permit appropriate scope of improvements and construct repairs.</p>	Immediately (Simultaneously with step two)	<p>Creek Road Task Force, Public Works, Peter DeGraff, Chief Hanley, Chief Shaw</p> <p>Final Recommendation to Selectboard by Infrastructure Committee</p> <p>Approval by Selectboard – move to step 1B</p>
<p>2. Collaborate with landowners to explore options for easements/acquisitions to provide alternative access.</p>	Immediately (Simultaneously with step one)	Town Manager, Legal Counsel, Lister

### Phase Two

What	When	Who
<p>1A. Complete an Action Plan that identifies goals and timeline for alternative access and lays out a course of action in the event of future stream bank and roadway deterioration.</p> <p>1B. Finalize negotiations with landowners</p>	To be complete and in place by January 2025	<p>Creek Road Task Force, Community stakeholders, Selectboard</p> <p>Town Manager, Selectboard</p>
<p>2. Implement Action Plan</p>	As needed in the event of further road erosion.	Public Works, Selectboard