CERTIFICATE OF HIGHWAY MILEAGE YEAR ENDING FEBRUARY 10, 2017

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2017 to: Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section One National Life Drive, Montpelier, VT 05633.

We, the members of the legislative body of EAST HAVEN

in ESSEX

County

on an oath state that the mileage of highways, according to Vermont Statutes Annotated, Title 19, Section 305, added 1985, is as follows:

PART I - CHANGES TOTALS - Please fill in and calculate totals.

Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	0.000	***************************************			0.000
Class 2	0.670		•	0.67	0.000
Class 3	10.37		.05	10.32	0.000
State Highway	2.220			2.22	0.000
Total	13.260			13.21	0.000
Class I Lane	0.000		dramas		
Class 4	0.99	.05		1.04	0.000
Legal Trail	0.00				

^{*} Mileage for Class 1 Lane, Class 4, and Legal Trail classifications are NOT included in total.

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

- 1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".
- 2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).
- 3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).

 TH #20 reclassified from Class 3 to Class 4
- 4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing Scenic Highways.

IF THERE ARE NO CHANGES IN MILEAGE: Check box and sign below. []
PART III - SIGNATURES - PLEASE SIGN. Selectmen/ Aldermen/ Trustees Signatures:
T/C/V Clerk Signature: Transportation signature. Date Filed: February 9, 2017
AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk. APPROVED: Representative Agency of Transportation

Vermont Statutes Annotated

Received

FEB 13 2017

Policy, Planning & Intermodal Development Division

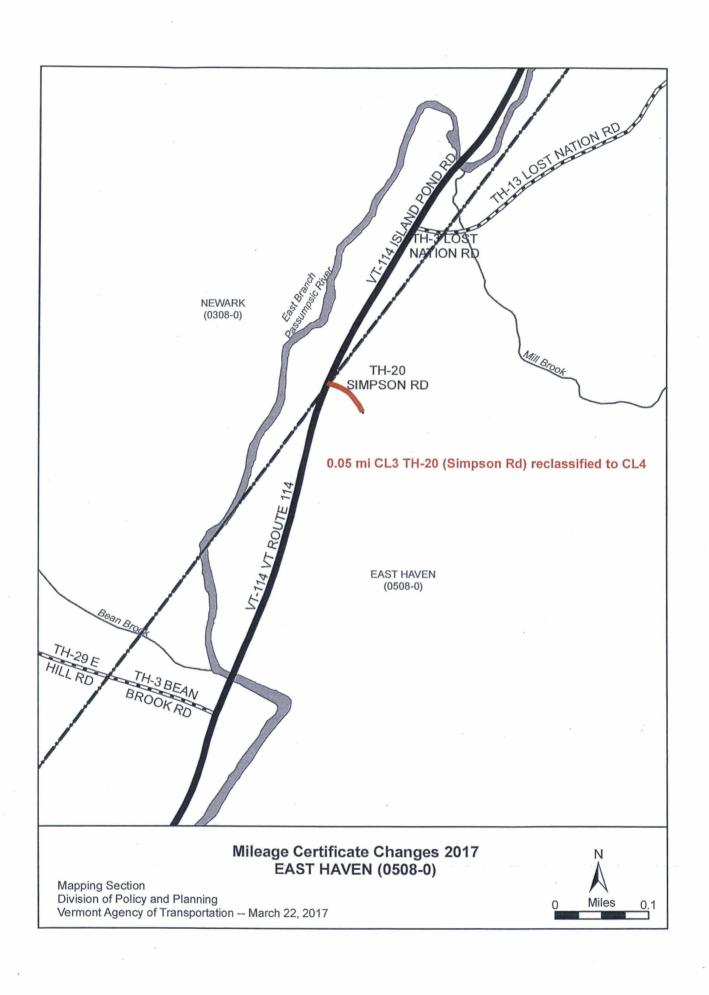
19 V.S.A. § 305. Measurement and inspection

§ 305. Measurement and inspection

- (a) After reasonable notice to the selectboard, a representative of the agency may measure and inspect the class 1, 2, and 3 town highways in each town to verify the accuracy of the records on file with the agency. Upon request, the selectboard or their designee shall be permitted to accompany the representative of the agency during the measurement and inspection. The agency shall notify the town when any highway, or portion of a highway, does not meet the standards for its assigned class. If the town fails, within one year, to restore the highway or portion of the highway to the accepted standard, or to reclassify, or to discontinue, or develop an acceptable schedule for restoring to the accepted standards, the agency for purposes of apportionment under section 306 of this title shall deduct the affected mileage from that assigned to the town for the particular class of the road in question.
- (b) Annually, on or before February 10, the selectboard shall file with the town clerk a sworn statement of the description and measurements of all class 1, 2, 3, and 4 town highways and trails then in existence, including any special designation such as a throughway or scenic highway. When class 1, 2, 3, or 4 town highways, trails, or unidentified corridors are accepted, discontinued, or reclassified, a copy of the proceedings shall be filed in the town clerk's office and a copy shall be forwarded to the agency.
- (c) All class 1, 2, 3, and 4 town highways and trails shall appear on the town highway maps by July 1, 2015.
- (d) At least 45 days prior to first including a town highway or trail that is not clearly observable by physical evidence of its use as a highway or trail and that is legally established prior to February 10, 2006 in the sworn statement required under subsection (b) of this section, the legislative body of the municipality shall provide written notice and an opportunity to be heard at a duly warned meeting of the legislative body to persons owning lands through which a highway or trail passes or abuts.
- (e) The agency shall not accept any change in mileage until the records required to be filed in the town clerk's office by this section are received by the agency. A request by a municipality to the agency for a change in mileage shall include a description of the affected highway or trail, a copy of any surveys of the affected highway or trail, minutes of meetings at which the legislative body took action with respect to the changes, and a current town highway map with the requested deletions and additions sketched on it. A survey shall not be required for class 4 town highways that are legally established prior to February 10, 2006. All records filed with the agency are subject to verification in accordance with subsection (a) of this section.
- (f) The selectboard of any town who are aggrieved by a finding of the agency concerning the measurement, description, or classification of a town highway may appeal to the transportation board by filing a notice of appeal with the executive secretary of the transportation board.
- (g) The agency shall provide each town with a map of all of the highways in that town together with the mileage of each class 1, 2, 3, and 4 highway, as well as each trail, and such other information as the agency deems appropriate.

Excerpt of 19 V.S.A. § 305 - Measurement and inspection from Vermont Statutes Online located at – http://legislature.vermont.gov/statutes/section/19/003/00305

December 2016



Town Highway/Legal Trails Addition/Reclassification/Discontinuance Checklist

The following includes a checklist of the documentation to be supplied to the Vermont Agency of Transportation (VTrans) when adding / reclassifying / discontinuing highways and trails. The documentation is subject to verification by VTrans.

Check	the box 🗹 if the information is included as part of the documentation submitted.
	A description of the affected highway or trail Vt. Stat. Ann. tit. 19, § 305(e)
Ø	A current town highway map with the requested deletions and additions sketched on it Vt. Stat. Ann. tit. 19, § 305(e)
回	Minutes of meetings at which the legislative body took action with respect to the changes (include copies of the meeting minutes) Vt. Stat. Ann. tit. 19, § 305(e)
1	Evidence of written notice to adjoining landowners (include a copy of the newspaper notice and a copy of the letter sent to adjoining landowners) Vt. Stat. Ann. tit. 19, § 709
	A copy of any surveys of the affected highway or trail Vt. Stat. Ann. tit. 19, § 305(e) Vt. Stat. Ann. tit. 19, § 704
	For Class 3 or Class 4 town highway additions A Certificate of Completion and Opening While not required by statute, a Certificate of Completion and Opening form is a helpful document for the record.

All records filed with the agency are subject to verification in accordance with 19 V.S.A. § 305 (a) and 19 V.S.A. § 305 (e).

Vermont Agency of Transportation
Division of Policy, Planning and Intermodal Development, Mapping Section
1 National Life Drive, Montpelier, VT 05633-5001

TOWN OF EAST HAVEN P.O. BOX 10 EAST HAVEN, VERMONT 05837-0010

REF: Town Highway #20 (SIMPSON ROAD) .05 miles

On September 22, 2016 the East Haven Selectboard inspected TH #20 at 5:30 PM followed by a public hearing at the Town Clerk's office at 6:00 PM. The purpose of this hearing was for the reclassification of TH #20. Based on the public input at the hearing the Selectboard reclassify said highway from class 3 to class 4. As a class 4 highway the town retains the right of way granted the town in 1967 and the maintainence of the highway will be the responsibility of the adjacent property owners.

Mrwin Flanders

Delbert Reed

oddy bynd

East Haven Selectboard

October 13, 2016

SELECTBOARD MEETING OCT. 13, 2016

Present: Kirwin Flanders, Roddy Loynd-Selectboard Members; Bruce Hauser-Road Foreman; Residents Catherine Guy, Benjamin Clarke; and Franklin R. Higgins Town Clerk.

Meeting was called to order at 7 P.M. by Chrm. Flanders. Agenda was up-dated with the addition of Waste District-Cemetery and Community Building.

Minutes read of Sept. meeting and Road hearing. Motion by Roddy, 2nd by Kirwin to accept as read. **HIGHWAY:** Discussion of results of hearing on Simpson Road. Motion by Roddy 2nd by Kirwin to reclassify Town Highway # 20 known as Simpson Road to class 4. There was also some discussion regarding the garage and new furnace.

<u>Benjamin Clarke</u> inquired about possibility of leasing part of the Community Building to establish a private school. He was invited to attend the next meeting to provide more details. He left at 7:45 P.M. Catherine Guy left at 7:50 P.M.

<u>Community Building:</u> Roddy Loynd will be the contact for renting the Community Building. There was also discussion regarding a request for use of part of the former school office for a puzzle room. This request was not accepted.

ASSETS listing for the Annual Report was discussed. Selectboard will gather information.

Records Preservation: Estimates from Goodway Document Service were discussed for having some records filmed. Following discussion motion by Kirwin 2nd by Roddy to do 5 books at this time. (Vol. 19 of land records and 4 Town Meeting Books)

BCA Meeting set for Nov. 5 at 9 A.M.

<u>Waste District-</u>Kirwin reported on 2 charter changes being planned by the Waste District. One to have a per capita charge of residents and another changed to eliminate Australian Ballotting.

<u>Mapping:</u>Roddy reported information from a meeting that the state plans to digitalitize all town properties with lot information to be available on town office computer.

<u>Cemetery-</u>Request received from Robert & Diane Neuman to see if they could withdraw their Perpetual Care funds of \$250.00 and give up their lot. Following discussion motion by Roddy 2nd by Kirwin to approve their request and refund.

NOVEMBER MEETING changed to Nov. 17th.

Bills were reviewed and orders signed.

Adjournment: Motion by Roddy 2nd by Kirwin. Adjourned at 9:10.

Attest

Franklin R. Higgins, Town Clerk

SELECTBOARD MEETING

INSPECTION and HEARING HIGHWAY # 20 (Simpson's Road)----SEPT. 22, 2016

At 5:30 P.M. Kirwin Flanders, Delbert Reed-Selectboard members; Catherine Guy-resident; and Franklin R. Higgins Town Clerk were present on Town Highway 20 and performed the required inspection of the highway.

HEARING: Present besides the individuals at the inspection were Raylene Simpson, Sheila Sias and Kathleen Hood. The hearing was called to order at 6 P.M. by Chrm. Flanders who announced the purpose of the hearing to take testimony for consideration in changing the status of Town Highway # 20. The road is presently classified as class 3, has only a 20 foot right of way, is .050 in length, and no turn around space. It is unsafe and legally not permitted to back onto Vermont Route 114 with the plow. The possible solutions under consideration were to change the highway to a class 4 with which the Town would retain ownership but have no required maintenance. Other alternatives would be to classify it as a trail or to discontinue it. Raylene Simpson stated that service vehicles could only access her property by way of T.H. #20. Catherine Guy expressed concerns that if the highway was reclassified and became private she would encounter difficulties in her access to her right of way being possibly blocked, a condition she has experienced before. Kathleen Hood spoke emotionally stating she has been harassed by others and wants to be left alone. Her stated preference would be to have the Town not plow the road and to make it a private road Concerns were expressed by Raylene Simpson and Catherine Guy over possible outcomes if road became private, Kathleen Hood publicly stated she would not prevent either of them from access before she left the meeting at 6:20 P.M. Discussion continued with consensus being to consider making it a class 4 highway. The hearing ended at 6:40 P.M. The remaining 3 women were thanked for their attendance and participation before they left.

APPOINTMENT: Motion by Delbert 2nd by Kirwin to appoint Francis "Roddy" Loynd III to fill the vacancy on the Selectboard until the March 2017 Town Meeting. Motion carried unanimously and board signed the appointment.

ADJOURNMENT: Motion by Delbert 2nd by Kirwin to adjourn. Motion carried and meeting adjourned at 6:45 P.M.

Franklin R. Heggins Attest Franklin R. Higgins Town Clerk

TOWN OF EAST HAVEN P.O. BOX 10 EAST HAVEN, VERMONT 05837-0010

Please find enclosed the Notice of Public Hearing which was published in the August 18, 2016 edition of the Caledonian Record. This pertains to the discontinuance of a public highway (Simpson Road, -TH #20).

EAST HAVEN SELECTEOARD

TOWN OF EAST HAVEN, VERMONT SELECTBOARD NOTICE OF HEARING RELATIVE TO DISCONTINUANCE OF PUBLIC HIGHWAY

Notice is hereby given pursuant to 19 V.S.A. Section 708(a), 709 and 775, the Selectboard of the Town of East Haven, Vermont will meet at Town Highway 20 in East Haven, Vermont, a public place in said town, on **September 22, 2016**, commencing at **5:30** o'clock **R.M.** in the afternoon for the purpose of inspecting site of the following described highway at the time hereinafter provided, and thereafter reconvening at the municipal office at **6:00 R.M.** for the purpose of receiving additional testimony, and hearing all persons interested in the matter of whether said public highway, or portions of the same in said Town of East Haven should be discontinued, to wit:

Town Highway 20, also known as Simpson Road:

All of said highway consisting of 0.05 miles, presently classified as a Class 3 highway which the Selectboard proposes to discontinue as a town highway which connects with Vt. Route 114 and continues easterly to its termination a distance of 0.05 miles. Such discontinuance of Town Highway 20 shall retain all private rights of way which may exist over town Highway 20, to any private lands which lie adjacent to or beyond the existing Class 3 highway.

If after examination of the premises on **September 22, 2016** at the time herein provided after hearing interested persons as aforesaid provided, the Selectboard judge that the public good, necessity and convenience of the inhabitants of the municipality require that said highway thereof shall be discontinued, it will be so ordered.

Dated at East Haven, in the County of Essex, State of Vermont, this 15th day of August 2016.

KIRWIN FLANDERS - DELBERT REED - ANDY DETH

Selectboard Members

Received and posted: August 16, 2016

Attest: Franklin R. Higgins, East Haven Town Clerk

