CERTIFICATE OF HIGHWAY MILEAGE FOR YEAR ENDING FEB. 10, 1987

Fill out the certificate, file \underline{yellow} copy with the Town Clerk, and mail \underline{white} original to Vt. Agency of Transportation, Project Planning Division before February 10, 1987 .

▶ IF NO CHANGES IN MILEAGE, OMIT PART I, CHECK BOX IN PART II, AND SIGN PART III. ◀

PART I	DISTRICT_	2
'ARII	DISTRICT_	

We, the Selectmen/Trustees/Aldermen of <u>Dummerston, Windham County</u> on an oath state that the mileage of highways, according to Title 19, V. S. A., Sec. * 305, added 1985, is as follows:

		TOWN H	GHWAYS	STATE HIGHWAYS	TOTAL EXCLUDING CLASS 4	
	CLASS I	CLASS 2	CLASS 3	CLASS 4		
PREVIOUS MILEAGE AS SHOWN FEBRUARY 10, 1986	0.000	12.370	50.610	3.310	16.315	79.295
MILEAGE ADDED SINCE FEBRUARY 10, 1986 EXPLAIN UNDER (1) BELOW	0	U	0	U	O.	0
SUB TOTAL	***		-	_		
MILEAGE SUBTRACTED SINCE FEBRUARY 10, 1986 EXPLAIN UNDER (2) AND (3)	0	0	0,330	0.690	Ü	0,330
TOTAL HIGHWAY MILEAGE FEB. 10, 1987	0,000	12.370	50.280	3.220	16.315	78:965 29:295
SCENIC HIGHWAY MILEAGE (19 VSA 2502)	0	o ;	. 0	0	ن	0

DURING THE PAST YEAR THE FOLLOWING CHANGES HAVE OCCURRED.

(1) We hereby certify that the following new highways, as substantiated by the attached 'Selectmen's Certificate of Completion 'have been added.

(2)We substar	hereby certif	y that the foll attached copy	owing highways of the proce	s have been sedings.	discontinued of	occording to	statute and are $7-68-0.01$
Class	4: T-68 C	0.090					
(3)We	hereby certif	y that the foll y of the proce	owing highways	s have been	reclassified/r	emeasured an	d cre substantiated
				2000€			
						And the second s	

hone

(4) We hereby certify that the following highways have been designated or discontinued as 'Town Scenic Highways', and are substantiated by the attached copy of the proceedings.

									2
PART	11		CHECK	BOX	IF NO	CHANGES	IN MILEAGES.	1 "	Ð
PART	III			9	4		Alaomo	o Q Solin	son
	•	SE		/ALDE SIGNAT		TRUSTEES		1 Joseph Books	
Town/C	i+y	/V	illage/Cle	erk <u>S</u>	ignatı	ure:	nice C. Di	he	attests
that t	his	1	ecord o	f hig	hway	mileage Was	s filed and reco	orded on East2	. 1987.
						. ()	Car of the same		

REPORT OF DISCONTINUANCE OF HIGHWAYS T-68, T-7, T-70, T-22 AND PORTION OF T-31

REPORT OF SELECTMEN

STATE OF VERMONT
WINDHAM COUNTY, SS.
TOWN OF DUMMERSTON

WHEREAS, at a meeting of the Selectmen of the Town of Dummerston, Vermont held in the Dummerston Town Clerk's Office at 7:30 P.M. on April 2, 1986, the Selectmen voted to discontinue roads T-68, T-7, T-70, T-22 and 1005 feet of T-31;

WHEREUPON, the said Selectmen did order and appoint that on May 21, 1986 beginning at 7:00 P.M. they would examine the premises and meet for the purpose of hearing all persons interested in the discontinuances and did give notice thereof to persons owning or interested in the lands abutting upon or lands through which said highways pass, all by written notices at least 12 days prior to the hearing, as follows:

T-22 - Brookes Road:

Stephen and Janice King R.D. 2 Putney, Vermont 05346

T-70 - Geo. Read Road:
Frank Read
29 Marlboro Avenue
Brattleboro, Vermont 05301

Ronald Read 46 Spruce Street Brattleboro, Vermont 05301

T-7 - Into Camp Arden: Katherine Hocking Madison, N.H. 03849

Calvin & Jillian Farwell Box 90 W. Dummerston, Vermont 05357

T-68 - Off Beaver Pond Rd.:

John S. and Sally Pullman 10 Wells Road Granby, Connecticut 06035

T-31 - Portion of Ryan Road:
Alvan S. and Pauline Ryan
R.D. 1 Box 383
Brattleboro, Vermont 05301

Walker Ten Eyck Weed III R.D. 1 Box 449 Brattleboro, Vermont 05301

Notices were also sent to:

Jason G. Doubleday Chairman, Dummerston Planning Commission c/o Melsur Corporation Box 1136, Ferry Road Brattleboro, Vermont 05301

Vermont Board of Recreation
Department of Forests, Parks &
Recreation
State Office Building

John Bagge, Town Manager Town of Putney Main Street The Selectmen did also cause a written notice of said
hearing to be posted in the Dummerston Town Clerk's Office and
in the East Dummerston Community Store on April 4, 1986 and did
cause written notice to be published in the Brattleboro Daily
Reformer, a daily newspaper having circulation in Dummerston,
Vermont, on April 23, 1986, all as certified in the Certificate
of Mailing and the Certificate of Publication attached hereto.

On May 21, 1986, the Selectmen met at Town Road T-68, at 7:00 P.M. for examination and hearing. Present were: Thomas Johnson, Sylvio Forrett, Stuart Brown, Selectmen.

The Selectmen recessed the hearing and reconvened at Town Road T-7 at 7:15 P.M.

The Selectmen recessed the hearing and reconvened at Town Road T-70 at 7:40 P.M.

The Selectmen recessed the hearing and reconvened at Town
Road T-22 at 8:20 P.M. Stephen King was present at the on-site
examination and was given the opportunity to speak upon whether
or not the public good and necessity and convenience of
individuals supported the proposed discontinuance.

After examination of the four sites and taking into consideration the letter received from the State Board of Forests, Parks and Recreation, the Selectmen voted unanimously to discontinue the following Town Roads:

- 1. Town Road T-68, located off Upper Beaver Pond Road and extending .1 miles into the Pullman property and to set the highway right of way to the adjoining landowners, Mr. and Mrs. John Pullman;
- 2. Town Road T-7, extending from its junction with Camp Arden Road .12 miles, and to set the highway right of way to the adjoining landowner, Katherine Hocking;
- 3. Town Road T-70, known as the George Read Road, extending .10 miles from its intersection with Park Laughton Road, and to set the highway right of way to the adjoining landowners, Frank Read and Ronald Read;
- 4. Town Road T-22, Brookes Road, .10 miles from its intersection with Houghton Brook Road, and to set the highway right of way to the adjoining landowners, Stephen and Janice King.

The Selectmen recessed the hearing and reconvened at Town Road T-31 at 8:45 P.M. In addition to the Selectmen, David B. Ryan, Alvan S. Ryan, Richard M. Gale, Esq., Walker T. Weed and Barbara Weed were present. Those present were given the opportunity to speak upon the question of whether or not the public good and the necessity and convenience of individuals require the discontinuance of Town Road T-31. After discussion by all present, the on-site hearing was recessed at 9:30 P.M. per agreement of all present.

The hearing was reconvened on May 28, 1986 at 7:35 P.M. at the Dummerston Town Clerk's Office. Present were: Thomas Johnson, Sylvio Forrett, Stuart Brown, Selectmen, Alvan S. Ryan, Pauline L. Ryan, David B. Ryan, Richard M. Gale, Esq., Walker T. Weed, Barbara Weed, Wayne Emery, Kenneth Chamberlin, Ernest Chamberlin, Paul E. Normandeau and J. Garvan Murtha, Esq., attorney for the Town of Dummerston.

Interested parties were given the opportunity to speak further concerning whether or not the public good and the necessity and convenience of individuals requires the discontinuance of Town Road T-31. The Selectmen took under consideration a letter from Walker T. Weed and a letter from Richard M. Gale, Esq. Richard Gale spoke on behalf of the Ryans, and Walker T. Weed spoke on these matters as well. After hearing them the Selectmen voted unanimously to discontinue Town Road T-31, from the Ryan barn north 1005 feet to the Weed/Ryan property line, and to set the highway right of way to the adjoining property owners, Alvan S. Ryan and Pauline L. Ryan.

The Selectmen did thereupon order that the said highways be discontinued and that the highway rights of way be set to the within-described adjoining property owners.

Dated at Dummerston, Vermont this 18th ay of June, 1986.

Selectmen for the Town of Dummerston



State of Vermont

Chabet - Harry - No vosel

Jen

AGENCY OF ENVIRONMENTAL CONSERVATION

DEPARTMENT OF FORESTS, PARKS AND RECREATION

Montpelier, Vermont 05602

Department of Fish and Wildlife
Department of Forests, Parks, and Recreation
Department of Water Resources & Environmental Engineering
State Geologist
Natural Resources Conservation Council

17.1

April 18, 1986

J. Garvan Murtha, Esq. Kristensen, Cummings, Murtha & Stewart, P.C. P.O. Box 677 Brattleboro, Vermont 05301

Dear Mr. Murtha:

I am in receipt of your notice to discontinue five (5) town highways in the Town of Dummerston, Vermont.

Historically, it has been the intent of the Forests, Parks and Recreation Board to encourage towns to continue ownership of highway rights-of-way as "trails" where they are of sufficient length or location to be of value to snowmobilers, cross-country skiers, hikers, horseback riders, and other recreational users. In 1982, this policy was formally adopted by the Board, copy attached.

The State Board of Forests, Parks and Recreation will not be present at the hearings on May 21, 1986, but does request that this letter be entered into the proceedings of the hearings.

Sincerely yours,

Mollie H. Beattie

Commissioner

MHB: jn Enc.

cc Paul Guare, Transportation board Ed Chabot, Town Highway Mapping Unit George Plumb, Recreation Division Selectmen, Town of Dummerston

FORESTS, PARKS AND RECREATION BOARD

Discontinuance of Town Highways - Policy for Designation as Trail

Regarding discontinuance of highways, Vermont statutes (19 V.S.A., §535) provide that:

"(a) When a highway is discontinued the right of way may be continued at the same width by either the town selectmen or the state of Vermont board of recreation, with the approval of the selectmen of the town, by designating the right of way as a trail. The selectmen shall notify the board of recreation when they have filed a petition to discontinue a highway under this article. If the discontinued highway is not designated as a trail, it shall be set and belong to the owners of the adjoining lands; if it is located between the lands of two different owners, it shall be set to the lots to which it originally belonged, if they can be ascertained; if not, it shall be equally divided between the owners of the lands on each side.

(b) Any trail which was designated as such prior to July 1, 1967, and which was legally a highway immediately preceding such designation as a trail, shall as a trail be of the same width as it was as a highway, but not more than three rods in width.--Amended 1979, No. 143 (Adj.Sess.), §2, eff. April 23, 1980.

1979 (Adj.Sess.) amendment. Subsection (a): Designated existing section as subsec. (a).

Subsection (b): Added."

At its meeting of March 19, 1982, the Forests, Parks and Recreation Board adopted this policy:

"It is the policy of the Forests, Parks and Recreation Board to encourage municipalities to continue highway rights-of-way as trails when they are of sufficient length to serve as recreation trails or could serve as a vital link in a trail network.

Trail status allows the right-of-way to continue to be used by the public rather than revert to private ownership. As a class 4 highway, it needs to only "be maintained to the extent required by the necessity of the town, the public good, and the convenience of the inhabitants of the town."

In considering the recreation needs, municipalities should consider trail uses for walking/hiking, cross-country skiing, horseback riding, snowmobiling, or other recreational uses.

Notice of the proposed changes in the status of rights-of-way should be sent to user groups in the community, such as snowmobile clubs and 4-H horseback riding clubs."

KRISTENSEN, GUMMINGS, MURTHA & STEWART, P. G.

ATTORNEYS AT LAW

P. O. BOX 677

BRATTLEBORO, VERMONT 05301-0677

JOHN G. KRISTENSEN
GHARLES R. GUMMINGS
J. GARVAN MURTHA
POTTER STEWART, JR.

GARY A. STRASSENBURG
THOMAS S. DURKIN

KRISTENSEN, GUMMINGS, MURTHA & STEWART, P. G.

ATTORNEYS AT LAW

P. O. BOX 677

BRATTLEBORO, VERMONT 05301-0677

5 GROVE STREET 802-254-8733

Vermont Board of Recreation Department of Forests, Parks and Recreation Recreation Division State Office Building Montpelier, Vermont 05602

Re: Town of Dummerston discontinuing highways

Dear Sir or Madam:

Pursuant to statutory requirements, I am enclosing a copy of the Notice of Hearing to consider discontinuing five town highways in the Town of Dummerston. Please contact me if you would like any additional information.

Thank you.

Garvan Murtha

JGM/ln

cc: Selectmen, Town of Dummerston

Form / etter St. 4/9/46

NOTICE

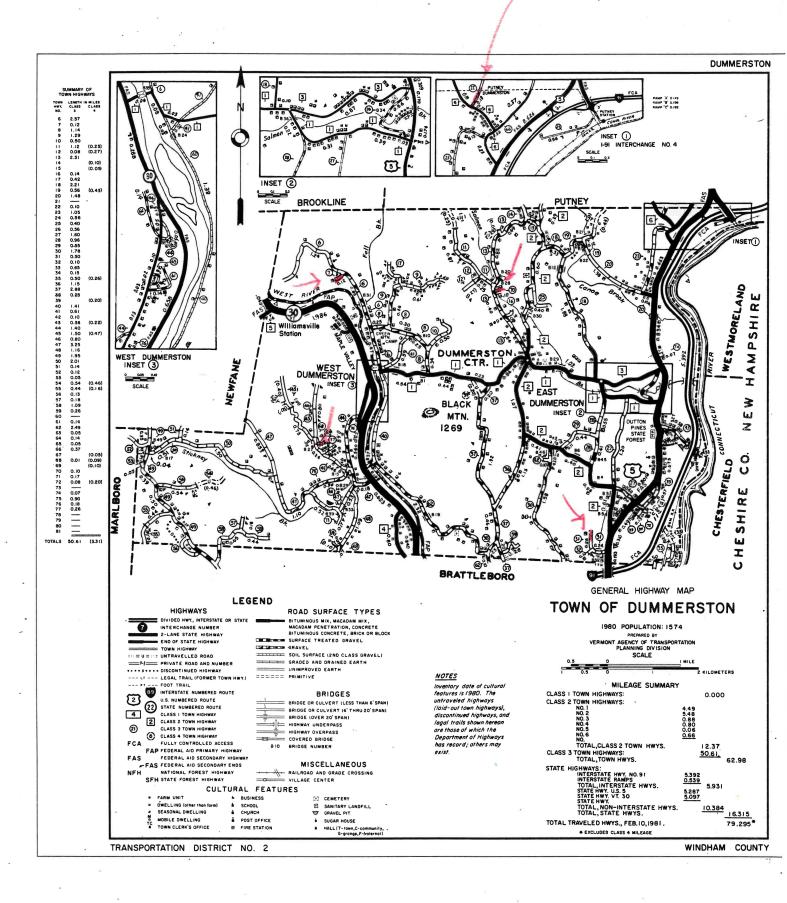
NOTICE IS HEREBY GIVEN that the Selectmen of the Town of Dummerston propose that, pursuant to Title 19, V.S.A. Chapter 7, the following described public highways in the Town of Dummerston be discontinued.

- T-68: from junction with Upper Beaver Pond Road into Pullman property, .01 miles Class III and .09 miles Class IV. On-site hearing will be held on May 21, 1986 at 7:00 P.M.
- T-7: from junction with Camp Arden Road (T-6, Class III) to the end, .12 miles. On-site hearing will be held on May 21, 1986 at 7:30 P.M.
- T-70: George Read Road, from junction with Park Laughton Road, .10 mile. On-site hearing will be held on May 21, 1986 at 8:00 P.M.
- T-22: Brookes Road from the junction of Houghton Brook Road north .10 miles to the Putney Town line. On-site hearing will be held on May 21, 1986 at 8:30 P.M.
- T-31: Ryan Road: from the Ryan Barn north 1005 feet to Ryan-Weed property line. On-site hearing will be held on May 21, 1986 at 9:00 P.M.

THEREFORE, pursuant to Title 19, V.S.A. Chapter 7, you are hereby notified that hearings will be held at the times and places listed above for the purpose of hearing all persons interested in said highways, their discontinuance, and for the purpose of examining the premises affected thereby.

Dated at Dummerston, Vermont this 2 day of April 1986.

Selectmen of the Town of Dummerston, Vermont



NOTICE

NOTICE IS HEREBY GIVEN that the Selectmen of the Town of Dummerston propose that, pursuant to Title 19, V.S.A. Chapter 7, the following described public highways in the Town of Dummerston be discontinued.

- T-68: from junction with Upper Beaver Pond Road into Pullman property, .01 miles Class III and .09 miles Class IV. On-site hearing will be held on May 21, 1986 at 7:00 P.M.
- T-7: from junction with Camp Arden Road (T-6, Class III) to the end, .12 miles. On-site hearing will be held on May 21, 1986 at 7:30 P.M.
- T-70: George Read Road, from junction with Park Laughton Road, .10 mile. On-site hearing will be held on May 21, 1986 at 8:00 P.M.
- T-22: Brookes Road from the junction of Houghton Brook Road north .10 miles to the Putney Town line. On-site hearing will be held on May 21, 1986 at 8:30 P.M.
- T-31: Ryan Road: from the Ryan Barn north 1005 feet to Ryan-Weed property line. On-site hearing will be held on May 21, 1986 at 9:00 P.M.

THEREFORE, pursuant to Title 19, V.S.A. Chapter 7, you are hereby notified that hearings will be held at the times and places listed above for the purpose of hearing all persons interested in said highways, their discontinuance, and for the purpose of examining the premises affected thereby.

Dated at Dummerston, Vermont this 2 day of 4, 1986.

Selectmen of the Town of

Please note: The discontinuance of the 1005 feet on T-31 Ryan Road is not being substracted at this time as it has been appealed to the court.

M

