



Department of Public Works | 860.584.6125

MEMORANDUM

DATE: June 5, 2023

TO: Mayor Jeffrey Caggiano
Board of Public Works

FROM: Raymond A. Rogozinski, P.E., Director of Public Works

RE: **DPW OBSTRUCTION & ALLOWABLE ITEMS/PRACTICES WITHIN
THE CITY'S ROADWAY RIGHT OF WAY.**

The Department of Public Works encounters and receives requests to install items within the City of Bristol's roadway right of way. The items that are the focus of this memorandum are convex mirrors installed at driveways to improve sight line, large obstruction stones installed along roadway curb lines, private storm lines, sprinkler systems, painting City sidewalks, and vegetation that obstructs sight line.

The City's roadway typically extends past the roadway pavement. Although the distance varies, on new roadways built to City standards, the distance from the road curb line and the City's right of way is 9 ft. (50 ft. ROW – 32 ft. pavement) /2). Within this area of road right of way, property owners typically landscape to the curb and maintain the area as grass. The area may or may not have a City sidewalk within the referenced area. In general, the Department of Public Works does not restrict use of this area, and property owners' maintenance of the area adds to the appearance of the roadway throughout City, with the exception of sightline obstructions and lawn sprinkler installation.

With that said, items cannot be installed within the ROW that have an adverse impact on the general public, either by posing a safety risk, or by increasing City cost and or liability. Items such as mailboxes are permitted, and as indicated, the establishment and maintenance of grass is encouraged. However, as recently approved by the Board of Public Works, private retaining walls are prohibited within the right of way, along with permanent items that impact roadway sightlines, or pose a potential hazard.

It should also be noted that the Department is required, in accordance with PURA, to notify "call before you dig" prior to performing any excavation with mechanical equipment. "Call before you dig" functions as a call center that contacts each registered utility to indicate the location of public utilities. The "call before you dig" service does not mark out private utilities, therefore, the

Department is not aware of private storm lines or sprinkler systems within the roadway right of way.

Some of the commonly requested items to be placed in the roadway right of way are as follows:

A. Installation of Convex Mirrors – Requested to Improve Sightline from Private Driveways

The Department of Public Works receives periodic requests to install convex mirrors to improve sightlines from private properties onto the public roadway. Previous requests have been made for the Department to supply and install the convex mirrors within the City's right of way, either on a City tree or a utility pole. To date, the Department has not installed any mirrors within the City's right of way.

The recommended policy, as part of this memorandum, is to clearly state that DPW WILL NOT install ANY convex mirrors within the public right of way. Mirrors must be installed precisely to be effective, and proper installation is dependent on the height of the vehicle/operator and the geometry of the road. In addition, the mirrors must be maintained in order to be effective, and may become misaligned over time by the loosening of brackets, or adversely impacted by objects, such as snow. It is the position of the Public Works Department that the City cannot take on the liability associated with the proper installation and maintenance of mirrors.

It should also be noted that mirrors should not be installed on City trees, and the City does not have the authority to permit the use of utility poles. If the installation of convex mirrors is allowed, it should be the sole responsibility of the property owner to supply, install, and maintain the mirror. The mirror must be installed on a post by the property owner, and the City reserves the right to remove any mirror within the right of way based on a complaint from the public of sun glare or reflection. If the owner installing the mirror does not install it across their own property frontage, they shall obtain permission from the respective property owner. In other words, if the mirror is to be installed on the opposite side of the street, that property owner should approve the installation.

Concerns with mirrors that property owners should consider prior to installation include: the potential of misalignment, poor visibility at night time or during adverse weather conditions, and difficulty judging distances.

B. Large Obstructions/Stones along Roadway Curve

There are currently several locations throughout the City where property owners have installed large obstructions, such as stones, to serve as a deterrent for vehicles "jumping the curb," and driving on the grass area. As indicated above, this area is part of the public right of way, but it is typically maintained by the property owner as grass and is unpaved.

DPW understands property owners' concerns and the desire to prevent vehicles from crossing, and thereby damaging, their lawn area. However, the placement of obstructions can result in vehicular damage, and more importantly, in vehicles veering out of the travel path resulting in accidents.

DPW's recommendation is to address concerns on a complaint basis, and remove obstructions/stone installed roadway curves if they impede vehicle travel. The policy is only applicable in areas associated with the public right of way, and does not include items placed on private property.



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In addition, the Department will evaluate the area of the roadway radius to consider increasing the pavement area to eliminate/reduce vehicles traveling on the grass area of the right of way.

C. Private Storm Lines within Roadway

The Department of Public Works often encounters storm drainage piping within the roadway that are not City pipes interconnecting City drains/catch basins. The pipes are typically smaller in diameter (6-10 inches) and serve as connections to drain from private property into the City's storm drainage system.

The Department's current practice is to allow private drain connections into the public storm drainage system, subject to the filing of documentation on City land records that the property owner is responsible for the piping, and that the City is not responsible for any backups of the sewer system.

The issue highlighted in this memorandum is to determine DPW's action/responsibility when a private drain pipe is encountered during the Department's excavation. The recommended policy is for DPW to investigate the pipe's purpose and need, absent the clear lack of need to reconnect or repair the pipe in order to maintain the pipe in the condition it was found. The Department will not remove or disconnect the pipe in question. However, the Department will not perform work to ensure its operation. The Department also will not jet or clean the line, or perform additional excavation to ensure the integrity of the pipe.

D. Private Sprinkler System within Street Right of Way

There are currently a number of private sprinkler systems located within the roadway right of way. The sprinklers allow property owners to maintain the grass area within the roadway right of way. The sprinklers do not pose a safety risk. However, they are not identified as part of the "call before you dig" utility mark-out procedure. The sprinklers are privately owned. DPW's recommended policy does not require the property owners remove currently installed sprinklers located within the City's right of way. The Department can support allowing future sprinklers to be located with the right way, however, they are private and the Department CANNOT be responsible for repairs associated with damage to the sprinklers.

If this recommended policy is approved by the Board, it is critical that DPW notifies property owners by posting the policy on the Department's website. In addition, DPW will investigate coordinating with the Water Department to issue a notice to property owners. Installation of lawn sprinklers requires a permit from the Water Department due to the potential of cross connections.

E. Painting of Public Sidewalks

The Department of Public Works has been contacted by the City's Art & Culture Commission regarding the Department's position on allowing property owners to paint the public sidewalk. The sidewalks in question are roadway sidewalks, located within the City's right of way. In accordance with City Ordinance, property owners are responsible to maintain the sidewalks including replacement (if required). The City is responsible to ensure that sidewalks are safe and passable.

As Director of Public Works, I personally support the installation of art work. Potential concerns of painted sidewalks consist of: the paint creating a slippery surface, maintenance and/or removal of the paint, and public comments on art work content.

The application of paint on concrete sidewalks may result in slippery conditions, however, this can be mitigated by restricting installation to sidewalk areas with a grade less than two percent, and the application of sand (similar to roadway pavement markings).

Maintenance or removal of the artwork may be concern. If approved, it should be assumed that the painted artwork would not be maintained in perpetuity, and will eventually wear away, becoming unsightly for a period of time.

The content of the art may also potentially become an issue. Existing building murals are on private property. The painting of sidewalks would be within the City's right of way. With that said, the content of the art should not be determined or approved by the DPW. If the painting of sidewalks is allowed by the Board of Public Works, the content shall be governed by the City's Art & Culture Commission.

Sidewalk ramps, and the approaches to them, must not be painted, as it is necessary to have contrast between the detectable warning strips on the ramps and the sidewalk surface.

F. Roadway Site Line/Vegetation Management.

As indicated in the attached memorandum provided to the Board dated June 6, 2023, the Department currently has a policy to address the removal of overgrown vegetation within the City's roadway right of way that poses a safety issue for vehicles traveling on public roads. As indicated in item 6 of the memorandum, "In general, DPW does not address complaints associated with sight line issues at private driveways. Action is limited to site line issues associated with public roads. The Department considers driveway sight line a private matter." The Department takes this position, since driver sight line from driveways is dependent on driver height, type of vehicle, stop distance, and roadway geometry.

The purpose of this memorandum is to obtain input from the Board of Public Works prior to the Department preparation of formal Department policy.

Thanks for your input in this matter. Please feel free to contact me at 860-584-6113.



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MEMORANDUM

DATE: June 6, 2022

TO: Mayor Jeffrey Caggiano
Board of Public Works

FROM: Raymond A. Rogozinski, P.E., Director of Public Works

RE: **Roadway Site Line / Vegetation Management**

As part of the Department of Public Works maintenance of the City roads/rights of ways, the Department regularly addresses site line concerns identified by DPW staff and by complaints received by the general public. A site line complaint consists of a driver's inability to see oncoming vehicles due to an obstruction. The required site line varies based on the roadway grade and speed, however within the City of Bristol the typically required site line is 250 ft. (driver height 3.5 ft., object height 2.0). This is to say that a driver stopped at an intersection should be able to see oncoming vehicles a distance of 250 ft. from the intersection.

The most common site line complaint is associated with vegetation blocking the view of oncoming vehicles at an intersection. Upon receipt of a complaint, the DPW Street and/or Engineering Division performs an investigation:

1. If DPW determines the obstruction is due to vegetation, the Department will cut/ remove the vegetation immediately only if the vegetation is within the roadway right of way **and** is not considered to be part of the property owner's landscaping.
2. If the vegetation site line obstruction is classified as part of the property owner's landscaping, the City has the right to remove/cut the vegetation to remove the obstruction, however DPW contacts the property owner prior to any removal/cutting of the landscaping. The DPW issues a letter to the property owner requesting the removal of the site line obstruction (sample letter attached). If the site line obstruction is not removed, DPW cuts/removes the line of site obstruction after consultation with Bristol Police Department to confirm the vegetation is creating a hazard.
3. If the vegetation is located outside the City's road right of way (typically 10 ft. from the edge of roadway) the Department refers the site line complaint to the ZEO in the Building Department. In accordance with Zoning regulation Figure A-8 a 25 ft. (attached) the area adjacent to the intersection shall be kept cleared.
4. Site line complaints received by the Department that appear to pose a low/no risk are referred to the Police Department for confirmation of DPW determination that no action will be taken.

5. Site line obstructions that are determined to pose an extreme hazard (confirmed by Bristol Police) are removed/cut by DPW immediately. Typically, extreme hazards are associated with newly planted vegetation or damaged/broken trees/shrubs.
6. The DPW does not, in general, address complaints associated with sight line issues at private driveways. Action is limited to site line issues associated with public roads. The Department considers driveway site line issues a private matter.

In addition to clearing/ maintaining intersection site lines, the Department cuts/mows vegetation along City roads in areas that are not maintained by private property owners. The referenced areas are typically limited to undeveloped/un-occupied properties. The purpose of the cutting/mowing is not to establish a groomed lawn, rather it is to prevent overgrowth along the roadway and to eliminate site line restrictions along curves. A list of the referenced areas/roads are attached.

The Department also mows several City properties on a periodic basis and maintains City streetscapes on North Main St, Riverside Ave and Main St. The DPW Street Division mows the lawn at Centre Square, City Yard, dog pound and the properties identified in the attached list. The DPW Building Dept. mows the properties at City Hall, Police Complex and 51 High Street.

Please feel free to contact me at 860-584-6113 regarding any questions or concerns.

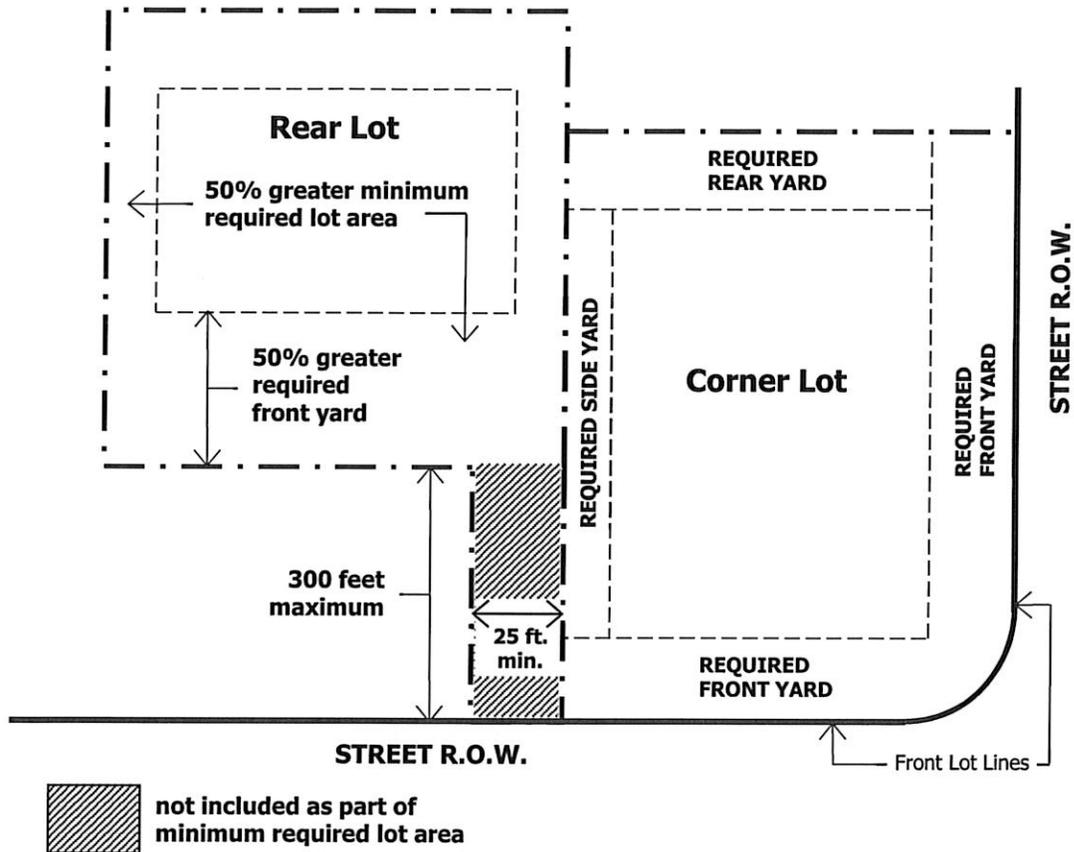


FIGURE A-7: CORNER LOTS AND REAR LOTS

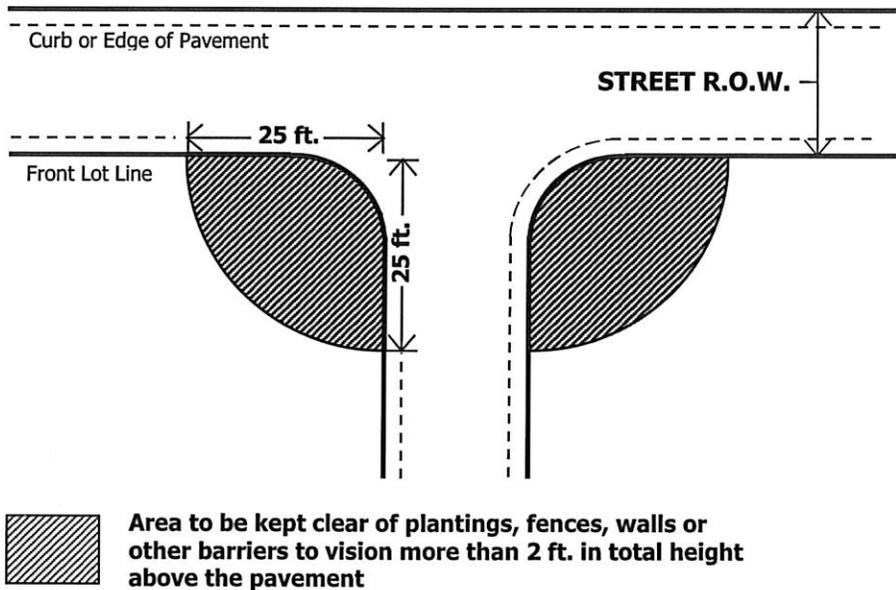


FIGURE A-8: VISIBILITY AT STREET INTERSECTIONS

Mowing (Tractor) List

2021

Chippens Hill

- James P Casey
- Perkins
- Battle
- Hill
- Mano
- Maple Ave.
- Matthews
- Clark
- Pequabeck
- Barlow
- Hart
- Barnum
- Farrell
- Minor
- Eaton
- Marsh
- Farmstead
- Neuman
- Arlington Road
- Medford
- Fairfield

Northeast

- Stevens
- Stafford
- Mines
- Shawn
- Jerome
- Mix
- Maltby
- Shrub
- Warner
- Rosemary

Forestville

- Lincoln
- Central
- Frederick
- Forest
- Birch
- Broad
- Redstone Hill
- Violet
- Poitras
- Brook St
- Artisian
- Stafford (City Lot)
- West Washington
- Mecklem
- Bingham
- Cross St
- Enterprise Dr
- Root Ave

Fall Mountain/South Mountain

- Willis
- East
- Blakeslee
- Sherbrooke
- Woodland
- Pound
- North Pond
- Putnam/Mills
- Fall Mountain
- Wolcott St (S Curves)
- Old Waterbury
- Townline Rd
- Bonnie CT
- Allentown Road
- Maywood Road
- Glenn Street
- Ebert Road
- Mountain Road
- Union Street
- Witches Rock
- Marconi
- Ipswitch/Salem
- Holly/ Daniel

DPW Grass Mowing Locations

Monday

- Middle Street
- Business Park Drive
- Lake Avenue Commuter Lot

Tuesday

- Pine Street – All Dead Ends
- Pine Street – State Property
- Pine Street – Todd Street
- Pine Street Terminus – Both Sides
- Pine Street – South of 11 Linwood Street
- Middle Street – Rt. 72 @ Railroad Bridge
- First Street

Wednesday

- Mountain Road – Both Sides
- West end lot
- Church Street – Million Dolor Lot
- East Rd/Union Street
- Depot Square – Patch, Everything behind sidewalk from Riverside Ave to McDonalds
- Depot Square – Main Street Side

Thursday

- Mix Street and Maltby Street
- Brook Street – Rt. 6 behind guardrail
- Brook Street at West Washington Street
- Stafford Avenue – Stockpile Site

Friday

- City Yard
- 14 Lincoln Place
- Islands
 - Fox Den Road
 - Juniper Road
 - Wildewood Run (3)
 - Dolphin Road
 - Oakridge Road
 - Pilgrim Road at Fernhill Road
 - Pilgrim Road at Oakwood Road
 - Pinehurst Road at Hill Street