

Part II: General Legislation

Chapter 285 Streets and Sidewalks

[NEW] Article III **Private Roads** [Adopted ■■■-■■■-2026]

§ 285-9. Purpose.

Within the Town of East Haddam there currently exist privately owned rights-of-way streets, lanes, drives, and roads (collectively referred to herein as “Private Roads”). Such Private Roads have been established over many years of use by adjoining property owners, which provide vehicular access for the property owners, and residents, along such Private Roads. Such Private Roads have not been accepted by the Town as public highways, as defined in Section 13a-48 of the Connecticut General Statutes as may be amended from time to time, and historically have not been maintained by the owners or the abutting owners of the private road to the Town’s street standards.

As a result, some of these Private Roads have deteriorated and are unsafe for public or private passage. In order to ensure the safety of the property owners, residents, and the public who travel over such Private Roads, and to ensure safe passage of emergency vehicles, service vehicles, vendors vehicles, and other critical vehicles, and the safe passage of invitees and guests of residents who live along such Private Roads, the Town has determined that it is in the public interest that limited maintenance of such Private Roads is desirable and necessary, as may be determined from time to time by the Director of Public Works Department.

This article shall provide the Director of Public Works Department with the discretionary authority to determine the manner in which the Town may provide certain limited maintenance to such Private Roads.

§ 285-10. Private roads approved for limited maintenance.

- A. The Public Works Department and its designees are authorized to provide those limited maintenance services described in § 285-11 of this article for those Private Roads as may be determined to require limited maintenance by the Board of Selectmen, as follows:

Road Name	Location and Length
Woodland Road	Entire Road
White Sands Road	Entire Road
Pine Tree Road	Entire Road
Goose Lane	Entire Road
Laurel Road	Entire Road
Shore Drive	Entire Road
Blue Heron Drive	Entire Road
Briarwood Drive	Entire Road
Birch Road	Entire Road

Grandview Road	Entire Road
Sunny Heights Road	Entire Road
Dogwood Road	Entire Road
Lakeview Road	Entire Road
Triangle Drive	Entire Road
Old Acres Road	Entire Road
Short Road	Entire Road
Clearview Road	Entire Road
Knoll Road	Entire Road
Park Road	Entire Road
Pine Road	Entire Road
Oak Road	Entire Road
Camp Road	Entire Road
Hilltop Road	Entire Road
Maple Road	Entire Road
Shady Road	Entire Road
Geronimo Road	Entire Road
Britain Road	Entire Road
Ward Road	Entire Road
Emily Road	Entire Road
Tom Road	Entire Road
Grama Road	Entire Road
Paula Road	Entire Road
Berry Road	Entire Road
Rock Road	Entire Road
Swamp Road	Entire Road
Birch Road	Entire Road
Mabel Road	Entire Road
Steven Road	Entire Road
Short Road	Entire Road
Beach Road	Entire Road
Beech Tree Road	Entire Road
Stanley Road	Entire Road
Oak Tree Avenue	Entire Road
Shore Road	Entire Road
Laurel Cove Road	Entire Road
Laurel Cove Beach Road	Entire Road
Briarcliff Road	Entire Road
Cragmere Road	Entire Road
Cross Road	Entire Road
East Lane	Entire Road
Forest Way	Entire Road
Glimmer Glen	Entire Road
Hayfield Road (Hilltop Road)	Entire Road
Hillside Road	Entire Road

Laurel Lane	Entire Road
Longwood Drive	Entire Road
Lookout Drive	Entire Road
Ridgewood Road	Entire Road
Ridgewood Road Ext.	Entire Road
Sunset Road	Entire Road
Wildwood Road	Entire Road

- B. Limited maintenance services shall be provided for the Private Roads listed in this section only in the section(s) of the Private Road that is/are at least eight feet (8') in width and are reasonably safe, as determined by the Director of Public Works. By July 1 of each year, the Director of Public Works shall inspect, or cause to be inspected, the listed Private Roads and shall determine if they are reasonably safe for use by Town employees or Town contractors providing the limited maintenance services. If a Private Road is not reasonably safe, the Town shall provide notice by posting such notice in a public place and no limited maintenance services shall be provided by the Town unless the owners of Private Roads, or owners of property abutting the Private Roads, as the case may be, properly correct the unsafe condition or conditions. Any determination that a Private Road is not reasonably safe shall be subject to review by the Board of Selectmen upon written request by affected property owners.
- C. The Board of Selectmen may amend the list of approved private roads eligible for limited maintenance, by adding or removing such private roads from the list, in the manner prescribed by law for the adoption of ordinances. In addition to any notice required for the adoption or amendment of ordinances, the Town shall provide written notice to affected property owners at least thirty (30) days prior to the removal of any Private Road from eligibility for limited maintenance.

§ 285-11. Limited maintenance services to be provided.

- A. The maintenance services provided under § 285-10 of this article shall be limited to the following services as these services may be typically applied to similar public roads at the discretion of the Director of Public Works:
1. Snow plowing and de-icing activities;
 2. Sweeping; and
 3. Installation and maintenance of any "official traffic-control devices" and "traffic control signs" and which are approved by the "traffic authority" all as defined in Section 14-297 of the Connecticut General Statutes.

Such services shall be provided in a manner consistent with the Town's provision of similar services on public roads.

- B. The maintenance services provided under § 285-10 of this article does not include surface patching of any kind, repairs of subsurface road structures, installation or modification of drainage, application of chip seal or other similar surface restoration applications to a full roadway or large segments of a given roadway or other similar reconstruction or rehabilitation activities unless such activities are specifically authorized by the Board of Selectmen as described in § 285-11.C.
- C. Upon the request of the owners of, or those property owners abutting, the Private Roads, and if the Town, in its sole discretion, considers it necessary to public safety or otherwise desirable to provide additional work, services or improvements to the Private Roads listed in this article, then such work, services or improvements may be provided by the Town or its designees provided a written agreement is executed between the Town and the owners of the land upon which the road rests, or which the road benefits, concerning the scope of such work, services, or improvements, and shall be the sole cost and expense of such owners. The Town shall not provide any additional work, service, or improvements unless the written agreement apportions costs among the owners of, or those property owners abutting, the Private Roads.

§ 285-12. Acceptance for maintenance is not to be construed as acceptance as public highway.

The Director of Public Works is authorized to provide limited maintenance services for the Private Roads mentioned in this article. However, providing any of these services or approving additional work, services, or improvements under this article shall not be considered an acceptance by the Town of that Private Road as a public highway.

§ 285-13. Liability of Town.

- A. Notwithstanding the provisions of Section 13a-149 of the Connecticut General Statutes or any other general statute or special act, the Town shall not be liable for personal injury or property damage caused by the condition of Private Roads on account of its discretionary acts of limited maintenance as provided herein.
- B. The authorization afforded the Director of Public Works under this article to perform discretionary acts of limited maintenance does not impose any affirmative duty or legal obligation on the Town.

- C. This article is not intended to create, and does not create, any individual or property right, privilege, or benefit, whether substantive or procedural, enforceable at law or in equity, by any party against the Town, its agencies, departments, or other entities, or any officers, employees, designees, or agents thereof, or any other person.

§ 285-14. Continued validity of street standards.

Nothing in this article shall be construed to modify or change any of the requirements set forth by the Town Planning and Zoning Commission, or the Town Street Standards, for the acceptance of new, and the maintenance and repair of existing, Town public highways.

§ 285-15. Severability.

The provisions of this article are declared severable, to the maximum extent permitted by law. If any provision or provisions of these establishment regulations or the application thereof to any person or circumstance is held invalid or unlawful, it is the intent of the Town that said invalidity shall not affect other provisions or these regulations, which shall remain in full force and effect as if such portion so declared invalid or unlawful were not originally part of these regulations, even if the surviving parts of the article result in greater restrictions after any unlawful provisions are stricken.

§ 285-16. Effective date.

The provisions of this article shall take effect upon adoption.