

# **Scambler Township Road Policies and Standards**

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## Preamble

Minnesota Statute §164 authorizes a town board, as a road authority, to establish and maintain town roads for benefit of the public. Establishing and maintaining roads is one of the most vital functions of town government and requires a considerable amount of the township's treasury. Because town roads are so important, they generate many questions and a high potential for disagreement. The goal of these road policies and standards is to provide clarification on the various road issues frequently encountered.

In developing this policy for how to best undertake road maintenance activities in the Town, the Board has had to balance a number of factors including, but not limited to, the following: public safety; the amount of funds available for these activities; the wish to maintain an efficient transportation system; enable the delivery of emergency services; avoid damage to property; and the cost effective allocation of resources. A further explanation of some of these policy considerations follows:

1. **Budgetary:** The funds the Town has available for road maintenance, road improvement, and snow plowing operations are derived from two sources. The first is the town road and bridge tax levy that is set by the town electors at the annual town meeting held in March. The second source of funds comes from the gas tax imposed and collected by the state, a small portion of which is distributed to towns to help maintain their roads. The Board has no direct control over either source of funding. A proposed levy is submitted to the town electors at the annual town meeting, but the actual amount of the Town's road & bridge levy is determined solely by a vote of the electors.
2. **Contract for Services:** The Town has no road maintenance staff or equipment so the Board contracts with independent contractors for various road services. Because the Town obtains these services through a non-exclusive contract, it does not have direct control over the availability of personnel, equipment, or the timing of the service delivery. The Town indicates through this policy and the service contract the work to be performed and the performance expectations, but the contractor must remain free to exercise initiative, judgment, and discretion in how best to perform or provide the services.

The Town Board reserves the right to amend any portion of this document by motion at any town board meeting.

**Definitions:**

1. Primary Road – Platted roads serving as thoroughfares, generally running on section lines.
2. Secondary Road – Roads serving clusters of dwellings, generally on lakeshore and maintained by the Township (grading, minor graveling, and snow plowing).
3. Development Road – Platted roads designed as part of a subdivision.
4. Minimum Maintenance Road – Road designated for reduced maintenance by the Town.
5. Private Road – Generally long established roads used as private drives by multiple dwellings on lakeshore. Legal status is unknown.
6. Cartway – Easement across private property to allow access to other land owners

# Article 1 Township Road Standards and Specifications

## Section 1.1 Design Specifications

1. All roads must have a 66-foot right-of-way and must be platted at 66 feet minimum.
2. Dead end roads are prohibited but cul-de-sacs shall be permitted. Cul-de-sacs shall have a terminal turn around which shall be provided at the closed end, with a turn around of a minimum outside right-of-way diameter of one hundred thirty two (132) feet and a radius of sixty (66) feet.
3. The grade of the road shall not be more than eight (8%) percent.
4. All dedicated roadways shall have a roadbed of not less than 24 feet in width when a permanent gravel surface is anticipated and not less than 32 feet when a bituminous surface is anticipated. All cul-de-sacs, regardless of surface type, shall have a minimum traveled surface diameter of 100 feet.
5. All entrances constructed to provide access to adjacent lots shall have a minimum finished top width of 20 feet. Side slope ratios shall be 1:4 (vertical : horizontal) or flatter.
6. Ditches must be present on both sides of the road, which provide for appropriate drainage. This includes consideration of culverts under driveways. The minimum depth shall be two (2 ft.) feet below the grade of the road. Side slope ratios shall be 1:4 (vertical : horizontal) or flatter.
7. All roadbed embankments across lowland areas shall be constructed to a height of at least three feet above natural ground elevation.
8. The minimum gravel thickness shall be 3 inches compacted or 4 inches loose. All gravel materials used for aggregate base and aggregate surfacing shall meet the requirements of 3138 of the MnDOT Standard Specifications for Construction Class 5 Aggregate Base. Salvaged bituminous mixture used in lieu of aggregate base shall be crushed sufficiently to achieve 100% passing a 1-1/2" screen. The gravel equivalent (G.E.) for salvaged bituminous material shall be 1.0.
9. All roads must have an adequate crown of approximately ½ inch for each foot of width measured from the center of the road to the edge of the driving surface.
10. It is the policy of Scambler Township that no compensation will be paid to the land owner for earth removed from Borrow Pits used in road construction.

## Section 1.2 Construction

1. Stumps and debris shall not be buried within the roadbed, foreslopes or ditch bottoms or be disposed of by pushing onto land adjacent to the platted roads.
2. No material from the upper one foot of the natural soils shall be used in the upper two feet of the roadbed.

3. All topsoil shall be salvaged and a minimum of three inches of topsoil shall be spread on all new slopes and areas disturbed during grading operations.
4. No rocks having a diameter of 6 inches or larger shall be placed within the upper foot of the roadbed.
5. All embankments shall be constructed in relatively uniform layers approximately parallel to the final grade, and extending over the full width of the embankment. Layers in the upper two feet of the embankment shall be not more than eight inches in thickness (loose measurement) and those below the upper two feet shall be not more than 12 inches in thickness (loose measurement).

### **Section 1.3 Ditch Cover**

1. All new slopes and disturbed areas shall be seeded after the topsoil has been replaced. The seed mixture shall meet the requirements of MnDOT Standard Specifications for Construction, 1995 Edition, for the following types of mixtures:
  - a) Rural Areas: Type 70A or equivalent, seeded at the minimum rate of 35 pounds per acre. Mixture 70A shall contain 11.0% Alfalfa, 37.0% Smooth Bromegrass, 29.0% Perennial Rye-Grass, 12.0% Switch Grass and 11.0% Timothy.
  - b) Residential areas: Type 65A or equivalent, seeded at the minimum rate of 50 pounds per acre. Mixture 65A shall contain 75.0% Kentucky Blue Grass blends, 15.0% Red Fescue and 10.0% Perennial Rye-Grass.

### **Section 1.4 Culverts**

1. All centerline culverts shall have aprons and a minimum diameter of 15 inches.
2. All entrance culverts shall have aprons and a minimum diameter of 15 inches.
3. The use of used metal culverts and aprons shall not be allowed. Used concrete culverts and aprons may be used with prior approval. The joints of all concrete pipes and aprons shall be tied and wrapped.
4. Each line of culvert installed shall be made of only one type and design of material.
5. All culverts shall have a minimum of 12 inches of cover, excluding aggregate base and surfacing materials, and shall have adequate length to achieve 1:4 slopes or flatter.
6. All concrete culverts shall meet the requirements of the MnDOT Standard Specifications for Construction.
7. All metal culverts shall be galvanized corrugated steel and shall meet the following thickness (gauge) requirements:

- 15" – 18" Diameter, 16 Gauge
  - 24" – 30" Diameter, 14 Gauge
  - 36" – 48" Diameter, 12 Gauge
8. All bridge plans and construction shall be approved by the Otter Tail County Engineer. Minimum capacity shall be HS-25 loading. Minimum width shall be 28 feet, curb to curb.

### **Section 1.5 Bituminous Pavement Primary Roads**

1. Plant-Mixed Bituminous Pavement shall be constructed in accordance with all applicable provisions of 2331 or 2340 of the MnDOT Standard Specifications for Construction.
2. Minimum paved surface width shall be 26 feet with 2 foot shoulders.
3. Minimum total thickness of the bituminous surface shall be three and one half inches (3 ½"), placed in two layers with a 2 inch base course, and 1.5" wear course.
4. Recycled or reclaimed bituminous materials shall not be used in the wear course.
5. The wearing course mixture shall have an asphalt content of approximately 05.8% of the total mixture and the Air Voids of the mixture shall be approximately 4.0%.
6. The bituminous mixture supplier shall furnish job mix formula data, grade of asphalt cement being used and aggregate gradation test results upon request of the Township.
7. Compaction shall be obtained by the Ordinary Compaction method.

### **Section 1.6 Bituminous Pavement Secondary and Development Roads**

1. Plant-Mixed Bituminous Pavement shall be constructed in accordance with all applicable provisions of 2331 or 2340 of the MnDOT Standard Specifications for Construction.
2. Minimum paved surface width shall be 20 feet with 2 foot shoulders.
3. Minimum total thickness of the bituminous surface shall be three and one half inches (3 ½"), placed in two layers with a 2 inch base course, and 1.5" wear course.
4. Recycled or reclaimed bituminous materials shall not be used in the wear course.
5. The wearing course mixture shall have an asphalt content of approximately 05.8% of the total mixture and the Air Voids of the mixture shall be approximately 4.0%.
6. The bituminous mixture supplier shall furnish job mix formula data, grade of asphalt cement being used and aggregate gradation test results upon request of the Township.

7. Compaction shall be obtained by the Ordinary Compaction method.

## Article 2 General Maintenance Policy

### Section 2.1 Road Inspection

1. The town board formally inspects all roads in the spring to determine any maintenance needs to be carried out during the summer. Such needs include gravel, dust control, weed control, ditch cleaning, road repair, tree and brush trimming.
2. Roads designated Minimum Maintenance will receive only enough maintenance to keep them in a safe and passable condition.

### Section 2.2 Typical Road Maintenance.

Township roads are bladed approximately every two weeks when weather permits.

1. In the summer, additional layers of gravel are applied to road sections as determined by the town board. Township residents with special requests for gravel should contact the town board before June 1<sup>st</sup>.
2. Dust control chemicals are applied to sections of roads as determined by the town board. The locations are generally around residents in close proximity to the road, high traffic areas, and areas requiring additional stabilization of the road surface. Township residents with special requests for dust control should contact the town board before June 1<sup>st</sup>. Dust control is generally applied after the addition of fresh gravel.
3. Road ditches are mowed approximately six feet out from the shoulder twice during the growing season.
4. The town board may contract to have road ditches sprayed with herbicides to control noxious weeds and brush. Any residents not wanting ditches sprayed because of proximity to sensitive crops or dwellings should inform the town board of their wishes.
5. Additional road maintenance needs are addressed as they arise.
6. Limited maintenance (snow plowing, mowing and grading) will be provided to Development Roads at the townships discretion.

### Section 2.3 Objects Within the Rights-of-Way

Public road rights-of-way are used for a variety of purposes that are outside of the direct control of the Town. Because road maintenance operations are performed by independent contractors, the Town shall not be responsible for damages caused by the contractor to mailboxes, lawn sprinklers, utility structures, sod, landscaping materials,

vegetation, or other personal or real property. Damage to items of personal property left in road right of way shall be the responsibility of the property owner, not township or contractor.

It is the responsibility of owners to keep the road rights-of-way clear of vehicles, trailers, trashcans, and other items of personal property. If the Board determines personal property left in the road right-of-way poses an unreasonable risk to public safety, or significantly interferes with maintenance operations, it will have the item removed from the right-of-way at the owner's expense. While reasonable efforts will be made to avoid damaging private property, road maintenance operations may result in damage to the property of others. Where private property damage does occur, it is the policy of the Town to handle damages on a case-by-case basis.

## **Section 2.4 Complaints and Requests**

Complaints and requests for further services should be directed to the Board, not the Contractor. Complaints and requests for further road maintenance services or damage will be taken during normal Town Board meetings and handled on a case-by-case basis. If the contractor is aware of complaints or requests for additional services, it shall forward such complaints or requests to the Board for consideration.



## **Article 3 Snow Plowing Policy**

### **Section 3.1 Policy Considerations**

In developing this policy for how to best undertake snow and ice control activities in the Town, the Town Board must consider the following:

1. **Contract for Services:** The Board contracts with independent contractors for snow removal services. Because the Town obtains snow and ice control services through a non-exclusive contract, it does not have direct control over the availability of personnel, equipment, or the timing of the service delivery. The Town indicates through this policy and the service contract the work to be performed and the performance expectations, but the contractor must remain free to exercise initiative, judgment, and discretion in how best to perform or provide the services.
2. **Safety, Equipment Damage, & Effectiveness:** Snow and ice control operations will be conducted only when weather conditions do not endanger the safety of operators or pose an unreasonably risk of damaging equipment. Once initiated, operations will be suspended if conditions deteriorate to the point that operations become unsafe for operators because of factors including, but not limited to, severe cold, significant winds, limited visibility, accumulation of ice, or rapid accumulation of snow. Operations will also be delayed or suspended if existing or anticipated conditions indicate the operations will not be effective.

### **Section 3.2 When Snow Plowing Begins**

1. The Contractor has the authority to determine when plowing operations will begin. The following criteria shall be considered
  - a) An evaluation of the immediate and anticipated weather conditions.
  - b) The likely effectiveness of operations.
  - c) Safety of employees.
  - d) If an unreasonable risk of damaging equipment exists.
  - e) Snow accumulation of three inches (3") or more.
  - f) Accumulation of drifting snow.
  - g) Sever icy conditions that seriously affect travel.
  - h) Time of snowfall in relationship to heavy use of the roads.
2. Snow and ice control operations are expensive and involve the use of limited resources. Consequently, operations will normally not begin until the snow has stopped falling or until at least three inches of snow has accumulated.

### **Section 3.3 How Snow Will Be Plowed**

1. Snow will be plowed in a manner as to minimize traffic obstructions.
2. Under normal conditions, one plowing per snowfall will be considered sufficient.
3. Snow plowing under sever conditions will consist of opening roads first and widening at a later time, if needed.
4. Because of limited resources and restrictions on the use of salt, blacktopped roads will not usually be cleared down to bare blacktop.
5. Snow will be plowed as close as practicable to mailboxes located in the road right-of-way. It shall be the responsibility of property owners to clear snow from around their mailboxes to enable mail delivery.
6. Snowplowing unavoidably results in snow being deposited on driveways and approaches. It is the responsibility of land owners to remove snow from their driveways and approaches.
7. In the event of equipment failure, extreme snowfall, or other unanticipated events including the availability or need to rest snowplow crews, deviation from these standards may be appropriate.

### **Section 3.4 Roads that are not Plowed**

The amount and nature of the uses to which the Town's roads are put can vary significantly by location and season. While some town roads are needed throughout the year to access to homes, businesses, or as primary transportation routes, other roads are only needed for limited purposes only during the summer months. The Board determines that attempting to keep all roads open during the winter regardless of the need or use would unreasonably dilute the funds available for winter maintenance and lower the level of maintenance that could be achieved on those roads that are relied upon year-round. In order to properly allocate the Town's limited resources, the Board may determine to close certain roads during winter months, to not snowplow certain minimum-maintenance roads, and to reserve the right to close other roads as needed to respond to snow emergencies.

1. Certain Town Roads May be Closed During Winter Months: Rather than commit limited resources to keeping all roads snowplowed regardless of the need for the roads during winter months or the costs to keep them open, the Board may close and barricade certain roads during the winter months. The Board will determine when to reopen each road in the spring depending upon their condition.
2. Minimum-Maintenance Roads may be Snowplowed: Towns are authorized by Minn. Stat. § 160.095 to designate roads that are used only occasionally or intermittently for passenger or commercial traffic as minimum-maintenance roads. While these roads are not used for vehicular traffic during winter months, the Board does recognize that they are used for snowmobiling.
3. Town Roads Closed in Snow Emergencies: In snow emergencies the Board will close and barricade roads at it deems necessary to respond to the emergency. The Board will determine when to reopen each road that was

closed based on need and condition of the road as well as on the availability of funds, personnel and equipment.

4. Special Circumstances: An owner of property adjacent to a road or road portion that the Board has determined not to snowplow during winter months may request the Board to snowplow the road in emergencies or if special circumstances exist. The Board will consider each such request and determine if it has the sufficient resources to accommodate it.

### **Section 3.5 Emergency Assistance**

If law enforcement requests snow removal to assist emergency vehicles to respond to an emergency situation, reasonable efforts will be made to accommodate the request.

### **Section 3.6 Sanding and Salting**

The Township and/or private or public contractors will use sand and salt when there are hazardous ice or slippery conditions. Sanding is done at problem locations on paved roads including intersections, curves and hills. The Town must consider the cost, environmental impact, public safety, and availability of staff and equipment when deciding if, when, and to what extent to apply sand and salt.

### **Section 3.7 Snow Removal**

The Town Road Supervisor will determine when and if snow will be removed by truck or heavy equipment. Such snow removal will occur only in areas where accumulated piles of snow create a hazardous condition. Snow removal operations will not commence until other snow plowing operations have been completed. Snow removal operations may also be delayed depending on weather conditions, personnel and budget availability.

### **Section 3.8 Snow Plowing of Private Property**

The Town will not provide for the snowplowing or sanding of private property except when requested to do so by law enforcement to provide access for emergency vehicles responding to an emergency. If private property is used with permission of the owner to turn around equipment or to store snow, the Town may snowplow the private property as needed to accommodate the Town's use of the land.

### **Section 3.9 Depositing Snow in Rights-of-Way**

It is unlawful for anyone to deposit any snow or ice in a public road right-of-way or to otherwise obstruct a public road. Minn. Stat. §§ 160.27, subd. 5(a)(1); 169.42, subd. 1. Depositing snow or ice in a road also increases snowplowing costs, creates a potential public safety hazard, and could damage equipment.

### **Section 3.10 Complaints and Requests**

Complaints and requests for further services should be directed to the Board, not the Contractor. Complaints and requests for further services regarding snow and ice control or damage will be taken during normal Town Board meetings and handled on a case-by-case basis. If the contractor is aware of complaints or requests for additional services, it shall forward such complaints or requests to the Board for consideration.

### **Section 3.11 Review of Policy**

The Board will periodically review this policy, taking into consideration any changing conditions in the Town's circumstances, any complaints or comments received, and the experienced learned from undertaking snow and ice control procedures.

## **Article 4 Paving Policy**

### **Section 4.1 Blacktop Paving Policy**

1. It shall be the policy of Scambler Township to blacktop township roads based upon need and at the discretion of the town board. Considerations shall be: Traffic volume, historic use, anticipated future use, maintenance issues, and cost estimates.
2. Roads selected for blacktopping in the Town's long term road plan will receive priority.
3. Requests for blacktopping Non-Primary Roads will be taken on a first come basis.
4. The Township has full authority to accept or reject any requests for blacktopping township roads.
5. This policy is to support the Town's long term road plan and may be modified as required to meet Township needs.

### Section 4.3 Paving Requests By Petition

If the landowners along township road desire to have their road blacktopped, the following requirements must be met:

1. Road must have a minimum 66-foot right-of-way, with no obstructions.
2. Road must be platted and dedicated to the Town.
3. All requests must be submitted by petition.
4. Petition requests for Primary, Secondary, and Development Roads must be submitted to the Town board in one of two ways:
  - a) One hundred percent (100%) of the landowners have signed the petition and agree to pay for all costs for the proposed project prior to awarding any contract for construction.

OR

- b) Seventy five percent (75%) of the affected landowners have signed a petition requesting a special assessment tax district.

### Section 4.4 Cost Sharing Guidelines for Non-Primary Roads

1. Cost share between township and landowners.

Costs Paid by Township	Costs Paid by Landowner
0% upgrading of road area prior to improvement	100% upgrading of road area prior to improvement
0% construction costs, includes aggregate base and surfacing	100% of construction costs, includes aggregate base and surfacing
0% engineering and contingencies	100% engineering and contingencies
0% legal and administrative costs	100% legal and administrative costs

2. Standards for proper assessment.
  - a) The property benefits from the improvement;
  - b) The assessment does not exceed the increase in value of the property due to the improvement; and
  - c) The assessment is uniform.Benefits from an improvement are calculated based on the highest and best use of the land. Present use of the land is not the controlling factor in determining whether the land has received benefit from the improvement.

Rather, the test is whether the land presently could be used for purposes which would benefit from the improvement.

3. Allocation of assessments between landowners.

Each buildable platted lot or parcel serviced by one road being paved, which does not already have abutting pavement at a point of access. * Preliminary plats included * Platted lots which are vacated prior to the assessment proceedings in anticipation of the improvement project (in the discretion of the Town Board)	One full assessment.
Each buildable platted lot or parcel serviced by two roads being paved.	One and one-half assessment
Each buildable platted lot or parcel which already has paved access, but is receiving paving along some other side or sides of the property.	One-half assessment
Each buildable non-abutting parcel receiving significant benefit from tarring project accessing their property	One full assessment
Each buildable non-conforming lot adjacent to a lot or parcel already receiving a full assessment	One-half assessment
Adjoining buildable lots or parcels with a significant building structure over the boundary line making the remaining property inseparable for marketability purposes.	One full assessment
Resort or business properties on large parcels receiving proportionately more benefit from the paving project than individual residential lots.	To be determined based on benefit by a case-by-case analysis

4. The Town Board may make exceptions to these assessment guidelines on a case-by-case basis upon making specific findings in the Town Board minutes that such exception is necessary and equitable.



## Article 5 Subdivision Road and Street Standards

The following road and streets specifications shall be required before the township will approve any subdivision preliminary plats.

### Section 5.1 Road and Street Design

1. Streets, Continuous. Except for cul-de-sacs, streets shall connect with streets already dedicated in adjoining or adjacent subdivisions, or provide for future connections to adjoining unsubdivided tracts, or shall be a reasonable projection of streets in the nearest subdivided tracts. The arrangement of thoroughfares and collector streets shall be considered in their relation to the reasonable circulation of traffic, to topographic conditions, to runoff of storm water, to public convenience and safety, and in their appropriate relation to the proposed uses of the area to be served.
2. Local Streets may be so planned as to discourage their use by non-local traffic.
3. Street Plans for Future Subdivisions. Where the plat application includes only part of the tract owned or intended for development by the subdivider, a plan illustrating a proposed future street system for the unsubdivided portion shall be prepared and submitted by the subdivider.
4. Temporary Cul-de-Sac. In those instances where a street is terminated pending future extension in conjunction with future subdivision and more than two hundred (200) feet between the dead-end and the nearest intersection, a temporary turn around facility shall be provided at the closed end, in conformance with cul-de-sac requirements. This temporary cul-de-sac must be placed inside a temporary roadway easement if it is located outside the street right-of-way. Financial guarantee will be required for removal or restoration as determined by the Town Board.
5. Provisions for Resubdivision of Large Lots and Parcels. When a tract is subdivided into larger than normal building lots or parcels, such lots or parcels shall be so arranged as to permit the logical location and openings of future streets and appropriate resubdivision, with provision for adequate utility connections for such resubdivision.
6. Street Intersections. Streets shall be laid out so as to intersect as nearly as possible at right angles, except where topography or other conditions justify variations. The minimum angle of intersection of streets shall be eighty (80) degrees. Street intersection jogs with an offset of less than three hundred (300) feet shall be avoided.
7. Subdivisions Abutting Major Rights-of-Way. Wherever the proposed subdivision contains or is adjacent to the right-of-way of a U.S. or State highway, or a county arterial or collector road, provisions may be made for a local street. The design shall include proper circulation, setbacks from an



intersection on the major right-of-ways, minimum distance required for approach connections to future grade separations, and for lot depths.

8. Half Streets. Dedication of half streets shall not be considered for approval except where it is essential to the reasonable development of the subdivision and in conformity with the other requirements of these regulations or where it is found that it will be practical to require the dedication of the other half when the adjoining property is subdivided.
9. Street Grades. The grades of all streets, thoroughfares, collector streets, local streets and alleys in any subdivision shall not be greater than eight (8%) percent. In addition, there shall be a minimum grade on all streets and thoroughfares of not less than five-tenths (0.5%) percent.
10. Street right-of-way widths shall conform to county and state standards for highways. If no such standards are applicable, right-of-way and pavement widths shall not be less than the following:

Road Classification	Right of Way	Road Surface Width
Rural Residential Subdivision	66 feet	24 feet
Commercial Subdivision	66 feet	24 feet
Cul-de-Sac radius, Residential	66 feet	40 feet
Cul-de-Sac radius, Commercial	66 feet	48 feet

Where a subdivision abuts or contains an existing road of inadequate width to conform to these standards, provision for sufficient width shall be made by the subdivider to meet these standards for roads passing through or abutting the proposed subdivision.

11. Cul-de-Sacs/Dead-End Streets.
  - a) Dead-end streets (temporary or permanent) without cul-de-sac turn arounds shall be prohibited.
  - b) Permanent cul-de-sacs shall only be allowed in cases where proper interconnectivity of local streets will be provided or where topography or environmental constraints preclude interconnection of local streets.

## **Section 5.2 Construction of Roads and Streets**

1. Construction of roads within a subdivision must comply with Section 1.1 of the Scambler Township Road Standards and Policies
2. Road Safety Signs: Developers shall be responsible for any/all road signs required in order to provide for public safety. i.e. stop, caution, yield, street signs, etc.
3. The developers shall gravel all roads necessary with a minimum three inches (3") of gravel (Class 5), compacted, to a minimum width of 24 feet.
4. Bituminous paving requirements (if done): Minimum width of 26 feet with a 2 inch base course, and 1.5" wear course.

### **Section 5.3 Storm Water Management**

1. All roads and streets shall be designed to minimize erosion due to storm water runoff.
2. All roads and streets shall be designed with a ditch depth of two feet except for curb and gutter streets.
3. The developers shall install all culverts necessary for adequate drainage as determined by the township or the township's engineer. All associated costs are to be paid by the subdivider.
4. Necessary culverts must comply with the Scambler Township Road and Street Construction Standards.

### **Section 5.4 Easements**

1. Drainage and utility easements shall be required over any storm water management facilities, natural drainage ways, and wetlands. The size and location of the necessary easements shall be reviewed and approved by the Town Board.
2. In subdivisions being served by communal or public sanitary sewer or water, drainage and utility easements shall be required over all utilities.
3. In all plats, a subdivision shall provide and indicate easements for utilities and drainage at least ten (10) feet wide along all lot lines, utility easements may be required to be a minimum of ninety (90) feet back from the platted road center. If necessary for the extension of main water or sewer lines or similar utilities, easements of greater width may be required along lot lines or across lots.

### **Section 5.5 Public Utilities**

1. Telephone, electric, cable, gas service lines and/or other public utilities including future sewer and water are to be placed within the road right-of-way or within prescribed easements.

### **Section 5.6 Intersection Illumination**

1. All new roads and streets proposed as part of a development shall be reviewed for inclusion of provisions for illumination of intersections and other potentially hazardous locations to provide safe night-time visibility. Road

alignment and all new intersections with existing public roads and streets and intersections proposed within the development shall be subject to this review process. Illumination may be required to provide visual perception of the road alignment and intersecting roadway ahead, adequate to reveal the layout of the roadway and the intersection. Although commonly referred to as security lights, the purpose of any recommended lighting shall be to enhance highway and pedestrian safety.

2. The review shall be conducted by any public road authority or the township, with recommendations made available during the Preliminary Plat review process. Any lighting recommended as a result of the review shall be installed by the developer without cost to the township.
3. The road authority or the township shall approve the location of all luminaries. As a minimum, 250 watt High Pressure Sodium luminaries shall be provided.
4. All electrical installations shall meet applicable codes and shall be subject to approval by the electrical power source utility.

### **Section 5.7 Improvements to Adjoining Township Roads**

1. If new bituminous surfaced roads, as a part of the subdivision, do not connect directly to an existing bituminous surfaced road, and the connecting road is a designated township road having a gravel surface, then the Developer shall pay for one hundred percent (100%) of the cost of the improvements to the existing township road to meet the requirements of Article 1 - Township Road Standards and Specifications, plus all engineering and legal fees associated with the improvements.
2. The Township shall prepare a cost estimate for said improvements including engineering and legal fees, and a proposed construction time schedule. This construction is to be performed by the Township or its contractor.
3. The Developer shall place on file with the Township a bond or other approved surety in the amount of the estimated construction cost plus all estimated engineering and legal fees. This bond or surety shall remain in effect until construction is completed and final payment from the Developer has been made to the Township.

## Article 6 Dedicated Road Acceptance

### Section 6.1 Dedicated Road Acceptance

1. The roads within the plat shall not be dedicated by the developers to the township but shall remain "public roads" for the use of the occupants of said plat until established as "town roads" pursuant to the procedures then required by Minnesota Statutes.
2. The developers shall establish and construct all roads within the plat in accordance with the requirements and specifications set forth hereafter, and said establishment and construction shall be effected at the expense of the developers who shall be required to furnish all engineering services, labor, materials, equipment, and all other things or services necessary to establish and construct said roads within the plat.
3. The developers shall pay the following expenses incidental to the establishment of said road as a town road; and shall indemnify and hold harmless the township from all claims arising therefrom:
  - a) The cost of acquiring a fee interest or such other interest in property as is necessary to permit the township to accept said road as a town road.
  - b) Any damages which the township may be required to pay in condemnation proceedings or otherwise in acquiring the right of way for the town road.
  - c) Legal and attorney's fees, if any, incurred by the township arising out of the establishment of said road.
4. It is further agreed by and between the township and developers that the township, its representatives, or agents, and/or the county engineer, his representatives, or agents may inspect the establishment and construction of the aforementioned roads at all reasonable times, and said individuals may perform all necessary tests relating to the establishment and construction in accordance with the specifications and requirements set forth hereafter.
5. The developers shall correct all construction which does not comply with the specifications and requirements set forth hereafter within a reasonable time after receipt of notice from the township informing developers of said noncompliance and the necessary corrections which will effect compliance. The Township reserves the right to reject the dedication of the road until difficulties are corrected.
6. Upon completion of the establishment and construction of said roads in accordance with this agreement, the township, its representatives or agents, and/or county engineer, his representatives or agents shall perform a final inspection and testing of said roads and, upon completion of any final corrections required as result of said final inspection and testing, said roads shall be deemed to have been established in accordance with this agreement, and the developers shall have no further liability thereunder except liability relating to warranties and indemnities as set forth herein.
7. The developers warrant that all roads shall be established and constructed in accordance with the layout of said roads on said plat and the developers

further warrant that said roads shall be established and constructed in accordance with the requirements set forth or incorporated herein; said warranties to terminate two years from the date said roads are deemed to be established in accordance with this agreement as set forth above.

8. The developers agree to indemnify and hold harmless the township from and against all claims, damages, losses and expenses, including reasonable attorney's fees, arising out of the establishment and construction of said roads and for all claims or causes of action arising from the date of this agreement until two years from the date said roads are deemed to be established in accordance with this agreement as set forth above.
9. The developers shall complete the establishment and construction of said roads in accordance with this agreement so as to provide access to any lots sold by the developers, and the developers shall complete establishment and construction of all said roads laid out in said plat before petitioning the town board for acceptance of roads.
10. The developers shall establish and construct the roads so as to have 24 feet of driving surface within a 66 foot right of way, and so as to, otherwise, be in accordance with the specifications and requirements of Article 1 of the Scambler Township Roads Standards and Policies.
11. The road shall have three inches (3") compacted class 5 gravel applied immediately prior to acceptance. A road taken over by the township shall have no gravel added for the first two years.
12. The Town Board reserves the right to require the road to be paved with bituminous asphalt in accordance with Article 1, Section 1.4, Bituminous Pavement of the Scambler Township Roads Standards and Policies prior to acceptance.
13. The road shall be occupied by residential/commercial structures which are in relatively continuous usage. Prior to the Town Board accepting the road, over 50% of the lots must be developed on the road in relatively continuous use and must have at least one permanent structure of no less than 1000 square feet on the main floor.
14. All roads accepted by the town given the above criteria shall be accepted as secondary road only.

## **Section 6.2 Administrative Considerations**

1. The township does not accept or assume any legal responsibility relating to the establishment, construction, maintenance, or use of said roads by reason of the execution of this agreement, and the township further disclaims any responsibility relating to the establishment, construction, maintenance, or use of said roads until said roads are established as township roads in accordance with the law.
2. A formal request must be made to the Town Board by the developer. Such a request must include a legal description of the road and proof that it is registered with the county as a platted road.

3. The decision whether to take over a road or not will not be made until the Town Board, or it's agent, has conducted a thorough inspection of the road for conformance to design standards.
4. The decision whether to take over a road or not shall not be made at the site but shall be made by formal resolution at the next regular meeting of the Town Board.
5. Regular grading and snowplowing can begin immediately upon takeover.
6. The Town Board may grant exceptions to the above specifications, as special circumstances should dictate. Such exceptions must be noted in the Town Board Minutes.

## Article 7 Approach and Driveway Policy

### Section 7.1 Design and Construction

1. All new approaches and driveways to township roads must be approved by the Town Board prior to construction to assure adequate line of sight and for determination of necessary drainage.
2. The cost of the constructing or rebuilding an approach or driveway shall be the owner's responsibility.
3. No foreign material such as dirt, gravel, or bituminous material shall be left or deposited on the road during the construction of an access, driveway, or installation of drainage facilities.
4. Roadside must be cleaned up after work is completed.
5. Approaches and driveways fill slopes shall be constructed 4:1 (4' horizontal to 1' vertical) where existing roadside slopes are 4:1 or better and shall be hand finished and seeded.
6. Approaches and driveways shall be so constructed so that they have a minimum hard surface top of no less than 20 feet and shall slope down and away from the shoulder line of the highway for a distance of at least 15 feet with a fall of at least 6 inches
7. All new or improved agricultural approaches shall have a minimum 26' top.
8. Culverts, where deemed necessary by the Town Board, are to be provided by the property owner.
9. Only new concrete, corrugated metal, or corrugated plastic shall be used.
10. All culverts shall have aprons and a minimum diameter of 15 inches.
11. Each line of culvert installed shall be made of only one type and design of material.
12. All culverts shall have a minimum of 15 inches of cover, excluding aggregate base and surfacing materials, and shall have adequate length to achieve 1:4 slopes or flatter.
13. A site permit shall be obtained before the town board will consider approach or driveway approval.
14. All approaches and driveways shall be completed to the above specifications within 60 days of the issuance of the site permit.



## Article 8 Minimum Maintenance Policy

In the interest of conserving the town road funds so that moneys can be better put to use maintaining roads with higher traffic volumes, certain roads in Scambler Township may be designated as Minimum Maintenance Roads. The authority to designate a road as minimum maintenance is at the discretion of Town Board when it has been determined that the road is used only occasionally or intermittently for passenger and commercial travel.

### **Section 8.1 Minimum Maintenance Qualifications**

1. There are no residents or developed properties with primary access accessing the road.
2. There are no objections from adjacent landowners.
3. School busses or mail carriers do not routinely use the road.
4. Minimum maintenance standards would not create a public safety hazard.
5. The road is used infrequently.

### **Section 8.2 Minimum Maintenance Standards**

1. Minimum maintenance roads shall be inspected annually.
2. Road surface will be maintained to allow safe vehicular traffic at speeds of 15 mph during fair weather.
3. Gravel may be applied at the discretion of the town board.
4. Road surface may be at bladed at least once per year or at the discretion of the town board.
5. Road ditches may not be mowed.
6. Snow will only be plowed at Town Board discretion.



## Article 9 Scambler Township Roads Inventory

<u>North South Roads</u>	<u>Length</u>	<u>Status</u>	<u>Surface</u>	<u>Comments</u>
155 Ave	2	Primary	Gravel	Clay County Road north of Hwy 34
165 Ave	3.5	Primary	Gravel	
Ranch Road	2.5	Primary	Gravel	
180 Ave	0.75	Primary	Gravel	
183 Ave	0.5	Primary	Gravel	
Duck Lake Rd	1	Primary	Gravel	Short cut to Pelican Lake
195 Ave	2	Primary	Gravel	MM from 460 to 470 Streets (1mi)
205 Ave	4	Primary	Gravel	
215 Ave	3.5	Primary	Asphalt	Shared w/ Dunn Twp

<u>East West Roads</u>	<u>Length</u>	<u>Status</u>	<u>Surface</u>	<u>Comments</u>
460 St	3	Primary	Gravel	Shared w/ Pelican Twp, MM from South Sand Lake Rd to 205 Ave. and from 195 <sup>th</sup> Ave to 200 <sup>th</sup> Ave
470 St	4.5	Primary	Gravel	
Loan Acres Rd	2	Primary	Gravel	
520 St	1.5	Primary	Gravel	
473 St	1.5	Primary	Gravel	
510 St	1.25	Primary	Gravel	
Duck Lake Ln	1	Primary	Gravel	
490 St	1	Primary	Gravel	
S Pelican Dr	1.5	Primary	Asphalt	
Dump Ground Rd	1	Min Maint	Gravel	

<u>Lakeshore Roads</u>	<u>Length</u>	<u>Status</u>	<u>Surface</u>	<u>Comments</u>
Broadwater Dr (Pelican)	0.5	Secondary	Asphalt	
Tamarac Dr (Tamarac)	0.5	Secondary	Gravel	
Tamarac Rd (Tamarac)	1	Secondary	Gravel	
Alder Dr (Tamarac)	0.5	Secondary	Gravel	
Pike Beach Rd (Tamarac)	0.5	Secondary	Gravel	
Linda's Beach Ln (Tamarac)	0.5	Secondary	Gravel	
Linda's Beach Rd (Tamarac)	0.25	Secondary	Gravel	
South Sand Lake Rd (Sand)	1	Develop	Gravel	Private but dedicated
North Sand Lake Rd (Sand)	0.4	Develop	Gravel	Private but dedicated
476 St (Pete)	0.5	Develop	Gravel	Private but dedicated
475 St (Pete)	0.25	Develop	Gravel	Private but dedicated
173 Ave (Pete)	0.5	Develop	Gravel	Private but dedicated

### Private Roads

Summer Haven Rd                      Pelican

Andy's Lane	Pelican
Anderson Beach Rd	Pelican
Anderson Beach Tr	Pelican
Angle Rd	Pelican
Halor Dr	Pelican
Saints Dr	Pelican
Saints Ln	Pelican
Knoll Rd	Pelican
Pike Beach Tr	Tamarac

**Amended by motion of Town Board January 11, 2005.**

**Amended by motion of Town Board, September 20, 2005**

**Amended by motion of Town Board, October 11, 2005**

**Amended by motion of Town Board, January 11,2007**

**Amended by motion of Town Board, April 8, 2010**  
Section 1.1 Design Specifications #10 added