

TOWN OF COVENTRY  
COUNCIL POLICY  
ADOPTED – APRIL 2, 2007  
SPECIAL REQUIREMENTS FOR ACCEPTANCE  
OF LAKE ASSOCIATION ROADS

The following Standards and Procedures shall be used by the Town in determining whether to accept private roads, currently owned by lake associations, into the public roads system.

- 1.0 The acceptance of a private road into the public road system has unique characteristics and the circumstances surrounding the acceptance cannot be fully anticipated in any statement of general policy. Therefore, the Standards and Procedures set forth in this Policy are intended to be general guidelines only, and they shall not bind the Town, under any circumstances, to accept any private road into the public road system.
  
- 2.0 Roads constructed prior to December 31, 1980, and currently owned by lake associations, are being given a special opportunity and consideration for acceptance, in accordance with this temporary policy, because of the historical circumstances surrounding, and the problems arising from, the creation, ownership and maintenance of those roads. This policy shall apply only to those lake-association roads for which the Town Council has received, on or before September 1, 2007, written notification of the association's request to transfer ownership of the road right-of-way to the Town. Any request, received on or after September 2, 2007, for transfer of a lake-association road to the Town shall be processed under the Town's existing general policy for acceptance of such roads. The Associations shall complete all the requirements listed in the below sections no later than September 1, 2017 or the special conditions shall be revoked. Requests for extensions will be considered on a case-by-case basis by the Town Council.
  
- 3.0 The transferor shall provide the Town with a current A-2 Property Survey of the existing right-of-way of the road. All surface and subsurface drainage systems and utilities should be noted within the right of way. The right-of-way must be of sufficient width and regularity to allow the Town to conduct normal maintenance (including, but not limited to, paving, patching, sealing and snow removal) and repair, as well as to provide sufficient room for the installation, maintenance, repair and replacement of drainage facilities. Where the right-of-way contains public sewer or public water facilities, it must also be of sufficient width to allow access to those facilities for maintenance, repair and replacement. The Town Council may consider all relevant factors in determining whether the width of the right-of-way is adequate. In extraordinary circumstances, the Council may accept

defined easements over abutting private land in lieu of a deeded right-of-way, but such easements shall not generally be deemed adequate.

- 4.0 Title to the right-of-way shall be conveyed to the Town with warranty covenants. If the conveyance is by a corporation, association, or other legal entity, the transferor must supply suitable evidence that the transfer has been properly and lawfully authorized.
- 5.0 Whenever existing road drainage systems cross private property, the transferor must arrange for the conveyance to the Town of easements of adequate width (generally, no less than 20 feet in width) from the property owner(s) to allow the Town to maintain these systems when all rights of way are transferred to the Town. The easements shall be conveyed with warranty covenants, and the Town may require a title opinion or title insurance of suitable amount.
- 6.0 The transferor and the Town shall inspect and review all right of ways that are proposed to be transferred to the Town. During these inspections, any deficiencies (i.e., conditions that need to be corrected to ensure safe travel within the right of ways) will be noted. All deficiencies shall be addressed by the transferor to the satisfaction of the Town prior to any vote on acceptance by the Town. Deficiencies may include, but are not limited to, problems with existing drainage structures, the need for tree removal or trimming, and sight-line obstructions.
- 7.0 If any major obstacles, such as stone walls, fences, trees or structures are in the right of way, although not presently a problem, the transferor shall notify the property owner(s) in writing, copying the Town, that the obstacle is within the right of way being transferred to the Town and will be subject to conditions governed by the Town after the transfer is completed. The Town may enter into agreement with person or persons claiming ownership or possession of such obstacles, assuring the Town that such obstacles will not be replaced unless a written agreement is entered into with the Town to grandfather such obstacles.
- 8.0 The A-2 Property Survey and recommendations with a final inspection report from the Public Works Department will be referred to the Town Planning and Zoning Commission through the Town Planner's Office. The Planning and Zoning Commission shall issue its recommendations with regard to the proposed acceptance of the right(s)-of-way to the Town Council under Conn. Gen. Stat. Section 8-24.

Adopted: April 2, 2007

Draft revision April 26, 2016

Adopted by Town Council: May 2, 2016