

MEMORANDUM

To: Town of Spencer Residents; and Private Roads
From: Steven J. Tyler, P.E., Superintendent, Spencer Utilities & Facilities Office
CC: Adam D. Gaudette, Town Administrator; Eben Butler, Highway Foreman;
David Darrin, Spencer Police Chief
Date: March 27, 2017
Re: **Town Pavement Millings Distribution Procedures for Private Roads & Driveways**

IMPORTANT NOTE: The Town is prohibited by Massachusetts Law from assisting with transportation, distribution, grading, etc. on private roads, private driveways or private property. The Town cannot and will not transport milling materials or assist with the design or construction of a private roadway or driveway. Each approved property owner/user shall be responsible for all transportation, permitting, design and construction costs. The Town may assist with loading the materials and will establish all milling loading times and dates after the request for millings has been approved. The Town may require additional information and/or a site inspection by a Spencer Highway Department official prior to approval for use or distribution/pick-up. All millings placement and related work shall be subject to all applicable permitting or review requirements, which shall be the property owner's responsibility to determine, conform with and obtain all necessary permits.

Driveways / Residences

Any Town property owner with a single, shared or multi-family driveway is eligible to obtain and utilize available pavement millings if needed on your parcel in the Town of Spencer. The interested property owner must submit a formal request in writing using the attached form, with their name, address, contact information, a description of existing conditions and proposed use/improvements. Each property or address must file a separate request. The material must be used by the resident/owner requesting it on property located within the Town of Spencer. As a general rule we will allow up to one full truckload of milling materials (approx. 18 C.Y.) for a single driveway or property address with minimal information. If a situation exists where a property owner needs additional millings to complete their project, more material may be approved if requested and justified in advance to verify need and understanding of means and methods for successfully utilizing the material, etc. In all cases the Spencer Highway Department reserves the right to inspect the property or otherwise confirm the amount of materials needed for an intended application.

Private Roads

As owners of property abutting private roads, you probably know that the Town of Spencer may have plowed your road in the past. This Town plowing service depends upon several contingencies, including but not limited to, Town Meeting funding and the conditions of the private road. The Town strongly encourages all owners of property abutting private roads to take advantage of this opportunity to use available millings to improve their private roadway. It is the responsibility of the private road owners to purchase (where applicable), transport, grade, compact and utilize the pavement millings or other construction materials appropriately for each site. The Town cannot provide engineering, design or construction support on private property. The following procedures shall regulate the distribution of available pavement millings to owners of property abutting private roads.

Due to limited pavement milling quantities, a monitored registration and selection process will be necessary to ensure that these resources are properly used and installed. The following criteria will be used to ensure an effective application of pavement milling on private roads.

1. Owners of property abutting a private road that are interested in the program must submit a formal written implementation plan. The implementation plan must adequately address right-of-way, drainage, subbase and all other standard roadway construction requirements/practices. The implementation plan and request for pavement millings must be accompanied by a signature page with at least 2/3rds of the private road adjoining property owners authorizing/approving the written implementation plan included with the request for millings.
2. In order to construct or repair an adequate and cost effective road, it is critical that proper site analysis and final design plans and/or implementation plan be completed by an experienced and qualified person or preferably a registered professional engineer familiar with the design and construction of roads. This approach needs to be taken to avoid mistakes that often occur without those skills or efforts which often lead to wasting time, materials and financial resources or worsening existing drainage or site conditions.
3. There must be a primary point of contact and project manager for the private road work. That individual must be knowledgeable in road construction methodology. Include experience and qualifications of the preparer and/or supervisor or contractor of the proposed millings implementation/improvement plan.
4. The private road owners must be able to verify and demonstrate in the field the location of roadway layout / right-of-way (ROW) for all interested parties and abutting private road property owners. Where required by the Spencer Highway Department the private street owners may need to retain a licensed Massachusetts Land Surveyor at their expense to demonstrate ROW limits.
5. All necessary permitting is the responsibility of the private road owners. All necessary wetlands permitting must be completed through the Spencer Conservation Commission prior to receiving any pavement millings with documentation verifying this step submitted to the Spencer Highway Department. In cases where wetlands permitting is not required a written statement from the Spencer Conservation Commission or their agent stating that no wetlands permitting for the proposed implementation plan is necessary, shall be provided to the Spencer Highway Department.
6. A written opinion of access and/or any public safety improvements necessary from the Spencer Fire Chief with regard to emergency ambulance, police and fire response shall be obtained and provided to the Spencer Highway Department. The opinion shall include recommended access and/or any public safety improvements in the implementation plan.
7. A written opinion of conditions and minimum required improvements (i.e. width, drainage, tree clearances, drainage, snow storage) necessary shall be obtained from the Spencer Highway Department and included in the implementation plan.
8. Proof of an adequate existing gravel foundation under the road shall be provided to the Spencer Highway Department. If the current gravel base is inadequate, it must be removed and replaced with an acceptable material. Roadways need a compacted gravel base, typically 6"-12" or possible greater depending on the evaluation of underlying soils by a qualified engineer. We recommend materials consistent with MassDOT road construction specifications.
9. The private road must exhibit adequate roadway drainage or drainage issues must be corrected/improved by the implementation plan to the extent feasible. When we refer to "drainage" we are referring to surface drainage as well as subsurface drainage. The gravel base design discussed above is critical with regard to providing adequate drainage underneath the roadway.
10. The private road must adequately handle snow storage or it must be corrected/improved by the implementation plan to the extent feasible.

Technical Resources

Many technical resources are available. We have made the *FHWA Gravel Roads Maintenance and Design Manual* and a related video available online at the Spencer Highway Department web page (http://www.spencerma.gov/Pages/SpencerMA_Highway/index). We strongly encourage you to refer to this manual and the video as well as other relevant resources. A hard copy of the manual can be provided upon request at nominal fee of \$5.00 to pay for the costs for printing/copying.

Sign-Up List for Millings

Any Town of Spencer property or private road owner may sign-up for millings by completing all the above requirements and submitting the required information to the Utilities and Facilities Office located at 3 Old Meadow Road (Water Dept. Building). Signing up does NOT guarantee that you will receive millings. It only puts you on a list for in the event excess becomes available.

The Town of Spencer does not guarantee the contents or condition of any millings provided. Anyone interested in these materials shall be fully responsible for evaluating and/or assessing material contents prior to pickup or delivery and shall be considered the sole owner of the material once it has been picked up or delivered to the requested location. Likewise, it is the responsibility of the property owner requesting the millings to determine any and all applicable permitting requirements for their placement and use. The Town shall not be responsible for moving, relocating or removing any materials.

Relevant Information and Waiver

By filling out the information and request for materials below, I hereby acknowledge that I have read and understand all contents, requirements, disclaimers, and other information contained herein. I also agree to allow representatives of the any concerned Town of Spencer permitting authorities or their representative to enter onto my property to verify the delivery and use location(s) with respect to requirements. Further I agree to hold harmless the Town of Spencer and its employees and representatives harmless and free of any claims or other matters related to the pickup, delivery and/or use of the requested material at my property.

I hereby request that the following property, private road, or facility be put on the Town’s list for me to pick up millings, when notified of availability, for use at my property address listed below.

DATE: _____ PROPERTY OWNER PHONE: _____

PROPERTY ADDRESS: _____

PROPERTY PARCEL NO: _____

REQUESTED QUANTITY OF MILLINGS: _____

PROPERTY OWNER NAME: _____

PROPERTY OWNER SIGNATURE: _____

PROPERTY OWNER’S AUTHORIZED CONTACT NAME AND NUMBER (If different from above):

See Town of Spencer Highway Department web site for other available materials (link below).

http://www.spencerma.gov/Pages/SpencerMA_Highway/index

If any questions contact the Utilities and Facilities Office at (508) 885-7525.