

**CERTIFICATE OF HIGHWAY MILEAGE  
YEAR ENDING FEBRUARY 10, 2010**

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2010 to:  
Vermont Agency of Transportation, Division of Planning, Outreach and Community Affairs, One National Life  
Drive, Montpelier, VT 05633.

We, the members of the legislative body of **CHESTER** in **WINDSOR** 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	2.500			2.500	0.000
Class 1 Lane	0.000				
Class 2	12.609			12.609	0.000
Class 3	75.25			75.25	0.000
State Highway	19.107			19.107	0.000
Class 4	7.11	<del>10.87</del> ← 10.56	17.67 →	17.98	0.000
Legal Trail	0.00				
<b>Total</b>	109.466			109.466	0.000

\* Mileage for Class 1 Lane, Class 4, and Legal Trail classifications is NOT included in total.

**PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.** Adjustments by

- NEW HIGHWAYS:** Please attach Selectmen's "Certificate of Completion and Opening". S. Moulton 5/11/10
- DISCONTINUED:** Please attach SIGNED copy of proceedings (minutes of meeting).
- RECLASSIFIED/REMEASURED:** Please attach SIGNED copy of proceedings (minutes of meeting).
- 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:

*[Handwritten signatures]*  
Richard D. Jewett  
J. Ladin-Walton  
Deborah J. Aldrich

T/C/V Clerk Signature:

Date Filed:

2/10/10

Please sign ORIGINAL and return it for Transportation signature.

**AGENCY OF TRANSPORTATION APPROVAL:**

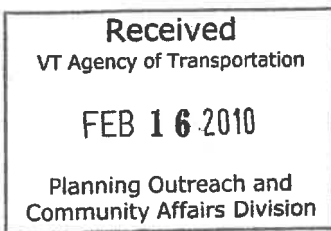
Signed copy will be returned to T/C/V Clerk.

APPROVED:

*[Signature]*  
Representative, Agency of Transportation  
Johnathan Grott

DATE:

6/9/2010



## Vermont Statutes Annotated

### 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://www.leg.state.vt.us/statutes/fullsection.cfm?Title=19&Chapter=003&Section=00305>

12/29/2009

CHESTER NOTES  
17-18 Mar 2010

**Steadman Hill Rd** TH 114 0.87 mi CL4  
Ok, change incorporated.

**Chase Brook Rd (North Branch)** (Need more info)  
enough documentation?  
sketched in as Aotclass = 99 TH-138 1.30 mi CL4 5/10/10

**Chase Brook Rd (South Branch)** TH-12 0.28 mi  
Ok, except the mileage is a little off CL4 5/5/10  
Chester says approx. 1500 feet (0.28 mi)  
ARCMILES = 0.34 mi  
Change incorporated as arcmiles = 0.34, aotmiles = 0.28

**Malone-Poston Rd** (Need mileage clarification)  
Part of this road is already mapped as TH-54 CL3 for 0.18 mi  
The addition was split into two parts  
western portion - TH-54 CL4 for 0.88 mi  
eastern portion - TH-55 CL4 for 0.85 mi  
Ok, change incorporated

**G.S. Mitchell Rd** (Need more documentation)  
No original laying out documentation.  
Change not incorporated. TH-139 0.32 mi CL4 5/10/10

**Varian Balch Rd** TH-140 1.00 mi CL4 5/10/10  
No original laying out documentation. - See Mod Work Info - Laying out 2:69  
Change not incorporated.

**Michael Rd** TH-34 1.60 mi CL4 5/10/10  
Based on the description in the documentation, I'm not really sure exactly what is covered. I'm going to assume the town's interpretation is fine. (but put it in as aotclass = 99)  
Slight mileage discrepancy: arcmiles = 1.60 mi, Town = 1.74 mi

**Contro Rd** (Need more documentation)  
Not enough original documentation.  
Change not incorporated. TH-65 0.20 mi CL4 5/10/10  
Already in rdsmall a aotclass = 8

**Beard Rd**  
Ok, change incorporated.  
TH-133 CL4, 0.21 miles

CHESTER NOTES (continued)  
18 Mar 2010

**Rugg Rd** - *Dedication - Acceptance*

enough documentation?

sketched in as aotclass = 99

discrepancy in mileage

*Added as TH-135 CL4 0.33 4/7/10*

aotmiles = 0.45 mi

Town = 0.33 mi

**Daniel Peabody Rd**

Ok, change incorporated.

TH-134 CL4, 0.18 m

**Smokehouse Cemetery Rd** *Shire (Need more information)*

Not enough original documentation.

Change not incorporated.

*TH-141 CL4 0.60 5/10/10*

**Bailey Hill Rd** - *Declaration - seems like acceptance*

*Added as TH-136 CL4*

enough documentation?

*1.09 mi*

Did the Selectboard follow appropriate "declaration" procedure in 1997? (Exhibit C) *4/7/10*

Change not incorporated.

**McCalister Rd**

enough documentation?

sketched in as aotclass = 99

*Added as TH-137 CL4 0.85 mi 4/7/10*



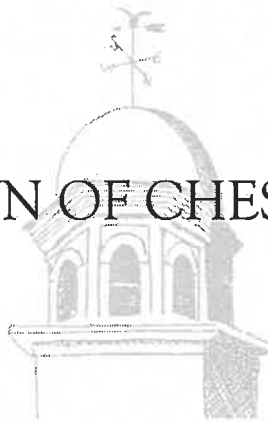
**CHESTER**

10-May-10

<b>TH</b>	<b>CL4</b>	<b>Name</b>
114	0.87	Steadman
138	1.30	North Branch
12	0.28	South Branch
54	0.88	Malone
55	0.85	Malone
139	0.32	Mitchell
140	1.00	V.Balch
34	1.60	Michael
65	0.20	Contro
133	0.21	Beard
135	0.33	Rugg
134	0.18	Peabody
141	0.60	Smokeshire
136	1.09	Bailey
137	0.85	McAlister

10.56

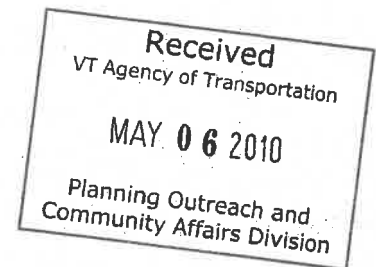
# TOWN OF CHESTER



556 Elm Street  
P.O. Box 370  
Chester, VT 05143

(802) 875-2173  
Fax (802) 875 2237

May 6, 2010



Vermont Agency of Transportation  
Planning, Outreach and Community  
Affairs Division  
Mapping Unit  
1 National Life Drive  
Montpelier, Vermont 05633-5001

**Re: Town of Chester  
Certificate of Highway Mileage**

Dear Mr. Croft:

As requested in your letter of April 5, 2010, enclosed please find additional information gathered by Peter Farrar regarding the following roads:

Chase Brook Road  
Malone-Postone Road  
Varian Balch Road  
Michael Road

Should you require anything further at this time, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, which appears to read "David Pisha", is written over the word "Sincerely,".

David Pisha  
Town Manager

Enclosures

April 15, 2019

Johnathan Croft  
AOT GIS Database Administrator  
VTrans Mapping Unit

Dear Mr. Croft:

This is in response to your letter of April 5th requesting more documentation for some of the Class 4 roads submitted by the Town of Chester for inclusion on the map of Chester's public roads.

As noted in the original cover letter, the early road records for Chester are fragmentary and we based our submissions primarily on the recently discovered pamphlet that described most of the Highway Districts in Chester in 1877. From that point a careful search of public documents - Road Books, Town Record Books, Town Reports, and, more recently, Selectboard Minutes was made seeking any and all discontinuances.

We enclose highlighted copies of the 1877 pamphlet for the districts in which the four roads you requested more documentation were located - all are referred to in the descriptions, (but note there is a copy error in the description of District #10).

All of these roads were public roads in 1877, being maintained at public expense, and none have been discontinued.

Regarding the other four roads for which you requested more information:

Michael Road: As with all these roads, your experience in mapping and the equipment at your disposal will yield a more exact measurement than we can produce. We see no reason to doubt that your measurement of 1.60 miles is closer to the actual length than the 1.74 miles originally submitted.

Malone-Poston Road: As you thought, this road does pass over a short section of TH54 - Adams Road - which is Class 3. As noted above, your measurements will be more accurate than ours.

Chase Brook Road (South Branch): On April 27, 2010 we explored this road with a measuring wheel and found the apparent remains of the Elias Pond site (noted as the end point of town maintenance in 1877 - see copy) at about 1500 feet from the juncture with Chase Brook Road (North Branch). The North Branch is walled on both sides, but the South Branch is only a roadbed in most places, though still easily visible despite numerous floods over the years. [The tax map is not as accurate as we might wish, but the visible path is as shown by Beers' map.]

Varian Balch Road: We enclose the highlighted 1877 reference to this road from the Highway District booklet. We also enclose highlighted item(s) to show this was a publicly maintained road, which has not been discontinued. This road is clearly visible on its eastern end - being walled on both sides - but much of the western portion of the segment submitted has been built over to create a "private" road, leaving only one wall visible. The pent road to B. Farnsworth is readily visible off the north side of this reconstructed roadbed. The V.[arian] Balch house sites shown by Beers have been filled in, but the extensions of this road to connect with TH \_\_\_ Randall Camp Rd. and TH \_\_\_ Chase Brook Rd. are still visible. We are not submitting these last noted sections SW and NW of the Varian Balch site as the records are too sketchy to indicate much public maintenance.

Copy error!  
(should be  
westerly)

16

23 83  
22 07

Beginning at the forks of  
the road on the old turnpike road  
north west of Moses Hinslow house. thence  
on the road leading by Levi Gowing  
place to the said Gowing south line  
also from said road to Mr Kingsbury  
house and to Mr Kingsbury Church  
place.

1 1/2

Daniel March

17

80 15 -  
80 49

Beginning at the old turnpike  
road near the farm house of J. Putnam  
thence westerly on the river road  
to the ~~forks~~ <sup>bridge</sup> of the road near the  
School house in School District No 17  
and from said road by J. Biddings  
house to the south line of Cavendish  
also from said main road to  
H. A. Harts and to the house formerly  
owned by Nathan Patch - and the  
house of Cyrus Walker to the  
H. A. Harts ~~corner~~

18

44 02  
47 09

Beginning at the end of  
~~the bridge on the old turnpike road~~  
~~near Cyrus Walker house~~  
thence easterly on the road by the bridge  
ings formerly owned by Alfred Holden  
to Cavendish line. and from the Joseph  
P. Glynn place to the Geo. W. Glynn place  
and on the new road to the said road  
also from the <sup>south</sup> ~~south~~ end of the bridge  
near the school house in School District No 17  
at the east end of the bridge on  
the road by the black Thompson  
place to S. Udlow line also from  
said river road to the S. Udlow  
place, and to Alvah Thompson  
house, and to G. W. Glynn house,  
and to G. W. Holdens house

47, 09

Geo. W. Holden

Smokeshire Cemetery Road  
is part of this description - a long  
with part of the road that  
connects with Cavendish's  
Bailey Hill Rd.



19

3279  
3786

Beginning at a point where the  
 Houghtonville road intersects with  
 the main road leading from Chester  
 to Hindham near Josiah Jeps. Thence  
 on the said road by Richard Whitneys  
 & Oardan Fields place to a point where  
 the road near the Gould & Switzer place  
 intersects with said Hindham Road -  
 also to the house of Farelou Cooke,  
 and John E. Meers and from said  
 Hindham road to the forks of the  
 roads Northwest of John Marshalls house  
 C. W. Wilson

20 Beginning at the <sup>3279</sup> forks  
 of the roads near the school house  
 in School Dist bet J. Thence on the  
 road by Ann M. Carlier house to An-  
 dover line - also from said road  
 to the house of Elias Pond,  
 Joseph Piper & Joseph B. Fletcher,  
 J. B. Fletcher

21

3418  
6344

Beginning at the inter-  
 section of roads near Willard  
 Baileys saw mill. Thence across  
 the bridge over the Mill Pond, and  
 on the road by Nathan R.  
 Richards house to the house on  
 the old Harton farm, now owned  
 by B. A. Cook, and said road  
 to Warren J. Fletcher.  
 T. Whitmore He Fletcher

22 Beginning at the forks  
 of the road near N. B. Nickelsons  
 house, thence on the road by the house  
 formerly owned by H. H. Child to the  
 house of Durian Balch, and to the place  
 owned by Laura Gunn and to B. B.  
 Fransworth house, also from said  
 road near the school house  
 by the Wyma farm and Alwood place  
 to the no line of Alwood farm and to John  
 Greens & the Nathan Parker place and  
 from said school house to Alwood place

Chase Brook Rd.  
North Branch →

Chase Brook Rd.  
South Branch ↗

↖  
Warren  
Balch  
Rd.



23

39 413  
41 61

Beginning at the forks of the roads near John & Ellisons house - thence westerly on the road by the Stone school house in Dist. town & Norman M. Guilds place to Joseph Piper 2<sup>d</sup> house on from said to Daniel Davis 3<sup>d</sup> house & to the west line of the Whitney farm now owned by A. H. Perry.

Dr. Mitt Davis

24

47 35  
43 00

Beginning at the forks of the roads near W. A. Smiths house thence on the road by J. D. Colemans the Houlett place to Geo. S. Sias & Lot Lero house, on the old Madison blvd. it from S<sup>d</sup> road to the houses of A. H. Perry, Ebenezer Rubin & Almira S. Buzz to the west line of the Whitney place.

9

Norman Houlett

25

49 53  
44 55

Beginning at the forks of the road near Groffison house at the Manchester road. Thence on the road to Ad Adams house to Henry Guilds house, also from said road to the houses of Geo. Willman and A. Wood Sargeant and on the Post road from Clark Brooks to the road leading from E. Sabins to the School House in School Dist. no 9 Amos Adams

26

71 72  
40 69

Beginning at the forks of the roads near the old Sawyer Factory, thence northeasterly on the road by S. M. Carpenters across the old Turnpike road & by Almon Houletts house to the forks of the road near Calvin Parkins. Also from said road to the farm house occupied by Faulkners Henry Christy Co. S.

road to G. S. Mitchell house as shown on Beers map.

33

Beginning at the fork  
 of road near the Poplar Parsonage road  
 thence southwards by G. W. Leavis roads from the Goads & Lintohill lanes  
 and next to Edyll & on the cow  
 gut road to Grafton line, also  
 from S road to sawyer mill,  
 & to the house of Joel Davis  
 and Charles Field.

No S. Allich

34 Beginning at the intersec-  
 tion of the cow gut in Hindham  
 roads - thence on the said road  
 Hindham road by D. D. Williams &  
 Josiah Pefts to a point where the  
 Hauptanville road intersects with  
 the said Hindham road, and from  
 said road by the Artemas Smith place  
 to Grafton line - also from S  
 road near Alphas Alwoods house  
 to the McClellister house  
 D. D. Williams Pefts

104 77  
107 80

35

Beginning on the Woodham  
 at the intersection of the  
 thence on the brook to Hindham  
 line near B. F. Dwinell's house  
 and by Jardine Aczytelle's On-  
 down line - also from S brook's  
 road to the house of Sylvester  
 the Clifford, Melven Hornch and  
 Poplar, S. Clark

36 Beginning at the corner  
 of main St in the south village near  
 Miller's Tin Shop - thence on the road  
 by Edridge knights house to H. R.  
 Farbell house, and from S road  
 near A. B. Flanders house to the  
 end of bridge near A. F. Baldwin's  
 house - also from S road  
 near Maria Earls house by S. M. O.  
 & McSkimmers to the brook road  
 near the School House in Dist No 9  
 H. F. Pevier

22 04  
140 13

Contro Road



Petition for Discontinuance of Open road, near V. Balch's  
and laying Post road in same. 69.

To the Selectmen of Chester Vermont.

The undersigned inhabitants of  
Chester, humbly respectfully request, that you will as an  
authority may be discontinued the present open  
road, leading from the dwelling house now occupied  
by Geo. McParlin, by the house of Varian Balch, from  
the south end of the Post road, which was laid out by  
the Selectmen from the dwelling house then owned by  
Timothy Thompson on the 26<sup>th</sup> day of May 1853, to  
some point on said open road, near the North corner  
of the Regelow lot (called), and lay out a part or  
whole road on the same ground or on the piece  
runway between said two points, and direct that the  
gate be located near said corner instead of at the  
south end of the present Post road.

Chester Vt. Oct. 22<sup>nd</sup> 1868.

Varian Balch

A. N. Guild

D. K. Barrett

We the undersigned, Selectmen of Chester, having notified  
the parties interested, did upon viewing the grounds  
described as the within petition, conclude to grant the  
prayer of the petitioner, within named in said petition.  
We discontinued the road from the south end of the Post  
Road mentioned in the foregoing petition, to the line  
separating the "old John Balch" farm from the "old John  
Regelow" farm. We then laid out a Post Road on the  
above ground, as traveled for years past, from the south  
end of said Post road before mentioned, to said line  
of the Balch & Regelow farms. Said road is laid two rods  
wide - one rod - each way from the center of the road as  
now traveled - and subject to one gate, viz. on the line  
between the said Balch & Regelow farms, at the south end  
of said post road, now laid, instead of the south end  
of the first post road mentioned - which Gate Varian  
Balch is to erect and keep in good repair hereafter.  
This road being laid upon the old road, no damage was  
asked for or allowed.

Chester October 22<sup>nd</sup> A.D. 1868  
Vermont.

M. P. Richardson

Norman A. Smith

Norman F. Shedd

Selectmen  
of Chester

This is the extension N.W. of Varian Balch  
and shows the public nature of the road in that neighborhood



Petition for Discontinuance of Open road, near J. Balch's  
and laying Put road on same. 69

To the Selectmen of Chester Vermont.

The undersigned Inhabitants of  
Chester, humbly respectfully request, that you will as  
as conveniently may be, discontinue the present open  
road, leading from the dwelling house now occupied  
by Geo. W. Payne, by the house of Varian Balch, from  
the south end of the Put road, which was laid out by  
the Selectmen, from the dwelling house then owned by  
Timothy Thompson on the 2<sup>nd</sup> day of May 1853, to  
some point on said open road, near the Northeast Cor-  
ner of the Bigelow lot, (so called), and lay out a put or  
Bridle road on the same ground or on the same  
cunvey between said two points, and direct that the  
Gate be located near said corner, instead of at the  
south end of the present Put road.

Chester Vt. Oct. 22<sup>nd</sup> 1868.

Varian Balch-  
A. N. Guild-

J. K. Barrett.

We the undersigned, Selectmen of Chester, having notified  
the parties interested, did upon viewing the premises  
described in the within petition, conclude to grant the  
prayer of the petitioners, within named in part viz  
We discontinue the road, from the south end of the Put  
Road mentioned in the foregoing petition, to the line  
separating the "old John Balch" farm from the "old John  
Bigelow" farm. We then laid out a Put Road over the  
same ground, as traveled for years past, from the south  
end of said Put road before mentioned, to said line  
of the Balch & Bigelow farms. Said road is laid two rods  
wide - one rod - each way from the center of the road as  
now traveled - and subject to one Gate, viz on the line  
between the said Balch & Bigelow farms, at the south end  
of said put road, now laid, instead of the south end





We the undersigned Selectmen of the town of Chester made examination of the premises described in the above petition after notifying one or more of the above petitioners & the land owners through whose lands the said road would run & decided to grant the request of said Petitioners. And laid out & caused to be surveyed a road, Beginning running & ending as is described in the following Survey Beginning at a point South 67° East one rod from the North East corner of the main part of Patrick M. Croovers New House thence running North 12° East 12 Rods thence North 48° West 17 Rods thence North 50° West 17 1/2 Rods thence North 48° West 9 Rods thence North 22° West 6 3/4 Rods thence North 19° West 8 Rods thence North 23° West 12 Rods to the Road at a point opposite the North end of the Perry Bridge called on the main Road leading from Gassetts Station to Andover by the dwelling house of Elmina Fish, said road to be two rods wide the above survey being in the centre of said road. Land damages were claimed by Elmina Fish one of the Land Owners which were allowed at forty dollars which also included the fencing of said Road. The old Road to be discontinued when the new one is built & accepted.

Dated at Chester this 4<sup>th</sup> day of Nov A.D. 1874

Daniel Davis 3

Jas Williams

Selectmen  
of Chester

Town Clerk's Office Chester Nov 10<sup>th</sup> 1874 Received for Record

To the Selectmen of Chester Nt

We the undersigned Inhabitants of the Town of Chester Nt hereby respectfully request you the honorable board of Selectmen of said Town to lay a Road from the dwelling house of Benjamin Farnsworth down the brook to intersect with the Public



We the undersigned Selectmen of the Town of Chester made examination as requested by the above Petitioners after notifying one of the petitioners also the land owners through whom lands the said Road would run and decided to grant the prayer of said petitioners, and laid out & caused to be surveyed a pent road commencing, running & ending as described in the following survey. Beginning in the centre of the Old Post Road leading southerly from Benjamin Farnsworth dwelling house at a point South 53° West 2<sup>40</sup>/<sub>100</sub> Rods from the South West corner of said B Farnsworth house thence running South 48° East 22<sup>40</sup>/<sub>100</sub> Rods thence 69° East 5 Rods thence South 53° East 18<sup>40</sup>/<sub>100</sub> Rods thence South 85° East 16 Rods thence South 29° East 4 Rods thence South 15° East 10 Rods, thence South 40° East 7<sup>40</sup>/<sub>100</sub> Rods to the Road leading Westerly from the dwelling house formerly owned by Henry Guild. Said Road to be full two rods wide, the above survey being the centre. There is one gate on said road where it intersects with the old road, to be maintained by the said Farnsworth or the owner, or occupant of the farm now owned by said Farnsworth.

Varies Balld Rd

Dated at Chester this 20th day of July A.D. 1874

Daniel Davis B

Geo H Adams

Selectmen of Chester

Town Clerk's Office Chester Nov 10th 1874 Received for Record

Petition to discontinue Road near Andrew Wells

To Daniel Davis B A G Baldwin and Geo H Adams  
Selectmen of the Town of Chester Vt

We the undersigned citizens and free holders in said town, respectfully request that you cause to be discontinued a certain piece of Road commencing at a point or board in the road leading from Andrew Wells to Sabin Springs and running in a southerly





State of Vermont  
Division of Planning, Outreach and Community Affairs  
Mapping Unit  
1 National Life Drive  
Montpelier, VT 05633-5001  
<http://www.aot.state.vt.us>

*Agency of Transportation*

Telephone: 802-828-2600  
Fax: 802-828-2334  
Email: [johnathan.croft@state.vt.us](mailto:johnathan.croft@state.vt.us)

April 5, 2010

John DeBenedetti, Selectboard Chair  
Chester, c/o Town Clerk  
PO Box 370  
Chester, VT 05143

Dear Mr. DeBenedetti,

The VTrans Mapping Unit has received Chester's 2010 Certificate of Highway Mileage and requests additional documentation regarding the class 4 town highway additions. I have reviewed the submitted documentation and more information is needed to show the legal establishment of some of the highways. VTrans is requesting additional documentation, in part due to the findings in the Supreme Court judgment in *Austin v. Town of Middlesex*, 2009 VT 102 (Oct. 27, 2009). This case can be found at (<http://info.libraries.vermont.gov/supct/current/eo2008-428.html>).

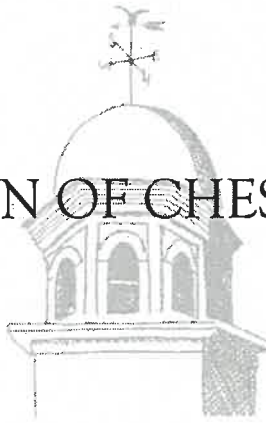
The highways that we are seeking additional documentation include:

- Chase Brook Road (North Branch)
- Contro Road
- G.S. Mitchell Road
- Smokeshire Cemetery Road

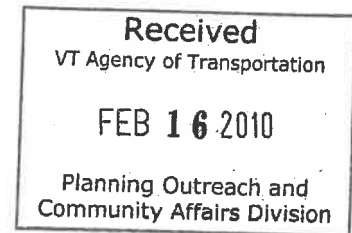
Highways and trails may have established in several ways, including the formal layout process as defined in the statutes at the time or through "dedication and acceptance," where the landowner dedicates the land to town and the selectboard accepts the right of way for the highway or trail. We request any documents that provide evidence that the highways were legally established and remain public rights of way. This documentation may include copies of original surveys, deeds, selectboard minutes, road calls, highway maintenance records, or other direct references to the establishment of the highways or trails.

I have included a copy of the Ancient Road Practicum that provides details on the documentation requirements that were defined in Act 178 of 2006 and can be found in 19 V.S.A § 305(e). This information includes a description of the affected highway or trail, copies of any surveys, minutes of the meetings at which the legislative body took action with respect to the changes, and a current town highway map with the deletions and additions sketched on it. Currently, the descriptions and sketch map have been submitted, and the current legislative action when the Selectboard recognized the addition of the highways. We request that copies of any surveys and original laying out documentation, as reference by the book and page notations in the descriptions be provided.

# TOWN OF CHESTER



556 Elm Street  
P.O. Box 370  
Chester, VT 05143



(802) 875-2173  
Fax (802) 875 2237

February 9, 2010

Vermont Agency of Transportation  
Planning, Outreach and Community  
Affairs Division  
Mapping Unit  
1 National Life Drive  
Montpelier, Vermont 05633-5001

**Re: Town of Chester  
Certificate of Highway Mileage**

Dear Sir or Madam:

Enclosed please find the Certificate of Highway Mileage for the Town of Chester as required by the Agency of Transportation.

The Town of Chester has performed a thorough review of all Class IV roads in the town. We have identified 16 roads that are Class IV roads with no sign of discontinuance and remain fully visible on the ground. These are Class IV roads that simply were never added to the AOT maps.

All research and work for the Town of Chester has been performed by Peter Farrar, who is well known for his road research. Enclosed please find a cover letter from Peter in addition to a brief summary of each road with supporting documentation as required.

Should you require anything further at this time, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "David Pisha".

David Pisha  
Town Manager

Enclosures

Agency of Transportation  
Mapping Division  
Attn. Mr. Johnathan Croft

Re: addition of a number of previously unmapped Class 4 Roads  
to the highway map of Chester, Vermont --

Though the roads to be added are, in large part, readily discernable to the untrained eye as having been roads at one time, their early history is mostly lost.

While there is evidence from isolated instances that roads in Chester were laid out and surveyed per statute, many of the early road records were not properly entered into the town's books. This includes most of the roads we are dealing with here.

The common practice appears to have been for the road to be laid out by the selectmen and, frequently, surveyed. The paper work was then submitted to the Town Clerk and then at the next Town Meeting the town voted to accept or reject (for examples): the road laid out "from Johnson Hutchins towards the new Bridge" or the road "from the road Leading from Capt. Earlls to Capt. Olcotts Towards Thombelson". (A-105/1783)...pretty hard to locate without extensive research and even then, given the lack of courses and distances, impossible to prove with any certainty. [The original surveys, in some cases, were kept as loose documents and some were entered into the records more than seventy years after they were made.]

This system prevailed into the early 1820's when the Clerk began keeping a special Road Book, to which he added numerous copies of manuscript surveys as they came to light and as time permitted. Though not a perfect system, evidence for most of the roads in Chester can be retrieved from these volumes and the frequent references to roads in the Land Records and Town Records, and (later) Town Reports.

However, Chester is fortunate to have a booklet compiling the records from 39 of the then 42 Highway Districts in 1877 - giving the roads worked on that year. This is close enough in time to the Beers' map (1869) to establish what were then the public roads (or most of them).

With a few exceptions, this 1877 record was the basis for finding public rights-of-way not yet on the AOT map which the Town has moved to retain. Later road actions are sufficiently well documented to remove most uncertainties and the attached submissions are accepted Class 4 Roads in accord with the intent of the Town as noted in the first Town Plan [adopted November 28, 1984], "there are several miles of old town roads or trails that have not been officially discontinued which would be classified as Class 4, and are opened for public use".

Many of these roads appear on USGS maps and/or the current Chester tax maps and we hope these sources will be acceptable for location purposes - certainly more accurate than if we sketched them on the latest (2005) AOT map.

A sheet for each road is appended - including such evidence as we have to establish its location, approximate length, and history.

Respectfully submitted,

Town of Chester  
Certificate of Highway Mileage  
Class IV Road Addition

STEADMAN HILL ROAD

No survey of this road has been found, but it is shown on USGS maps (See Exhibit A), on a map included in the 1957 Chester Town Report (See Exhibit B), and on the current tax map (See Exhibit C). All of these are provided for purposes of location.

This road links the west end of TH 114 (Ingraham Hill Road) and the former north end of TH 39 (Christmas Tree Farm Road).

It appears that this road was originally built as a private road and it was at one time pented. The first clear reference to this road is found in a deed from 1912, where it is called "the highway leading from William Armington".

The eastern part of this road was included among roads worked in 1877 (See Exhibit D).

Over time, much of this road fell into disuse, though it is shown on published maps of 1855/56, 1860, 1902 and 1923.

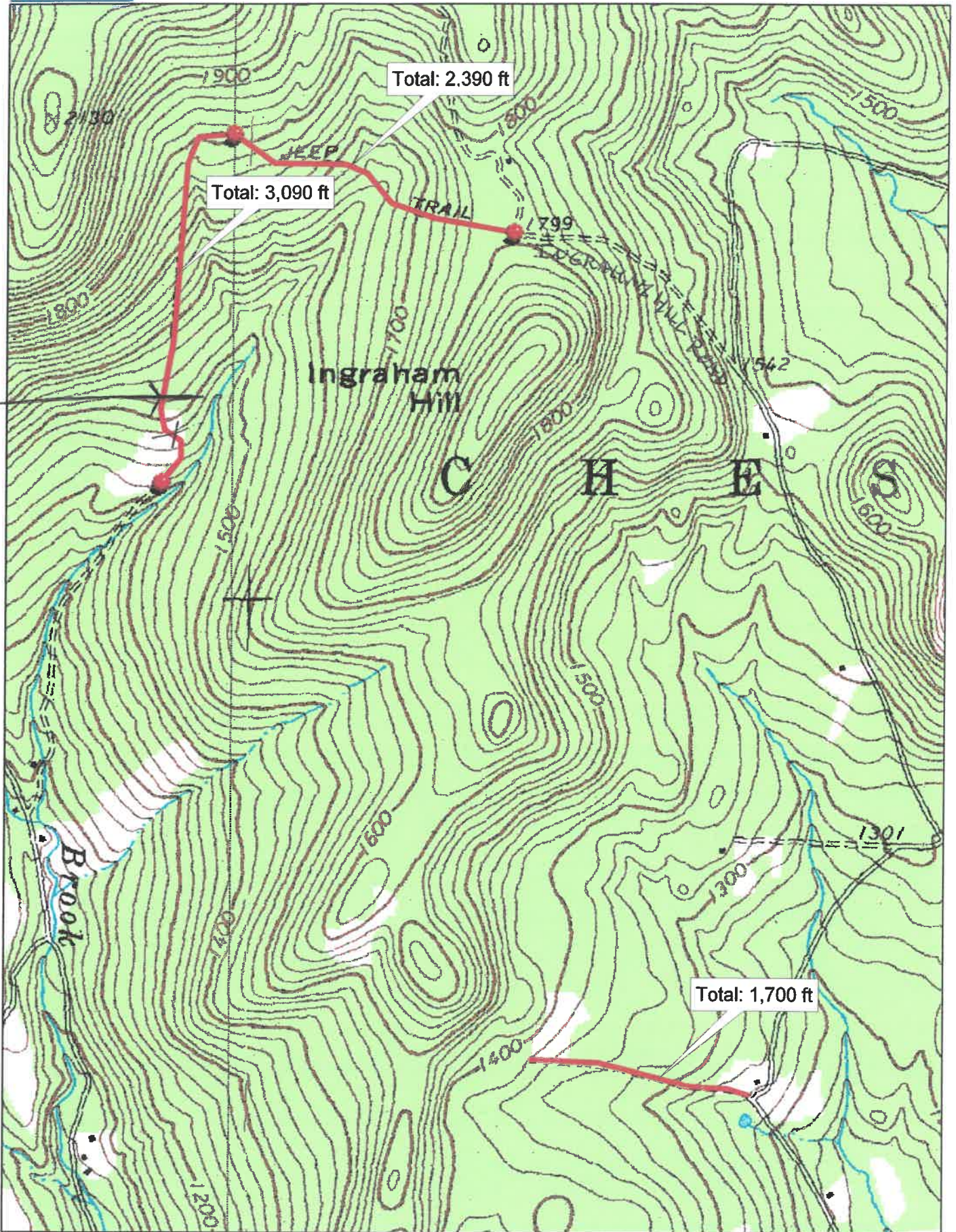
In 1966, the Selectboard, apparently after some search of the records, declared it was a public road. (See Exhibit E)

In 1971, much of Christmas Tree Farm Road was discontinued (See Exhibit F), but this left a road running, for practical purposes, from the west end of TH 114 to the north line of property now of Gunnar Ostergaard. This is what is being added to the AOT map as approved by the Selectboard on January 20, 2010. (See Exhibit G)

The length of this portion of road is approximately 4,590 feet in length.



South end of Steadman Hill Rd.



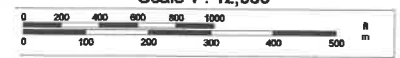
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TM

Scale 1 : 12,000

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Exhibit A



www.delorme.com

Town of Chester - Class IV Additions  
Steadman Hill Road

1" = 1,000.0 ft Data Zoom 13-1



REGULAR MEETING  
BOARD OF SELECTMEN  
NOVEMBER 16, 1966

Present: Robert Willey, Neil MacKenzie Russell Knights  
Albert Damore Mrs. Barrett and Mr. MacDonald

Visitors: Mr. & Mrs. Leonard Stewart, Edw. R. Laitinen,  
Mrs. Adoree Allan and Mrs. Florence Pierce

A Hearing was held regarding discontinuing two sections of Highway #24 - Chandler Hill District in Gassetts. Mr. and Mrs. Leonard Stewart attended the Hearing but had no opposition to the discontinuance. Mr. Stewart said some years ago, when the Road was built he felt the Town had taken some of his land. He felt that perhaps he could be paid for it inasmuch, as Mr. Amsden had been paid for land adjacent to this. The Selectmen asked the Town Manager to meet Mr. Stewart in this area on Tuesday, November 22 at 4:15 P.M. to discuss it.

The Selectmen voted to establish the road beyond the Christmas Tree Farm as a Town Road, unless it was proven otherwise.

*Steadman Hill*

A letter was read from Mr. James L. Oakes regarding Mr. and Mrs. Erlandsons trees. The Board voted not to change their decision, which was that these trees were not Town Property. The Manager was asked to write Mr. Oakes explaining the Towns position.

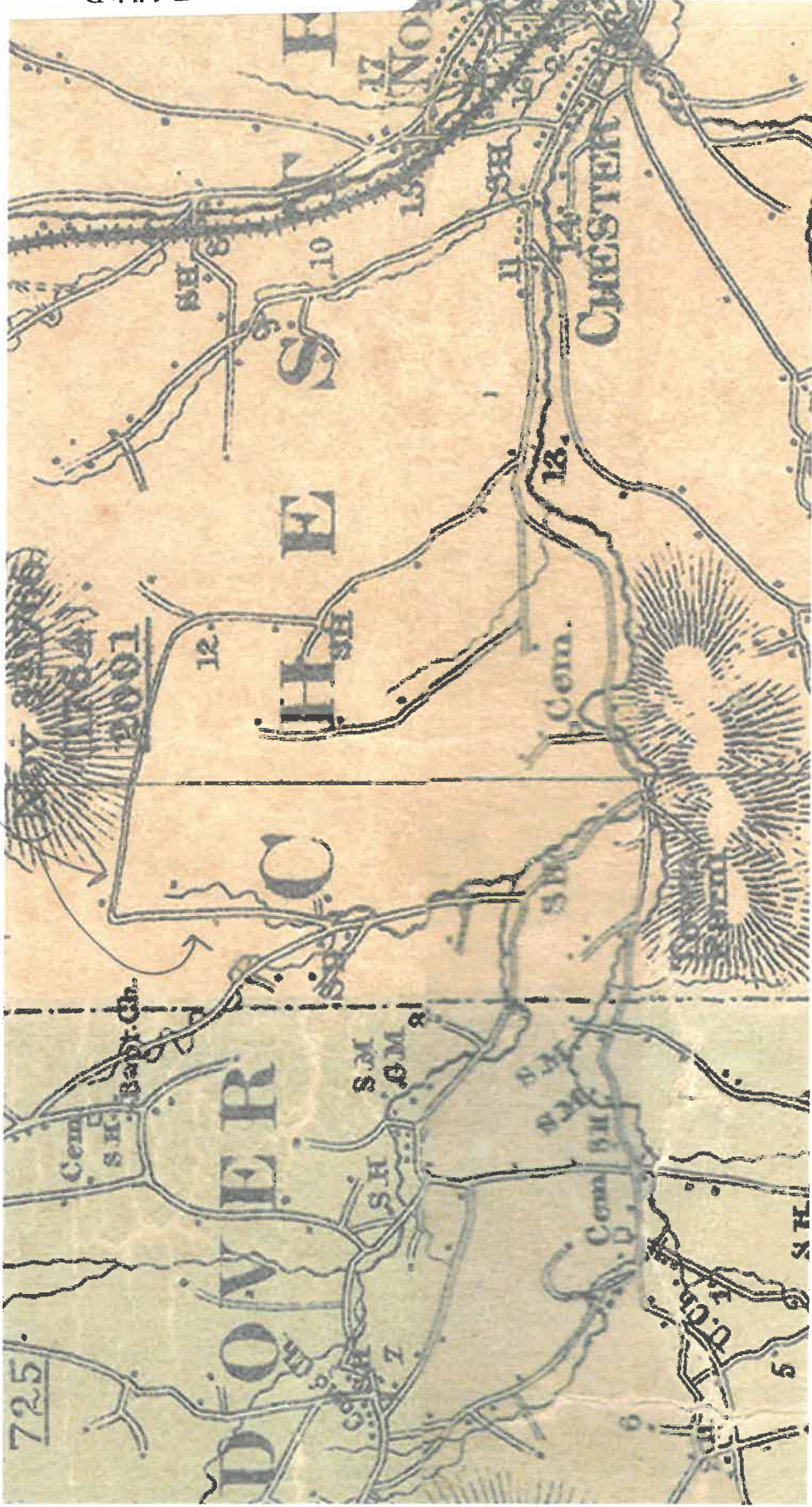
The Board voted to alternate the Oil Contract for the Town Hall between Mr. Cook and Mr. Butterfield. They felt that Mr. Butterfield should have the contract this year if his price was comparable to Mr. Cook's. They also felt that each supplier should be willing to service the Oil Burner and Furnace.

Edward R. Laitinen talked to the Board regarding the condition of Highway #38 especially the area near his Camp. He said the road was washed in several places. The Town Manager was asked to inspect it.

Meeting was adjourned at 10 P.M.

HCM  
*Robert Willey*  
*John R. Knights*  
*Albert H. Damore*  
*Neil F. MacKenzie*

Walling 1860



#13 - M. Horton

12 - L. Hulet

1860 - Walling

Exhibit D  
Town of Chester - Class IV Additions  
Steadman Hill Road



23

39 43  
41 61

Beginning at the forks of the roads near John E. Collins house thence westerly on the road by the Stone School house in Dist town & Harrison M. Giddens place to Joseph Piper's house and from said to Daniel Davis's house & to the west line of the Whitney farm now owned by A. H. Perry.

Daniel Davis

24

47 54  
43 00

Beginning at the forks of the roads near W. Smith's house thence on the road by Dr. Calman's the Koulett place to Geo. S. & J. A. about Geo. house on the old Madras road from said road to the houses of A. H. Perry, Ebenezer Sabins & Alonzo A. Perry to the west line of the Whitney place.

7  
William Koulett

25

44 53  
44 53

Beginning at the forks of the road near Grotholm house at the Manchester road thence on the road to Ad. Adams house to Henry Guild's house also from said road to the houses of Geo. Hillman and Atwood Sargeant and on the said road from Clark Brooks to the road leading from E. Sabins to the School House in School Dist. No. 8  
James Adams

26

71 75  
48 69

Beginning at the forks of the roads near the old Sawyer Factory thence northeasterly on the road by S. Mc. Carpenters across the old Sunfisher road & by Almon Koulett house to the forks of the road near Calvin Perkins also from said road to the farm house occupied by Faulkner  
Thomas Whistly 208.

REGULAR MEETING  
BOARD OF SELECTMEN  
NOVEMBER 16, 1966

Present: Robert Willey, Neil MacKenzie Russell Knights  
Albert Damore Mrs. Barrett and Mr. MacDonald

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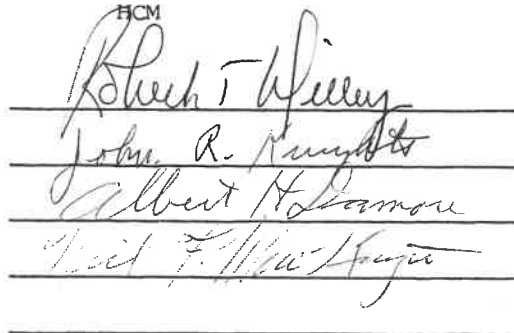
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The Board voted to alternate the Oil Contract for the Town Hall between Mr. Cook and Mr. Butterfield. They felt that Mr. Butterfield should have the contract this year if his price was comparable to Mr. Cook's. They also felt that each supplier should be willing to service the Oil Burner and Furnace.

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Meeting was adjourned at 10 P.M.

HCM  


STATE OF VERMONT  
WINDSOR COUNTY, SS.

IN RE:

BEFORE:

PETITION FOR DISCONTINUANCE  
OF PART OF TOWN HIGHWAY #39  
KNOWN AS CHRISTMAS TREE  
FARM ROAD

SELECTMEN OF THE TOWN  
OF CHESTER

SELECTMEN'S REPORT

WHEREAS AT CHESTER, aforesaid, the Selectmen of said town, to wit, John Pierce, Hugh Jameson, Claire Hesselton, Walter Carter and Russell Leitch, upon their own motion and pursuant to Chapter 7, Title 19, V.S.A. as amended, did order and appoint that on the 30th day of October, 1971 at 9:00 in the forenoon, at the Town Clerk's Office in Chester in the County of Windsor and State of Vermont, that they would examine the premises hereinafter described and hear the parties interested concerning discontinuance of a portion of a town road in said Chester:

This highway is shown on the current highway map as leading off Town Road #38, Potash Brook Road, for a distance of 0.80 mile.

That portion which is to be discontinued is the approximate 1/2 mile which runs from the Trombley-Keddy property line to the Christmas Tree Farm, so-called, and is a dead end at that point.

And afterwards on the 30th day of October, 1971, the Selectmen aforesaid did examine said premises and hear the parties interested and having given notice to Dorothy Trombley and Gene Trombley, Norman & Dorothy Keddy and Kay Vee Realty Co. Chester Planning Commission and by posting in the Town Clerk's Office at least 30 (thirty) days prior thereto in writing and notice having been sent by registered mail to Dorothy Trombley and Gene Trombley, and Kay Vee Realty Co. such notice having been given in accordance with the statute and further notice by publication in the Times Reporter, a newspaper circulating in Chester, such notice having been published according to law and in compliance



with the statute in such case made and provided and according to said appointment, and after hearing the parties interested, the said Selectmen were then and there of the opinion that the public good does require that said highway be discontinued and that it is no longer necessary for the convenience of the public. It is ordered that the highway within described is hereby discontinued.

Dated at Chester, this 7<sup>th</sup> day of November A.D. 1971.

John C. Prince  
Russell H. Litch  
Aug. Johnson  
Clair L. Heston

\_\_\_\_\_  
Selectmen, Town of Chester





# TOWN OF CHESTER

556 Elm Street  
P.O. Box 370  
Chester, VT 05143

(802) 875-2173  
Fax (802) 875 2237

## TOWN OF CHESTER BOARD OF SELECTMEN

**January 20, 2010**

### Minutes

**PRESENT:** Richard Jewett, Chairman; John DeBenedetti; Derek Suursoo; Julie Ladieu-Walton; Michael Westine

**VISITORS:** David Pisha; Chris Rosegrant; Debbie Aldrich; Greg Donabedian; Deborah Jo Epler; Peter Farrar; Tim Farrar; Bill Lindsay; Debbie Trent; Michael Caduto; Barry Goodrich; Rick Cloud; Leo Graham; Dick Higley; John Adler; Julie Hance

The meeting was called to order at 7:00 p.m. by Mr. Jewett. He then asked everyone to stand for the Pledge of Allegiance. Mr. Jewett thanked everyone for coming to the meeting.

#### 1. APPROVAL OF MINUTES

A motion was made by Mr. Westine to approve the minutes of the December 16, 2009 meeting. Seconded by Mr. DeBenedetti. Motion passed.

A motion was made by Mr. Westine to approve the minutes of the January 6, 2010 meeting. Seconded by Mr. Suursoo. The following amendments were made:

Mr. Suursoo: Page 4, Item 6, Seconded paragraph – Mr. Westine should be replaced with Mr. Suursoo with regard to the yes vote.

Page 5, Paragraph 3 – should read the Mr. Suursoo withdrew the motion.

Page 6, Item 7, Line 2 should read "... support of a Capital Budget Plan."

Ms. Walton: Questioned if she discussed the need for review of the Personnel Policy under old business at the last meeting. Nobody recalled the discussion at the last meeting.

Mr. DeBenedetti: Page 4, fourth paragraph from bottom – should read "... to make pay raises effective..."

2. **CITIZENS COMMENTS:**

There were no citizens comments discussed.

3. **REVIEW OF DRAFT TOWN WARNING:**

Mr. Suursoo commented that Article 6 discussed approving a sum of money for bridges and facilities and stated that the Board should be prepared to have an answer as to which bridges or facilities. Discussion transpired regarding whether or not the Board needs to specifically name each bridge or facility for each year that money is being allocated towards. General consensus of the Board was to not identify specific bridges or facilities.

However, after further discussion, a motion was made by Ms. Ladieu-Walton to amend Article 6 to add “.. the remainder of \$26,000.00 to be allocated to bridges and facilities”. Seconded by Mr. DeBenedetti. Motion passed with Mr. DeBenedetti voting no.

A motion was made by Ms. Ladieu-Walton to remove the language “not to exceed” from Article 6. Seconded by Mr. Suursoo. Motion passed.

Ms. Ladieu-Walton stated that she was pleased to see Article 4 on the Warning and that the Town responded so quickly. She questioned if the School had been contacted. Ms. Aldrich stated that the school will charge the Town \$100.00 for the rental of the auditorium plus \$21.00 per hour for the janitors. Mr. Pisha noted that if the meeting starts during the morning hours, it will most likely run during lunch which will mean either feeding people, or breaking for lunch, thereby creating more hours.

A motion was made by Mr. Suursoo to approve the Articles as amended. Seconded by Mr. DeBenedetti. Motion passed.

Ms. Aldrich reminded the Board that they will need to stop into the Town Office on Friday and sign the Warning.

4. **ROADS FOR AOT MAP:**

Mr. Jewett asked Ms. Hance to elaborate on the memorandum that she provided to the Selectboard regarding the AOT maps. Ms. Hance explained that she has spoken with several people from AOT in addition to a few attorneys regarding the ancient roads laws. Ms. Hance stated that the “ancient roads” laws do not really apply to Chester because the roads that have been identified are already Class IV roads. She stated that the defining factor is whether the roads are visible or not. She provided the Board with a list of roads identified by Peter Farrar and Richard Jewett as clearly visible.

Ms. Hance clarified for the Board that for Class IV roads that are visible on the ground with no record of discontinuance simply need to be added to the AOT maps by February

10, 2010. The status of the roads does not change. They will remain Class IV roads, the Board is simply identifying them on a map.

Ms. Hance further discussed the four roads that are not clearly visible on the ground. She informed the Board that the town has missed deadlines relative to these roads. In July, 2010, these roads will become identified corridors, which will require a different process in order to retain them as Class IV roads.

Mr. Suursoo confirmed that should the Board agree to map the 17 roads identified on the list, this does not preclude any citizen from challenging these roads in the future should an issue arise.

Discussion transpired regarding roads 13 and 14, Old Chandler Road and Old Meadow Road, which were a part of the Old Baltimore Road. Mr. Farrar stated that these two roads were part of the Petition to discontinue Old Baltimore Road, which the Board previously ruled on several months ago.

Mr. Adler expressed concerns regarding a Class IV road that crosses his neighbors property. The Board clarified that Class IV roads are not maintained by the town and that upgrading to a Class III road would require reclassification, which would require public hearings.

A motion was made by Mr. Suursoo to affirm, until proven otherwise, that Chase Brook Road (N. Branch), Chase Brook Road (S. Branch), Steadman Hill Road, Beard Road, Malon-Poston Road, Contro Road, Michael Road, Roach Road to Springfield, Smokshire road to Cavendish, Varian Balch area roads, Rugg Road, G.S. Mitchell Road, Old Chandler Road, Old Meadow Road, Richardson-Trombley Road, Rod & Gun Club Road to Andover and Road west from Smokeshire Cemetery remain Class IV roads and be put on the AOT maps. Seconded by Mr. Westine. Motion passed.

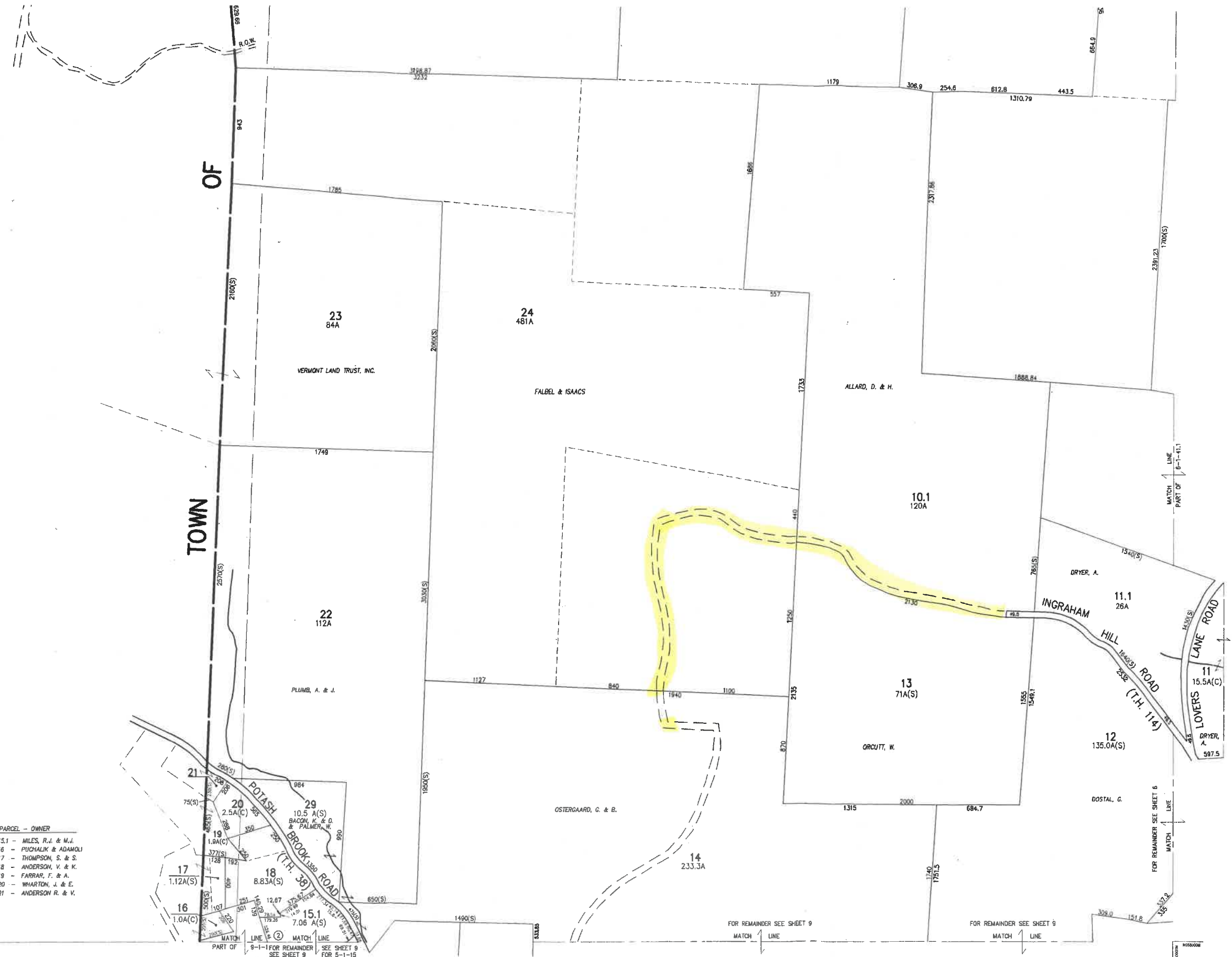
#### 5. **2010 GENERAL FUND BUDGET APPROVAL:**

Mr. Pisha stated that the changes to the budget include salary adjustments and the addition to the paving line item, as requested. He stated that the proposed budget will reduce the overall tax collection requirement by approximately \$20,000.00.

Mr. Suursoo stated that under General Government the bottom line increased by \$2,000.00. He further noted that the zoning and planning line item increased by \$5,000.00. Ms. Hance explained that she moved \$5,000.00 from the grant matching fund line item and is using the money as an expense. She explained that the Planning Grant funds have been cut by the State for 2010 and that she will need that money to pay for assistance from Regional Planning in rewriting the Zoning Regulations this year.

Mr. Suursoo also noted that on the Public Works Budget, item 431-68, column 2 should show \$43,000.00. He further stated that it is his opinion that North Street Culvert paving should have its own line item and not be classified in with the overall paving budget.





PARCEL - OWNER

15.1	-	MILES, R.J. & M.J.
16	-	PUCHALIK & ADAMOLI
17	-	THOMPSON, S. & S.
18	-	ANDERSON, V. & K.
19	-	FARRAR, F. & A.
20	-	WHARTON, J. & E.
21	-	ANDERSON R. & V.

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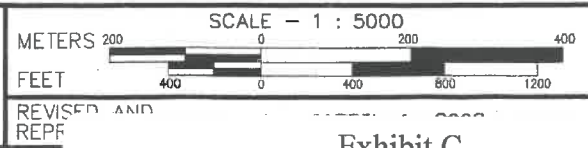
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PROFESSIONAL GIS CONSULTANTS  
 MUNICIPAL MAPPING - GIS - PUBLIC WORKS INFORMATION MANAGEMENT  
 11 PLEASANT STREET, LITTLETON, NEW HAMPSHIRE 03561  
 (803)444-8768 - (800)322-4540 - FAX (803)444-1366 - WWW.CAI-INFO.COM

SURVEYED PARCEL	.....	A(S)
CALCULATED ACREAGE	.....	A(C)
DEED/SURVEY DIMENSION	.....	100
SCALED DIMENSION	.....	100(S)
TOWN LINE	.....	
TOWN HIGHWAY NO.	.....	(T.H. 9)
STATE HIGHWAY NO.	.....	(S.A. 11)

LEGEND

SUBDIVISION LOT NO.	.....	②
BLOCK LIMITS	.....	②①
BLOCK NO.	.....	②①
MATCH LINE	.....	②①
RIGHT OF WAY	.....	②①
COMMON OWNERSHIP	.....	②①
WATER	.....	②①



TOWN OF  
**CHESTER**  
 VERMONT

MAP INDEX

TOWN OF LUDLOW	1	2	21
TOWN OF ANDOVER	6	28	
	9	32	10
		36	37/38

LOCAL MAP NO.  
**5**

STATE MAP NO.  
**136088**

Exhibit C  
 Town of Chester - Class IV Additions  
 Steadman Hill Road

Town of Chester  
Certificate of Highway Mileage  
Class IV Road Addition

CHASE BROOK ROAD (NORTH BRANCH)

This road links the presently maintained west end of TH 12 with the east end of Andover's TH 9 (Steinle road) at the Andover town line.

The length is approximately 1.3 miles.

There is no survey of record, but the road is shown on USGS maps (See Exhibit A) and on the current tax map (See Exhibit B)

This road is the one referred to as "a road layed out from Chester" in an Andover survey of a four rod wide road, which includes the east end of Steinle Road, on June 7, 1800. (Andover Town Records 1-206)

This road was affirmed to be a Class IV Road by Susan Spaulding, Chester Town Manager, at a Selectboard Meeting on May 16, 2007 (See Exhibit C).

This road was included with roads accepted by the Selectboard as Class IV roads for addition to the AOT maps at a Selectboard Meeting held on January 20, 2010 (See Exhibit D).

Though this was an old road, it may not appear on a published map before that of Beers in 1869. There it is shown in School District 17 north of Chase Brook and north of what we are calling "Chase Brook Road (South Branch)" which ran closer to the Brook.

For more information on this history of this road, see the attachments for Chase Brook Road (South Branch).



road is along town line

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NOTE: TOWN LINE IS IN CORRECT  
ON THIS MAP

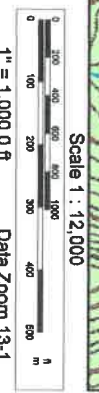
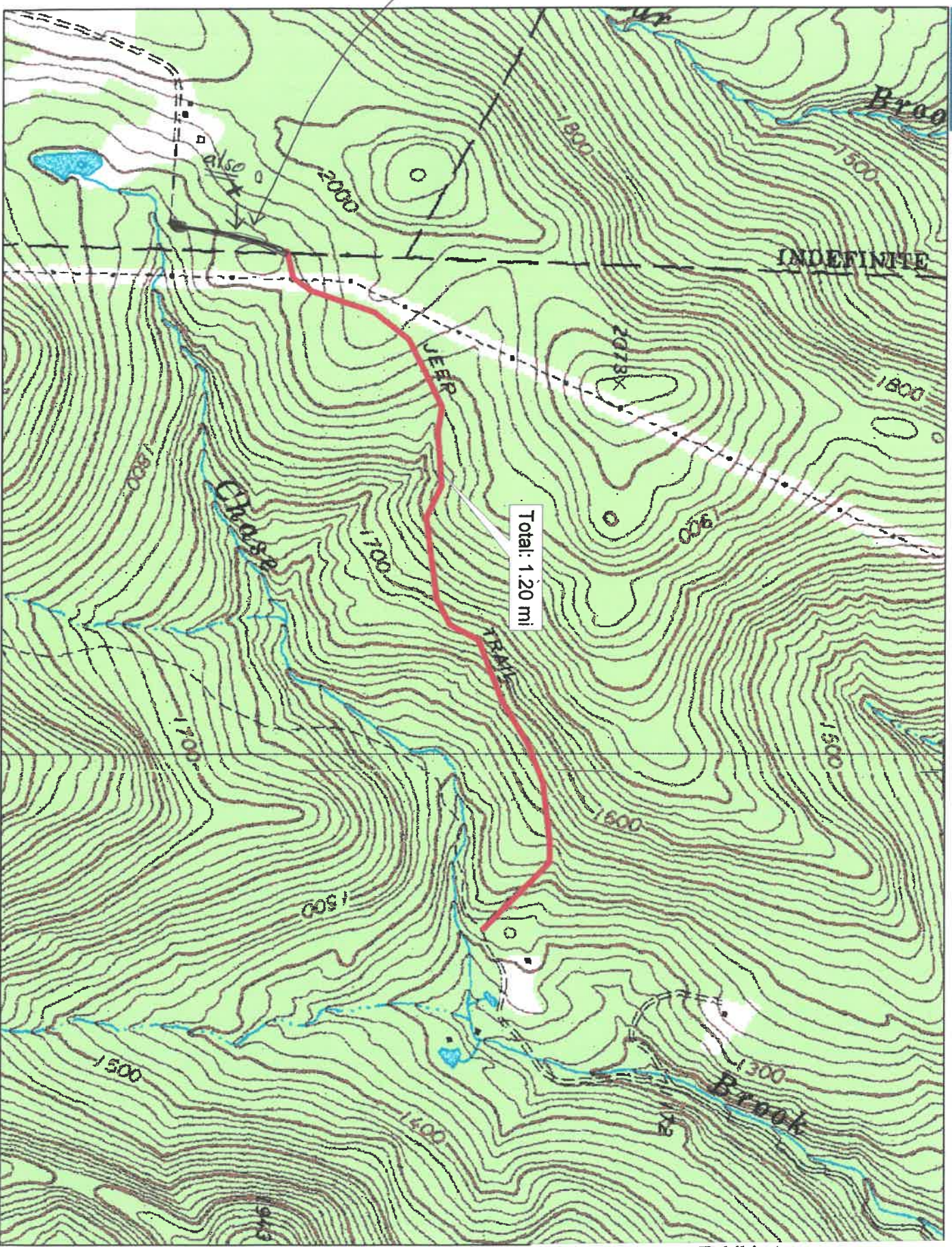


Exhibit A  
Town of Chester - Class IV Additions  
Chase Brook Road (North Branch)



(Board of Selectmen 05-16-07)

TOWN OF CHESTER  
BOARD OF SELECTMEN

May 16, 2007

Minutes

PRESENT: Richard Jewett, William Lindsay, Derek Suursoo, Michael LeClair, Seeley Morton, Susan Spaulding

VISITORS: Arthur Purdy, Wanda Purdy, Rick Cloud, John DeBenedetti, Jo-Anne DeBenedetti, Linda Limoges, Harry Goodell, Irene Wood, Thomas Bock, Debbie Aldrich, Jeff Holden, Robert Farnsworth, Ken Barrett, Peter Farrar, Greg Donabedian, Graham Kennedy, Peter Hudkins, Dan Ferguson, Stephen Lavoie, Margaret Yahemiak, Jack Yahemiak, Barry Goodrich, Scott Wunderle, Bruce McEnaney, Julie Hance, Chris Curran, Mark Curran, Trever Colburn, Adrian Colburn, Quentin Trombley, William Dakin

The meeting was called to order at 7:00 p.m. by Mr. Jewett. He then asked everyone to stand for the Pledge of Allegiance. Mr. Jewett thanked everyone for coming to the meeting.

1. APPROVAL OF MINUTES

The following corrections were reported to the minutes of the May 2, 2007, Selectmen's meeting:

Mr. Suursoo - Page 4, first paragraph, second sentence, change Mr. Jewett to Mr. Suursoo

Third paragraph, fourth sentence, add "...and stated that he felt the matter was closed."

Page 7, change all "4/2 shifts" to "4/3 shifts" under item No. 12

Mr. Lindsay - Page 2, last paragraph, fourth sentence, remove "...a drug forfeiture and budget reports." and insert "...a review of the Drug Forfeiture fund expenditures and a listing of items in dollars that should not be in that accounting."

Sixth sentence, remove "...for funding the lease of the third cruiser once the Drug Forfeiture Fund audit is complete and adjustments are made to that fund from the General Fund." and insert "...of funding to adjust the funds charging the leased items to the General Fund."

Page 5, Item 9, third sentence, remove "...if the structure is inhibiting the travel of fish."



(Board of Selectmen 05-16-07)

Mr. Lindsay referred to a letter from Thomas Bock, Planning Commission Chairman, who expressed concern for continuity and the need for seasoned members. He then recommended Harry Goodell and Scott Wunderle for appointment to the DRB. Mr. Suursoo pointed out that the Select Board has not adopted the Development Review Board but added that when the time comes the Board will be ready to make appointments. Mr. Morton then asked if the delay in appointment affects the training grant. Ms. Hance responded that the Town has ninety days and added that the Board meeting on June 6 has been warned for adoption of the Development Review Board. A majority of the Board members agreed that the Alternate members of the DRB be required to attend all meetings and several of the Board members felt that such a requirement be stated in the bylaws. Mr. Jewett then thanked the applicants for their presentations.

#### 5. ANCIENT ROADS

Ms. Spaulding reported that she placed a notice in the newspaper inviting residents to review the Ancient Road map and only one individual had a question. Mr. LeClair suggested that the roads which have been confirmed to be Town roads be color coded. Mr. Donabedian questioned a portion of his road and Ms. Spaulding confirmed that it was a Town road. Mr. Jewett expressed concern that all of the roads need to be confirmed as Town roads. Ms. Spaulding explained that the Town paid to have the map prepared and the colored roads indicate that they are also on the State map. Mr. LeClair then asked if there are any ancient roads on the map of which the Town is unsure. Ms. Spaulding responded that there are two roads which have been brought to the attention of the Board and is unsure if they are Town roads. Mr. Jewett again expressed concern that the Town needs to confirm each road. Mr. Dakin stated that he thought there was funding to assist with the research. Ms. Spaulding responded that those funds have been depleted. Mr. Dakin then pointed out that Peter Farrar is a tremendous resource. The Board discussed the need for funding and Ms. Spaulding suggested that funds be included in the next budget. Mr. LeClair suggested contacting the State Representative to see if there is any additional funding. Mr. Suursoo stressed the need for input from the public on this matter.

← Chase Brook Rd  
N. Branch

#### 6. FARRAR REPORT

Mr. Farrar offered to answer any questions concerning his report which he feels substantiates that Beard Road is a Class 4 Town Road. Mr. Dakin, representing Mr. Brossi, explained his client's concern that the road is indeed a Town road. He stated that Mr. Farrar reviewed Town records to determine if Beard Road had been discontinued and failed to find that it had been. Mr. Farnsworth, a surveyor, stated that property deeds provide a description of the road. Mr. LeClair stated that he was impressed with the amount of work required to provide the research and is ready to accept Beard Road as a Class 4 Road. Mr. Goodell pointed out that the Brossi subdivision mylar indicates that it was not a Town road. Mr. Farnsworth explained that when he began his research, beginning with the Rapanotti survey, he could not find any indication that it was a Town road. He then began checking deeds and descriptions and determined it was a Town road. Mr. Goodell pointed that it has not been accepted by the Planning Commission. Ms.



# TOWN OF CHESTER

556 Elm Street  
P.O. Box 370  
Chester, VT 05143

(802) 875-2173  
Fax (802) 875 2237

## TOWN OF CHESTER BOARD OF SELECTMEN

**January 20, 2010**

### **Minutes**

**PRESENT:** Richard Jewett, Chairman; John DeBenedetti; Derek Suursoo; Julie Ladieu-Walton; Michael Westine

**VISITORS:** David Pisha; Chris Rosegrant; Debbie Aldrich; Greg Donabedian; Deborah Jo Epler; Peter Farrar; Tim Farrar; Bill Lindsay; Debbie Trent; Michael Caduto; Barry Goodrich; Rick Cloud; Leo Graham; Dick Higley; John Adler; Julie Hance

The meeting was called to order at 7:00 p.m. by Mr. Jewett. He then asked everyone to stand for the Pledge of Allegiance. Mr. Jewett thanked everyone for coming to the meeting.

#### 1. APPROVAL OF MINUTES

A motion was made by Mr. Westine to approve the minutes of the December 16, 2009 meeting. Seconded by Mr. DeBenedetti. Motion passed.

A motion was made by Mr. Westine to approve the minutes of the January 6, 2010 meeting. Seconded by Mr. Suursoo. The following amendments were made:

Mr. Suursoo: Page 4, Item 6, Seconded paragraph – Mr. Westine should be replaced with Mr. Suursoo with regard to the yes vote.

Page 5, Paragraph 3 – should read the Mr. Suursoo withdrew the motion.

Page 6, Item 7, Line 2 should read "... support of a Capital Budget Plan."

Ms. Walton: Questioned if she discussed the need for review of the Personnel Policy under old business at the last meeting. Nobody recalled the discussion at the last meeting.

Mr. DeBenedetti: Page 4, fourth paragraph from bottom – should read "... to make pay raises effective..."

Exhibit D  
Town of Chester - Class IV Additions  
Chase Brook Road (North Branch)



2. **CITIZENS COMMENTS:**

There were no citizens comments discussed.

3. **REVIEW OF DRAFT TOWN WARNING:**

Mr. Suursoo commented that Article 6 discussed approving a sum of money for bridges and facilities and stated that the Board should be prepared to have an answer as to which bridges or facilities. Discussion transpired regarding whether or not the Board needs to specifically name each bridge or facility for each year that money is being allocated towards. General consensus of the Board was to not identify specific bridges or facilities.

However, after further discussion, a motion was made by Ms. Ladieu-Walton to amend Article 6 to add “.. the remainder of \$26,000.00 to be allocated to bridges and facilities”. Seconded by Mr. DeBenedetti. Motion passed with Mr. DeBenedetti voting no.

A motion was made by Ms. Ladieu-Walton to remove the language “not to exceed” from Article 6. Seconded by Mr. Suursoo. Motion passed.

Ms. Ladieu-Walton stated that she was pleased to see Article 4 on the Warning and that the Town responded so quickly. She questioned if the School had been contacted. Ms. Aldrich stated that the school will charge the Town \$100.00 for the rental of the auditorium plus \$21.00 per hour for the janitors. Mr. Pisha noted that if the meeting starts during the morning hours, it will most likely run during lunch which will mean either feeding people, or breaking for lunch, thereby creating more hours.

A motion was made by Mr. Suursoo to approve the Articles as amended. Seconded by Mr. DeBenedetti. Motion passed.

Ms. Aldrich reminded the Board that they will need to stop into the Town Office on Friday and sign the Warning.

4. **ROADS FOR AOT MAP:**

Mr. Jewett asked Ms. Hance to elaborate on the memorandum that she provided to the Selectboard regarding the AOT maps. Ms. Hance explained that she has spoken with several people from AOT in addition to a few attorneys regarding the ancient roads laws. Ms. Hance stated that the “ancient roads” laws do not really apply to Chester because the roads that have been identified are already Class IV roads. She stated that the defining factor is whether the roads are visible or not. She provided the Board with a list of roads identified by Peter Farrar and Richard Jewett as clearly visible.

Ms. Hance clarified for the Board that for Class IV roads that are visible on the ground with no record of discontinuance simply need to be added to the AOT maps by February

10, 2010. The status of the roads does not change. They will remain Class IV roads, the Board is simply identifying them on a map.

Ms. Hance further discussed the four roads that are not clearly visible on the ground. She informed the Board that the town has missed deadlines relative to these roads. In July, 2010, these roads will become identified corridors, which will require a different process in order to retain them as Class IV roads.

Mr. Suursoo confirmed that should the Board agree to map the 17 roads identified on the list, this does not preclude any citizen from challenging these roads in the future should an issue arise.

Discussion transpired regarding roads 13 and 14, Old Chandler Road and Old Meadow Road, which were a part of the Old Baltimore Road. Mr. Farrar stated that these two roads were part of the Petition to discontinue Old Baltimore Road, which the Board previously ruled on several months ago.

Mr. Adler expressed concerns regarding a Class IV road that crosses his neighbors property. The Board clarified that Class IV roads are not maintained by the town and that upgrading to a Class III road would require reclassification, which would require public hearings.

A motion was made by Mr. Suursoo to affirm, until proven otherwise, that Chase Brook Road (N. Branch), Chase Brook Road (S. Branch), Steadman Hill Road, Beard Road, Malon-Poston Road, Contro Road, Michael Road, Roach Road to Springfield, Smokshire road to Cavendish, Varian Balch area roads, Rugg Road, G.S. Mitchell Road, Old Chandler Road, Old Meadow Road, Richardson-Trombley Road, Rod & Gun Club Road to Andover and Road west from Smokeshire Cemetery remain Class IV roads and be put on the AOT maps. Seconded by Mr. Westine. Motion passed.

##### **5. 2010 GENERAL FUND BUDGET APPROVAL:**

Mr. Pisha stated that the changes to the budget include salary adjustments and the addition to the paving line item, as requested. He stated that the proposed budget will reduce the overall tax collection requirement by approximately \$20,000.00.

Mr. Suursoo stated that under General Government the bottom line increased by \$2,000.00. He further noted that the zoning and planning line item increased by \$5,000.00. Ms. Hance explained that she moved \$5,000.00 from the grant matching fund line item and is using the money as an expense. She explained that the Planning Grant funds have been cut by the State for 2010 and that she will need that money to pay for assistance from Regional Planning in rewriting the Zoning Regulations this year.

Mr. Suursoo also noted that on the Public Works Budget, item 431-68, column 2 should show \$43,000.00. He further stated that it is his opinion that North Street Culvert paving should have its own line item and not be classified in with the overall paving budget.

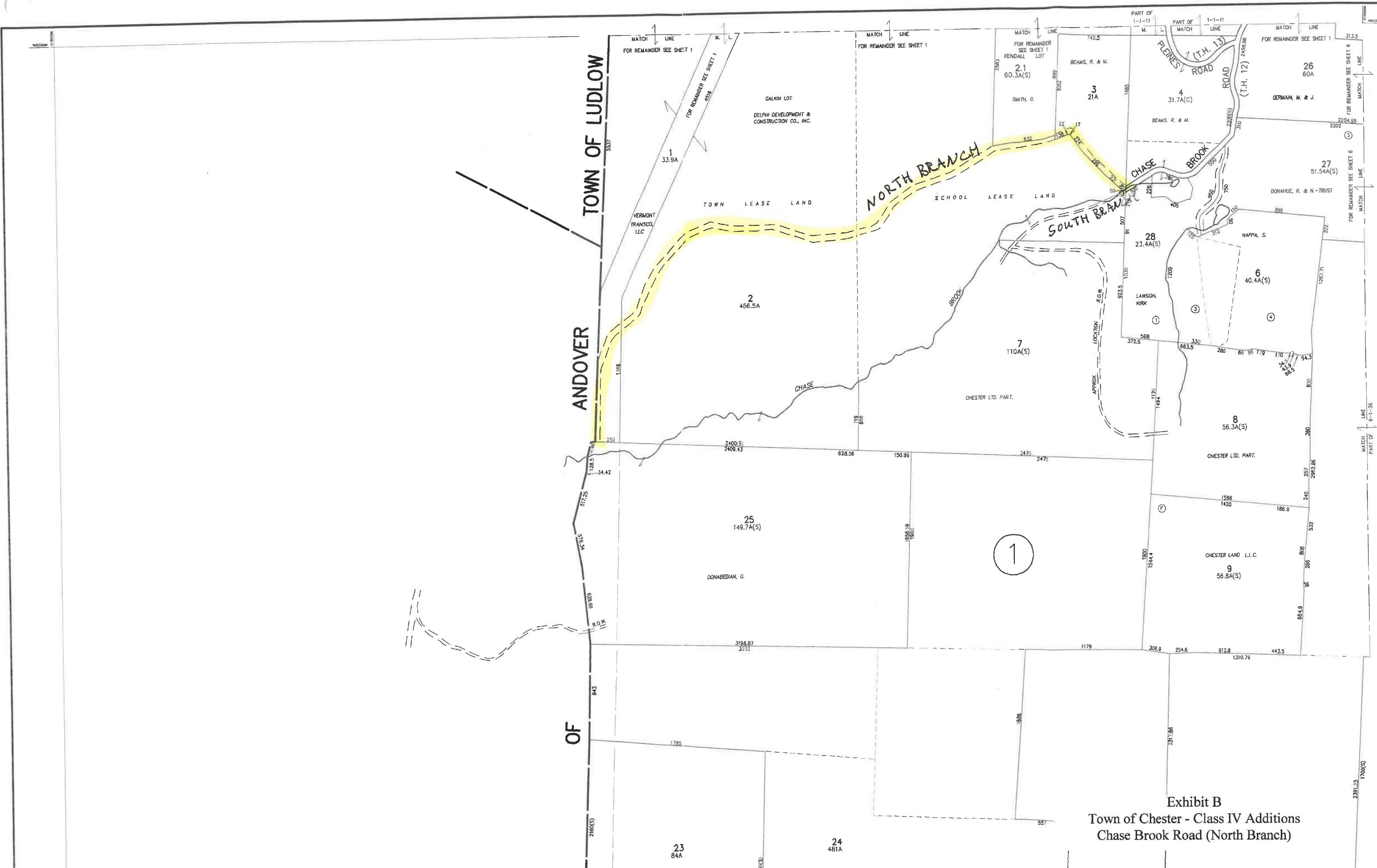


Exhibit B  
 Town of Chester - Class IV Additions  
 Chase Brook Road (North Branch)



TH-12 CL4 0.28 mi.

Town of Chester  
Certificate of Highway Mileage  
Class IV Road Addition

### CHASE BROOK ROAD (SOUTH BRANCH)

This road (only the eastern end of which is being retained) appears to have been originally a "way" or privately maintained road which was used for many years before 1867 when a number of citizens petitioned the selectmen to formally lay it out, survey it and make it a public road.

From the beginning, the Town opposed this action and the matter went to litigation, where it stayed tied up for a decade before the Court finally ruled the public good did not require a road close to Chase Brook.

However, the Town did continue to maintain the road into the property of Elias Pond. That short piece of road is what is being submitted here for addition to the AOT map.

Attached are the related records from Chester's Road Book (See Exhibit A), which includes the survey of this road along Chase Brook, as well as the later Court's Summary Report (See Exhibit B). Also attached is a copy of the Beer's Map (1869) which shows both this road and the Chase Brook Road (North Branch) (See Exhibit C).

0.28 mi. → That portion being submitted appears on a current tax map (See Exhibit D) and is approximately 1,500 feet in length. The east end is on TH 12, or the first few yards of Chase Brook Road (North Branch).

This road is among those that the Selectboard approved to be added to the AOT maps on January 20, 2010 (See Exhibit E).



# TOWN OF CHESTER

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## TOWN OF CHESTER BOARD OF SELECTMEN

**January 20, 2010**

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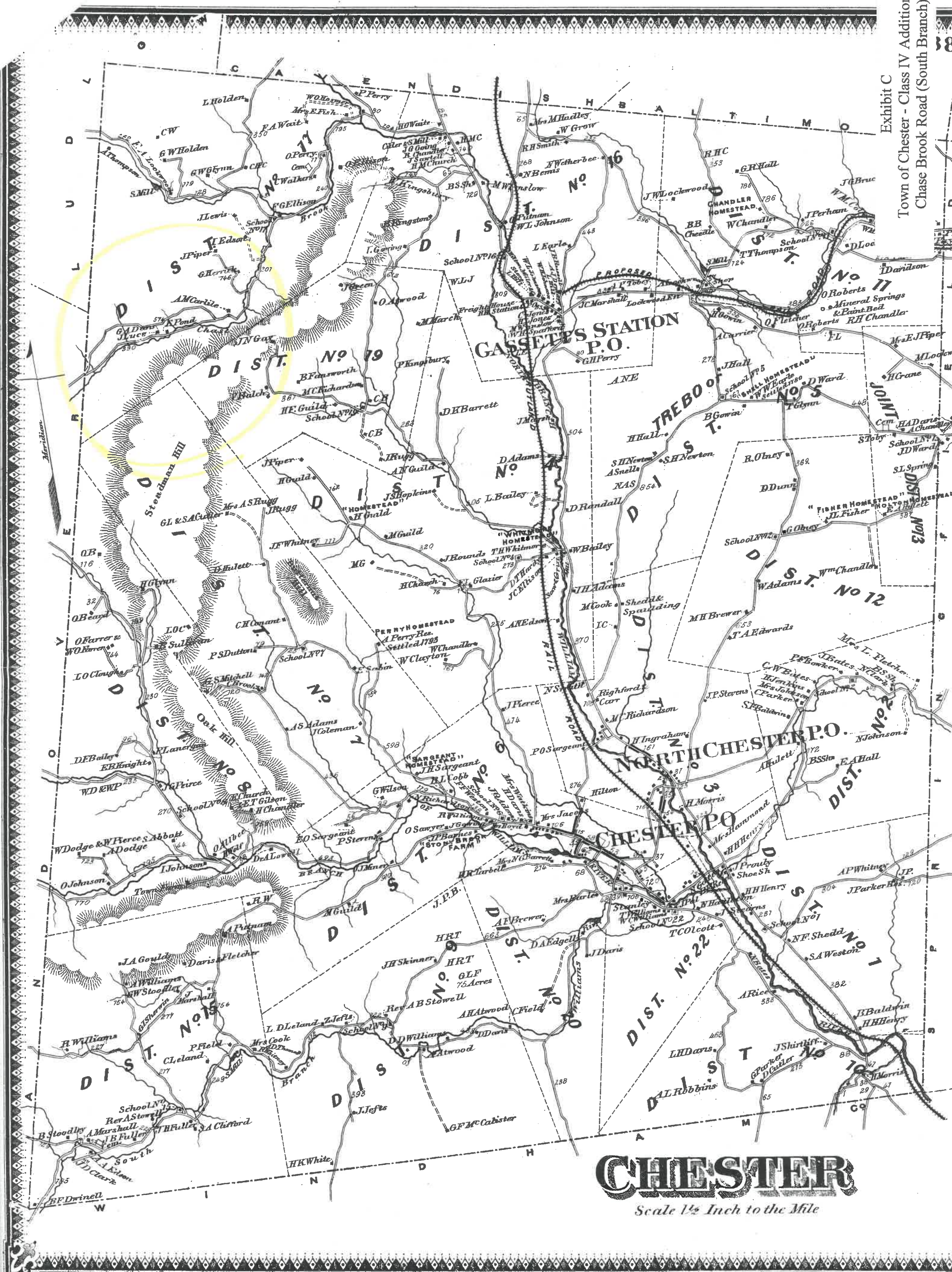
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**CHESTER**  
Scale 1/2 Inch to the Mile



Samuel Yergeants.  
 beginning  
 of Rev. Sam  
 south 38 rods,  
 thence the same  
 20 rods north of  
 and three rods wide  
 April A.D. 1805.  
 of Selectmen  
 of Chester.  
 Town Clerk  
 Town Clerk

Copy of Survey of Road from P Davis

The following is a copy of the survey of a road in the Town of Chester, laid by the undersigned Commissioners under the petition of Parkman Davis & others pending in Windsor County Court & of the assessment of damage to the owners of land through which said road is laid = " Beginning in the center of the highway near the South East corner of Parkman Davis Hall on the Old Road easterly from said Davis dwelling house thence S 83° & 5 rods thence S 61° & 19 rods & 19 links thence S 90° & 15 rods thence North 61° & 7 rods thence N 88° & 7 rods 12 links thence N 62° & 10 rods 20 links thence N 49° & 7 rods 11 links thence S 81° & 6 rods 14 links thence S 75° East 7 rods thence S 71° & 12 rods thence S 81° & 13 rods 9 links thence N 73° & 11 rods 22 links thence N 86° & 6 rods 19 links thence N 76° & 6 rods 11 links thence N 77° & 6 rods 9 links thence N 74° & 4 rods 5 links thence N 67° & 9 rods 14 links thence N 57° & 11 rods thence N 79° & 4 rods thence S 79° & 3 rods 15 links thence N 69° & 5 rods 18 links thence S 80° & 12 rods thence S 83° & 6 rods 11 links thence S 87° & 7 rods & 2 links thence North 69° & 5 rods 18 links thence N 63° & 14 rods thence N 46° & 27 rods thence N 50° & 14 rods thence N 44° & 15 rods 11 links thence N 39° & 15 rods 5 links thence N 62° & 26 rods 6 links thence S 62° & 7 rods thence S 66° & 4 rods 18 links thence N 88° & 22 rods 11 links thence N 78° & 2 rods 19 links thence N 67° & 16 rods - to old road near Area M Carlisle

John S. Marney }  
 Saml Adams } Commrs  
 Thomas Moore }

Town Clerks Office Chester Ct. Oct 20<sup>th</sup> 1868  
 Received for Record  
 A True Record Attest Chas Robbins App Town Clerk

Exhibit A  
 Town of Chester - Class IV Additions  
 Chase Brook Road (South Branch)



Parkman Davis & others vs Town of Chester  
Comid 2 Report  
Filed Nov - 19th 1870  
Geo B French Clerk

Parkman Davis & others vs ) Petition for a Road produced  
The Town of Chester ) in Windsor County Court

The undersigned Commissioners appointed by said Court in said Cause, having at a former term returned their report to said Court & the same having been recommitted to them again respectfully report - That upon due notice given to the parties to said petition the Commissioners again met said parties & their respective attorneys at the office of Hon Mr Rounds in Chester in the County of Windsor on the 18th day of September 1870 Parkman Davis one of the petitioners his Counsel appearing on the part of the petitioners and Walter P Richardson one of the Selectmen of sd Chester Hon Mr Rounds & L Adams Esq as counsel appeared on the part of the Town. The Commissioners reexamined the route described in said petition, namely for the purpose of ascertaining what effect the freshets which have occurred since the said first report was made have had upon the ground & site upon and over which the sd Commissioners laid a highway as set forth & described in their sd former report - And it was found upon examination that no considerable damage had been done by said freshet except in one place & that an alteration of the first survey for a few rods would place the road on a site equally as good or better than that on which it was first laid besides saving some distance - After said examination the defendant Town introduced testimony showing very satisfactorily that the freshets above referred to caused very heavy damage to the road and bridges in said Chester that since said freshet & in consequence thereof said Town have had to build 83 bridges & to repair their roads, roads at large expense & have expended since said freshets in building bridges & repairing roads the sum of seventeen thousand dollars & they have another bridge to build which will cost \$1000, & the roads are not now in as good repair as they were before sd freshets - and the facts there presented were not contradicted either by

At request of petitioners we report that one day time was spent in having evidence & arguments on fact of dispute

Evidence or argue the evidence and of the Commissioners that a road was to lay & did so was made as given by Commissioner Marcy the facts above. Hence the Town above stated he so urgent as to at this time see building the road. He therefore was road. Said so the center of the Parkman Davis said Parkman & 5 rods then South 90° E 15 88° East 7 rods thence N 49° E 1 links thence S thence S 81° E 22 links thence 6 rods 11 links N 74° E 14 rods N 57° E 11 rods S 79° E 3 rods thence S 80° E S 87° E 7 rods thence N 63° E N 50° E 14 rods N 77° E 17 rods 14 rods 12 links first survey N 78° E 2 rods old road near The road is damaged are Respectfully signed

Chester  
 Court  
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 County of  
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 not now  
 permits - and  
 either by

at request of petitioners we report that one day time was spent in hearing evidence & arguments on part of defense

Evidence or argument. After said examination & hearing the evidence and arguments of Council on each side, two of the Commissioners Messrs Adams & Moore were of opinion that a road ought to be laid and established and decided to lay & did lay a road according to the survey which was made as given and detailed below. The other Commissioner Marcy agreed with his said fellows as to all the parts above stated, but in consideration of the great expense the Town of Chester has been subjected to as above stated he thought the necessity for the road not so urgent as to warrant a further burthen on said Town at this time such as would be the expense attending the building the road paying land damages & other costs. He therefore was and is opposed to the laying of the road. Said survey was as follows viz Beginning in the center of the highway near the south east corner of Parkman Davis wall on the old road & easterly from said Parkman Davis dwelling house thence south 83° & 5 rods thence south 61° & 19 rods & 19 links thence south 90° & 15 rods thence north 61° & 7 rods thence N 88° East 7 rods 12 links thence N 62° & 10 rods 20 links thence N 49° & 7 rods 11 links thence S 81° & 4 rods 14 links thence S 75° & 7 rods thence S 71° & 12 rods thence S 81° & 13 rods 9 links thence N 73° & 11 rods 23 links thence N 86° & 6 rods 19 links thence N 76° & 6 rods 11 links thence N 77° & 6 rods 9 links thence N 74° & 4 rods 5 links thence N 67° & 9 rods <sup>14 links</sup> thence N 57° & 11 rods thence N 79° & 4 rods 15 links thence S 79° & 3 rods 15 links thence N 59° & 5 rods 13 links thence S 80° & 12 rods thence 83° & 6 rods 11 links thence S 87° & 7 rods 3 links thence N 69° & 5 rods 18 links thence N 63° & 4 rods thence N 46° & 37 rods thence N 50° & 14 rods thence N 57° & 11 rods 7 links thence N 77° & 17 rods thence S 75° & 6 rods thence N 88° & 14 rods 12 links thence N 71° & 8 rods meeting the first survey thence N 88° & 22 rods 11 links thence N 78° & 2 rods 19 links thence N 67° & 16 rods to the old road near Ara M Carlisle dwelling house. The road is laid three rods wide. The assessment of land damages are the same as in the first report

Respectfully submitted  
 John S Marcy  
 Samuel Adams  
 Thomas Moore } Commissioners



oms fees & Expenses.			
Macey 14 days	\$ 8.00	Adams 2 Days	1.00
Eds report	11.20	Eds	1.00
	2.00		7.00
	<u>21.20</u>		
		Moore 3 days	6.00
		Eds	1.00
			<u>15.00</u>

All paid by Mr P Davis } Town Clerks Office Chester  
 March 25<sup>th</sup> 1877 Received for Record and  
 A True Record attested as Robbins Aft Clerk

Petition for New Road, near F. P. Fuller's,  
 To W. P. Richardson, N. A. Smith & Lewis Hill.  
 Selectmen of Chester H.

The undersigned, Inhabitants  
 & Freeholders of said Chester, respectfully represent,  
 that during the recent freshet the water in the  
 Middle branch of Williams River, was turned from  
 its former channel, and washed away considerable  
 of the highway, on the Stage Road from Londonderry to  
 Chester, between Audover line and the dwelling house  
 now occupied by Orion Johnson, and that the river  
 still runs in the new channel along said highway for  
 some distance, therefore we request you to lay out a  
 new road, commencing at a point on said highway  
 near the house of said Johnson and thence running  
 westerly on the north bank of the former channel  
 of said river, through land lately owned by said  
 Johnson, and now owned by Francis P. Fuller of  
 Audover, about sixty or seventy rods, and crossing said  
 river, and to intersect the Stage road at some feasible  
 point east of said Audover line, as in your judge-  
 ment the Public good may require, and cause the same  
 to be built as soon as may be.

Chester H. Oct 25<sup>th</sup> 1869.  
 William Pierce      James B. Crane  
 D. F. Bailey        E. O. Locke  
 C. P. Gilbert        Orion Beard  
 Henry Chym         Samuel Abbott

We the undersigned, Selectmen of Chester, having care-  
 fully examined the premises described in the within  
 Petition, and decided that it would be for the interest  
 of the Town, and for the good of the public generally,

to make  
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 P. Fuller  
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 Chester

Survey Bill of R  
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 N. 46 1/2  
 83 3/4 N.  
 S. 76 3/4 N.  
 85 N. 6  
 rods, to m  
 dwelling  
 Surveyed

Petition for discov  
 To Fuller P.  
 Hill,

respectfully  
 made  
 signed by  
 Johnson,  
 Steuford





according to the Statute in such case made and provided to make examination, and report in the premises.

Said Petition is duly entered in Court, and Clerk W Chapman appears as the Attorney of the Petitioners, and the Town of Chester comes by Luther Adams its Attorney and such proceedings are had that the case is continued in Court from Term to Term, until the Term thereof began and held on the fourth Tuesday of May A D 1845.

At which last mentioned Term, the parties come by their respective Attorneys aforesaid, and the former Reports of the Commissioners in this case are set aside, and W Simons of Rutland in Rutland County, George Howe of Brattleboro in Windham County, and A M Allen of Springfield in Windsor County are appointed Commissioners to make Examination and report in the premises, according to the Statute in such case made and provided, and the case is continued to the Term next to be held on the first Tuesday of December A D 1845.

At which last mentioned Term the Parties come as aforesaid and the said Commissioners present their Report, from which it appears "that the public good or the necessity or convenience of individuals did not require such highway to be laid out and did so judge and decide" to which report the Petitioners file their exceptions. And the parties being fully heard upon said Report & Exceptions both which are now here remaining on file, the said Report is accepted and Judgment thereon rendered for the Defendant, and the case is continued for the taxation of Defendants costs to the Term next to be held on the fourth Tuesday of May A D 1846.

And at this present Term the parties come by their respective Attorneys aforesaid, and it is considered by the Court here, that the said Town of Chester have and recover of the Petitioners their costs in this behalf laid out and expended, here taxed and allowed at eighty seven dollars and forty eight cents whereby they may have Execution.

Wm G. French, Clerk.

Ex<sup>e</sup> issued Feb 6, 1844.





TH-54 CL4 0.88

TH-55 CL4 0.85

Town of Chester  
Certificate of Highway Mileage  
Class IV Road Addition

### MALONE-POSTON ROAD

This is part of one of the oldest roads in Chester that ran from Malone Road over the path of this road and on to what is now the area of Chaves' gravel pit in Andover.

No survey has been found for any part of this road, and because the road does not figure as a property boundary to any great extent, it is seldom mentioned in deeds. However, much of the road is lined with stonewalls and elsewhere the roadbed is readily visible, as it has had sporadic use for many years.

The survey for what is essentially now Adams Road made on September 23, 1820 references this road as its northern terminus in the vicinity of what is now Andrew Ojanen's house.

In 1970 this road became a matter of interest that led to public meetings to determine its status and what, if anything, to do about it (See Exhibit A).

On February 17, 1971 the Selectboard affirmed this was an "open public highway" (See Exhibit B).

This road links the west end of TH 55 (Malone Road) with TH 38 (Potash Brook Road) near Richard Poston's house. The length is approximately 1.88 miles.

Attached is a copy of the USGS map showing this road (See Exhibit C).

Much of the walled portion is shown on a recent survey made for the transfer of property from Andrew Ojanen to George Malin by Don Stein of DBS Surveying (See Exhibit D).

This road is among those approved by the Selectboard on January 20, 2010 for addition to the AOT maps (See Exhibit E).

STATE OF VERMONT  
WINDSOR COUNTY, SS.

IN RE:  
DISCONTINUANCE OF HIGHWAY  
NEAR PREMISES OF:

CHARLES B. MALONE and  
HELEN S. MALONE

BEFORE:

SELECTMEN OF THE TOWN OF  
CHESTER

SELECTMEN'S REPORT

WHEREAS AT CHESTER, aforesaid, the Selectmen of said town, to wit, John Pierce, Hugh Jameson, Claire Hesselton, Walter Carter and Russell Leitch, upon their own motion and pursuant to Chapter 7, Title 19, V.S.A. as amended, did order and appoint that on Saturday, February 6, 1971 at 9:00 a.m. E.S.T. at the Town Clerk's Office in Chester in the County of Windsor and State of Vermont, that they would examine the premises hereinafter described and hear the parties interested concerning the discontinuance of the following described highway:

Beginning at a point at or near the buildings located on land of Charles B. Malone and Helen S. Malone; thence continuing in a generally westerly direction passing through land of Gilbert E. Jones, near the Simsbury Cemetery, so-called, and continuing westerly through lands of Richard and Louise Ojanen and Curtis F. and Chester E. Adams to a point on the river.

And afterwards on the 6th day of February, A.D. 1971 the Selectmen aforesaid did examine said premises and hear the parties interested and having given notice to Gilbert E. Jones, Charles B. Malone, Richard Ojanen and Curtis Adams and by posting in the Town Clerk's Office at least twelve (12) days prior thereto in writing and mailing such notice to the Chester Planning Commission, such notice having been given in accordance with the statute and and further notice by publication in the

Exhibit A  
Town of Chester - Class IV Additions  
Malone Poston Road



Times Reporter, a newspaper circulating in Chester, such notice having been published according to law and in compliance with the statute in such case made and provided and according to said appointment, and after hearing the parties interested, the said Selectmen were then and there of the opinion that the said road should not be discontinued and that the said petition is dismissed.

Dated at Chester, this 17 day of February, A.D. 1971.

John A. Prince

John F. Hession

Walter Carter

Russell H. Leitch  
Selectmen, Town of Chester

STATE OF VERMONT  
WINDSOR COUNTY, SS.

IN RE:  
DISCONTINUANCE OF HIGHWAY  
NEAR PREMISES OF:

BEFORE:  
SELECTMEN OF THE TOWN  
OF CHESTER

CHARLES B. MALONE and  
HELEN S. MALONE

SELECTMEN'S REPORT

WHEREAS AT CHESTER, aforesaid, the Selectmen of said town, to wit, John Pierce, Hugh Jameson, Claire Hesselton, Walter Carter and Russell Leitch, upon petition of Charles B. Malone, Helen S. Malone and Wendall S. Vaile dated October 26, 1970 and pursuant to Chapter 7, Title 19, V.S.A. as amended, did order and appoint that on Saturday the 19th day of December, A.D. 1970 at 9:00 A.M. E.S.T. at the Town Clerk's Office in Chester in the County of Windsor and State of Vermont, that they would examine the premises hereinafter described and hear the parties interested concerning the discontinuance of the following described highway:

Being a portion of a highway near the premises of Charles B. Malone and Helen S. Malone and beginning at the junction of said road with Town Road #42 and thence proceeding southwesterly to the end of said road.

And afterwards on the 19th day of December, A.D. 1970 the Selectmen aforesaid did examine said premises and hear the parties interested and having given notice to Charles B. Malone and by posting in the Town Clerk's Office at least twelve (12) days prior thereto in writing and mailing such notice to the Chester Planning Commission, such notice having been given in accordance with the statute and further notice by publication in the Times Reporter, a newspaper circulating in Chester, such notice having been published according to law and in compliance

with the statute in such case made and provided and according to said appointment, and after hearing the parties interested, the said Selectmen were then and there of the opinion that the public good does not require that said highway be discontinued and it is necessary for the convenience and the public good that said highway remain an open public highway and that the petition of the freeholders dated October 26, 1970 is dismissed.

Dated at Chester, this 17 day of February, A.D. 1971.

John A. J. J. J.

John P. H. J. J.

Walter J. J. J.

Russell H. Leitch

Selectmen, Town of Chester



TING  
CTMEN  
, 1971

Leitch Clair Hesselton  
Kendall Mrs. Kendall

Gillman

Minutes were accepted as written.

The Town Planning Commission, Conservation Service would provide site and Rolling Acres. They would also provide. Although it would take some time. It should be done at Leitch and Leitch suggested. The Board had already approved. The Board held by the District. It is feasible to ask for a soil. The Board is making later applications. The Board directed the Town. The Board of the Soil Conservation. The Board for the entire town be made.

by Whelan, Health Officer, be  
held, February 10th to discuss

Regulations as prepared by  
asked to ask Russell Clark to  
February 24th.

Dufresne-Henry Engr. Corp. was  
Representative, was  
made to Neil H. Daniels,  
Inc. for Project #2,

Kendall

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
*H. Leitch*  
*Kendall*

men, Town of Chester

REGULAR MEETING  
BOARD OF SELECTMEN

February 17, 1971

PRESENT: John Pierce Clair Hesselton Russell Leitch  
Walter Carter John Whitaker Mrs. Barrett  
Mrs. Kendall

VISITORS: Paul Carlisle Two Representative from Roy M.  
Wright Co. Bob Farnsworth Edwin Amsden  
Bill Orcutt Adoree Allan

The Minutes of the February 3rd meeting were accepted as written.

Paul Carlisle was requesting if anything could be done about the pile of snow on the railroad crossing to his residence on the Wymans Falls Road. He was advised that the Railroad would be contacted to see if they would take care of this, or if they wanted to hire the town to do this. The Board agreed this was a dangerous crossing.

Mr. Edwin Amsden was wondering if there were any building restrictions that would interfere with him building a three bedroom house in place of the building he is now living in. He resides in a small place off Rt. 11 on Town Highway 42. The Board advised that at this time there were no restrictions.

The Representatives from Roy M. Wright Co. were in to advise how they proposed to handle the job of pipe laying, which was awarded to them for the new Sewerage Job. They also gave the Board a tentative schedule. Mr. Farnsworth from Dufresne Henry is to be the Project Supervisor on the Job.

Mr. Orcutt wanted to know the feelings of the Selectmen on a proposal which he made in Montpelier on the Gasoline Tax. His amendment was to return half of this tax to the Towns. The amendment was defeated and laid aside, which means it will be brought up at a later date. The Board felt that the Town of Chester should receive \$150 per mile more for their Town Road repairs.

Mr. Hollister Kent will be here on March 5, 1971 at 8 PM to meet with the Board to advise what the Regional Planning means to the Town of Chester.

The Board was shown a map of the proposed re-routing of the new Power Line going into North Springfield, this re-routing was in the area of Gassetts.

The Board signed the Reports on the Discontinuance of Highway #55 near the premises of Charles and Helen Malone. It was the feeling of the Board that this should be left an Open Highway.

The Board was advised that a Notice had been received from the Environmental Board granting a permit to AMR Associates for the Rolling Acre Development, subject to the following:

Sewerage must conform with Restrictions from the  
Division of Environmental Protection

All access roads  
Specifications

Exhibit B  
Town of Chester - Class IV Additions  
Malone Poston Road



# TOWN OF CHESTER

556 Elm Street  
P.O. Box 370  
Chester, VT 05143

(802) 875-2173  
Fax (802) 875 2237

## TOWN OF CHESTER BOARD OF SELECTMEN

**January 20, 2010**

### Minutes

**PRESENT:** Richard Jewett, Chairman; John DeBenedetti; Derek Suursoo; Julie Ladieu-Walton; Michael Westine

**VISITORS:** David Pisha; Chris Rosegrant; Debbie Aldrich; Greg Donabedian; Deborah Jo Epler; Peter Farrar; Tim Farrar; Bill Lindsay; Debbie Trent; Michael Caduto; Barry Goodrich; Rick Cloud; Leo Graham; Dick Higley; John Adler; Julie Hance

The meeting was called to order at 7:00 p.m. by Mr. Jewett. He then asked everyone to stand for the Pledge of Allegiance. Mr. Jewett thanked everyone for coming to the meeting.

1. **APPROVAL OF MINUTES**

A motion was made by Mr. Westine to approve the minutes of the December 16, 2009 meeting. Seconded by Mr. DeBenedetti. Motion passed.

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Page 6, Item 7, Line 2 should read "... support of a Capital Budget Plan."

Ms. Walton: Questioned if she discussed the need for review of the Personnel Policy under old business at the last meeting. Nobody recalled the discussion at the last meeting.

Mr. DeBenedetti: Page 4, fourth paragraph from bottom – should read "... to make pay raises effective..."

Exhibit E  
Town of Chester - Class IV Additions  
Malone Poston Road

2. **CITIZENS COMMENTS:**

There were no citizens comments discussed.

3. **REVIEW OF DRAFT TOWN WARNING:**

Mr. Suursoo commented that Article 6 discussed approving a sum of money for bridges and facilities and stated that the Board should be prepared to have an answer as to which bridges or facilities. Discussion transpired regarding whether or not the Board needs to specifically name each bridge or facility for each year that money is being allocated towards. General consensus of the Board was to not identify specific bridges or facilities.

However, after further discussion, a motion was made by Ms. Ladieu-Walton to amend Article 6 to add “.. the remainder of \$26,000.00 to be allocated to bridges and facilities”. Seconded by Mr. DeBenedetti. Motion passed with Mr. DeBenedetti voting no.

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Ms. Ladieu-Walton stated that she was pleased to see Article 4 on the Warning and that the Town responded so quickly. She questioned if the School had been contacted. Ms. Aldrich stated that the school will charge the Town \$100.00 for the rental of the auditorium plus \$21.00 per hour for the janitors. Mr. Pisha noted that if the meeting starts during the morning hours, it will most likely run during lunch which will mean either feeding people, or breaking for lunch, thereby creating more hours.

A motion was made by Mr. Suursoo to approve the Articles as amended. Seconded by Mr. DeBenedetti. Motion passed.

Ms. Aldrich reminded the Board that they will need to stop into the Town Office on Friday and sign the Warning.

4. **ROADS FOR AOT MAP:**

Mr. Jewett asked Ms. Hance to elaborate on the memorandum that she provided to the Selectboard regarding the AOT maps. Ms. Hance explained that she has spoken with several people from AOT in addition to a few attorneys regarding the ancient roads laws. Ms. Hance stated that the “ancient roads” laws do not really apply to Chester because the roads that have been identified are already Class IV roads. She stated that the defining factor is whether the roads are visible or not. She provided the Board with a list of roads identified by Peter Farrar and Richard Jewett as clearly visible.

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10, 2010. The status of the roads does not change. They will remain Class IV roads, the Board is simply identifying them on a map.

Ms. Hance further discussed the four roads that are not clearly visible on the ground. She informed the Board that the town has missed deadlines relative to these roads. In July, 2010, these roads will become identified corridors, which will require a different process in order to retain them as Class IV roads.

Mr. Suursoo confirmed that should the Board agree to map the 17 roads identified on the list, this does not preclude any citizen from challenging these roads in the future should an issue arise.

Discussion transpired regarding roads 13 and 14, Old Chandler Road and Old Meadow Road, which were a part of the Old Baltimore Road. Mr. Farrar stated that these two roads were part of the Petition to discontinue Old Baltimore Road, which the Board previously ruled on several months ago.

Mr. Adler expressed concerns regarding a Class IV road that crosses his neighbors property. The Board clarified that Class IV roads are not maintained by the town and that upgrading to a Class III road would require reclassification, which would require public hearings.

A motion was made by Mr. Suursoo to affirm, until proven otherwise, that Chase Brook Road (N. Branch), Chase Brook Road (S. Branch), Steadman Hill Road, Beard Road, Malon-Poston Road, Contro Road, Michael Road, Roach Road to Springfield, Smokshire road to Cavendish, Varian Balch area roads, Rugg Road, G.S. Mitchell Road, Old Chandler Road, Old Meadow Road, Richardson-Trombley Road, Rod & Gun Club Road to Andover and Road west from Smokshire Cemetery remain Class IV roads and be put on the AOT maps. Seconded by Mr. Westine. Motion passed.

#### 5. **2010 GENERAL FUND BUDGET APPROVAL:**

Mr. Pisha stated that the changes to the budget include salary adjustments and the addition to the paving line item, as requested. He stated that the proposed budget will reduce the overall tax collection requirement by approximately \$20,000.00.

Mr. Suursoo stated that under General Government the bottom line increased by \$2,000.00. He further noted that the zoning and planning line item increased by \$5,000.00. Ms. Hance explained that she moved \$5,000.00 from the grant matching fund line item and is using the money as an expense. She explained that the Planning Grant funds have been cut by the State for 2010 and that she will need that money to pay for assistance from Regional Planning in rewriting the Zoning Regulations this year.

Mr. Suursoo also noted that on the Public Works Budget, item 431-68, column 2 should show \$43,000.00. He further stated that it is his opinion that North Street Culvert paving should have its own line item and not be classified in with the overall paving budget.



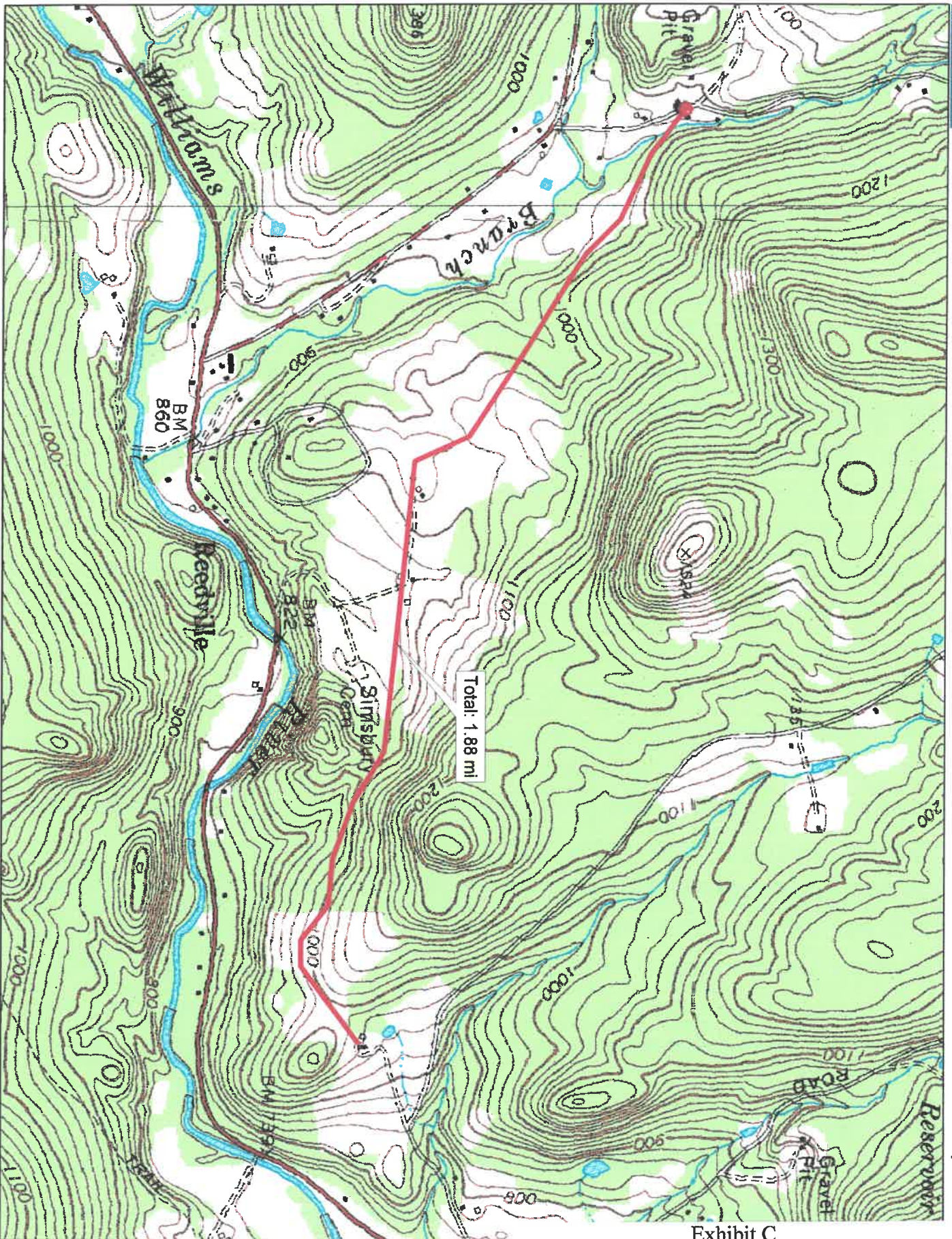


Exhibit C  
 Town of Chester - Class IV Additions  
 Malone Poston Road

Data use subject to license.

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Scale 1 : 14,400









Town of Chester  
Certificate of Highway Mileage  
Class IV Road Addition

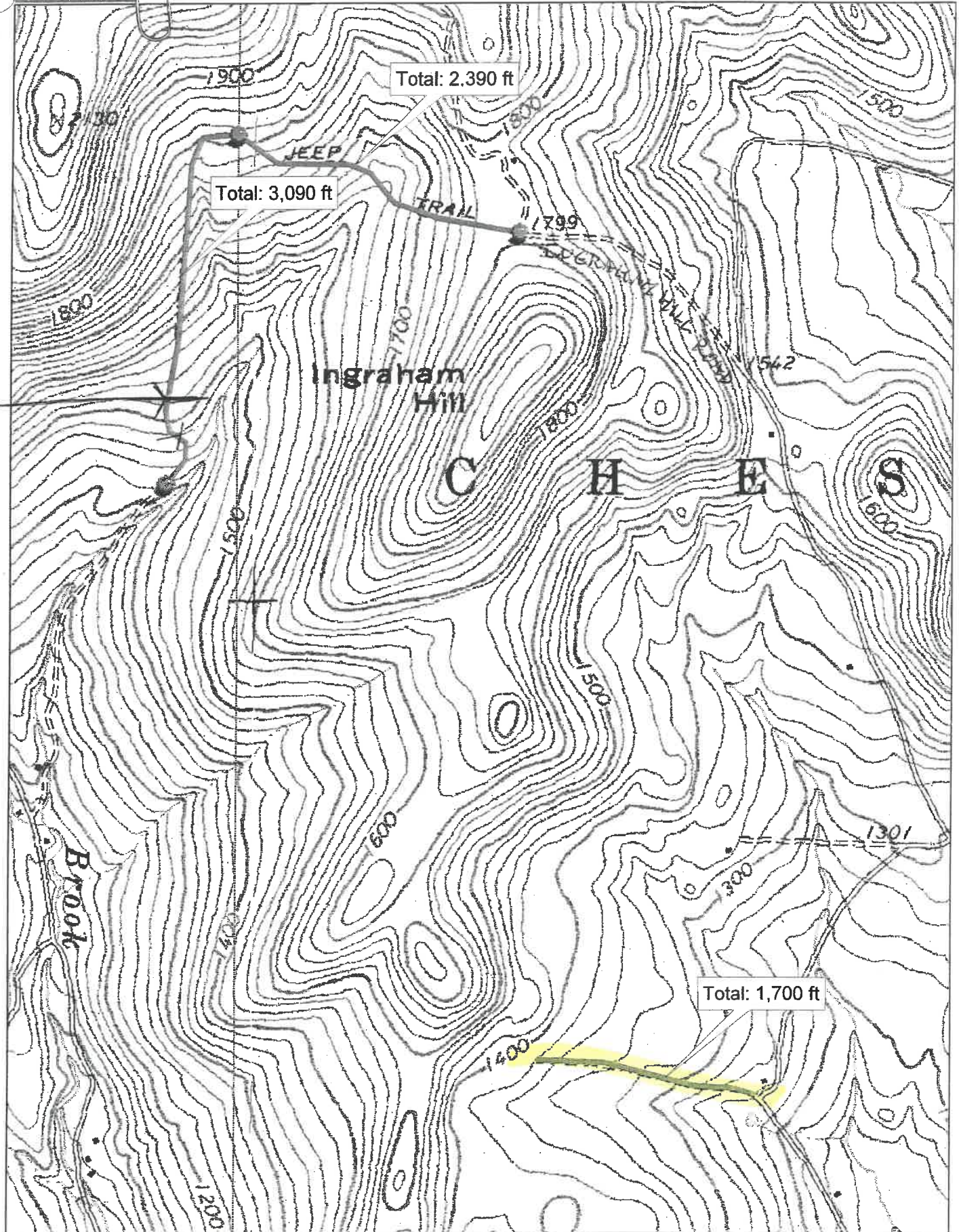
G.S. MITCHELL ROAD

This road is shown on the Beers Map in School District #7 as running east a distance of 120 rods (.375 miles) from G.S. Mitchell's house to C. Brooks house on present TH 42 (Goldthwaite Road) (See Exhibit A).

This road also appears on USGS maps for purposes of location (See Exhibit B).

This section of road is among those affirmed as a Class IV road and approved for addition to the AOT map by the Selectboard on January 20, 2010 (See Exhibit C).

South end of Steadman Hill Rd.



Data use subject to license.

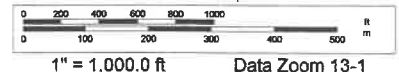
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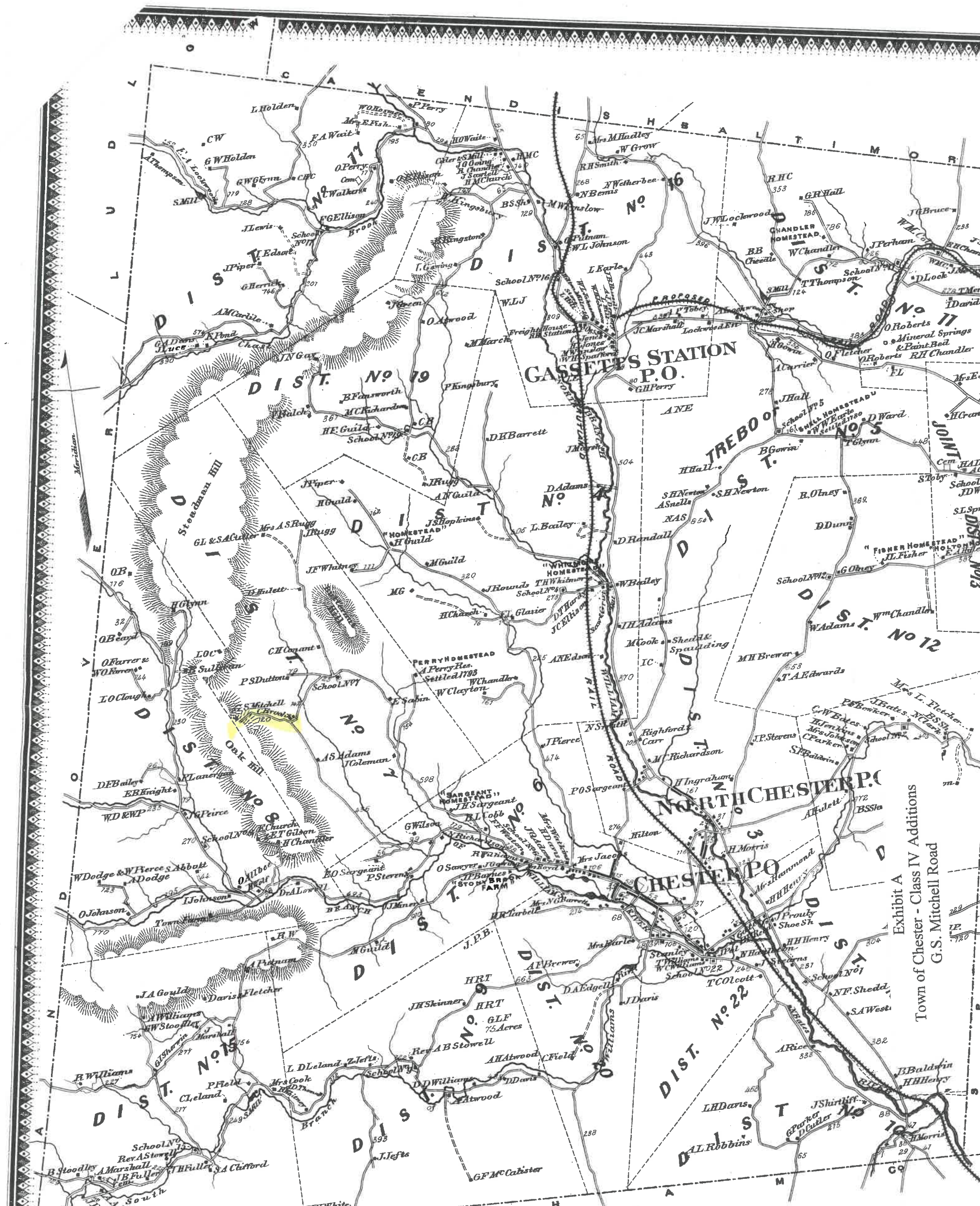
### Exhibit B

Town of Chester - Class IV Additions  
G.S. Mitchell Road

Scale 1 : 12,000







# CHESTER

Scale 1/2 Inch to the Mile

Exhibit A  
Town of Chester - Class IV Additions  
G.S. Mitchell Road





# TOWN OF CHESTER

556 Elm Street  
P.O. Box 370  
Chester, VT 05143

(802) 875-2173  
Fax (802) 875 2237

## TOWN OF CHESTER BOARD OF SELECTMEN

**January 20, 2010**

### Minutes

**PRESENT:** Richard Jewett, Chairman; John DeBenedetti; Derek Suursoo; Julie Ladieu-Walton; Michael Westine

**VISITORS:** David Pisha; Chris Rosegrant; Debbie Aldrich; Greg Donabedian; Deborah Jo Epler; Peter Farrar; Tim Farrar; Bill Lindsay; Debbie Trent; Michael Caduto; Barry Goodrich; Rick Cloud; Leo Graham; Dick Higley; John Adler; Julie Hance

The meeting was called to order at 7:00 p.m. by Mr. Jewett. He then asked everyone to stand for the Pledge of Allegiance. Mr. Jewett thanked everyone for coming to the meeting.

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Mr. DeBenedetti: Page 4, fourth paragraph from bottom – should read "... to make pay raises effective..."

2. **CITIZENS COMMENTS:**

There were no citizens comments discussed.

3. **REVIEW OF DRAFT TOWN WARNING:**

Mr. Suursoo commented that Article 6 discussed approving a sum of money for bridges and facilities and stated that the Board should be prepared to have an answer as to which bridges or facilities. Discussion transpired regarding whether or not the Board needs to specifically name each bridge or facility for each year that money is being allocated towards. General consensus of the Board was to not identify specific bridges or facilities.

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A motion was made by Mr. Suursoo to approve the Articles as amended. Seconded by Mr. DeBenedetti. Motion passed.

Ms. Aldrich reminded the Board that they will need to stop into the Town Office on Friday and sign the Warning.

4. **ROADS FOR AOT MAP:**

Mr. Jewett asked Ms. Hance to elaborate on the memorandum that she provided to the Selectboard regarding the AOT maps. Ms. Hance explained that she has spoken with several people from AOT in addition to a few attorneys regarding the ancient roads laws. Ms. Hance stated that the “ancient roads” laws do not really apply to Chester because the roads that have been identified are already Class IV roads. She stated that the defining factor is whether the roads are visible or not. She provided the Board with a list of roads identified by Peter Farrar and Richard Jewett as clearly visible.

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Mr. Suursoo confirmed that should the Board agree to map the 17 roads identified on the list, this does not preclude any citizen from challenging these roads in the future should an issue arise.

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TH-140 1.00 mi

Town of Chester  
Certificate of Highway Mileage  
Class IV Road Addition

### VARIAN BALCH ROAD

This road links TH 15 with the site of the Varian Balch house shown in School District #19 on the Beers Map (See Exhibit A). The length is approximately 1 mile.

This road also appears on the USGS map which is attached for location purposes (See Exhibit B).

This section of road is among those affirmed as Class IV by the Selectboard and approved for inclusion on the AOT map at a meeting in January 20, 2010 (See Exhibit C).



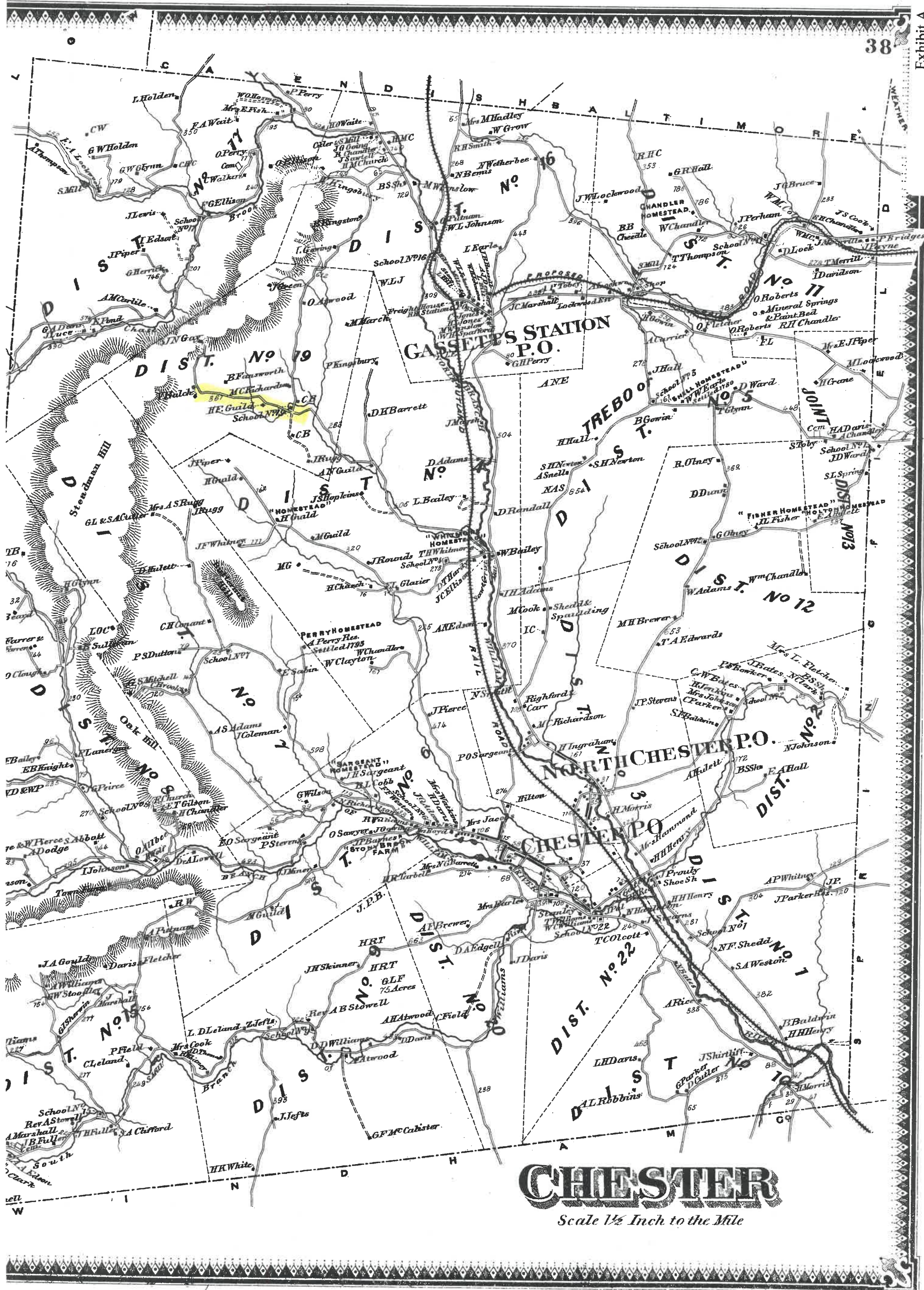


Exhibit A

Town of Chester - Class IV Additions  
 Varian Balch Road

**CHESTER**  
 Scale 1/2 Inch to the Mile





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**Minutes**

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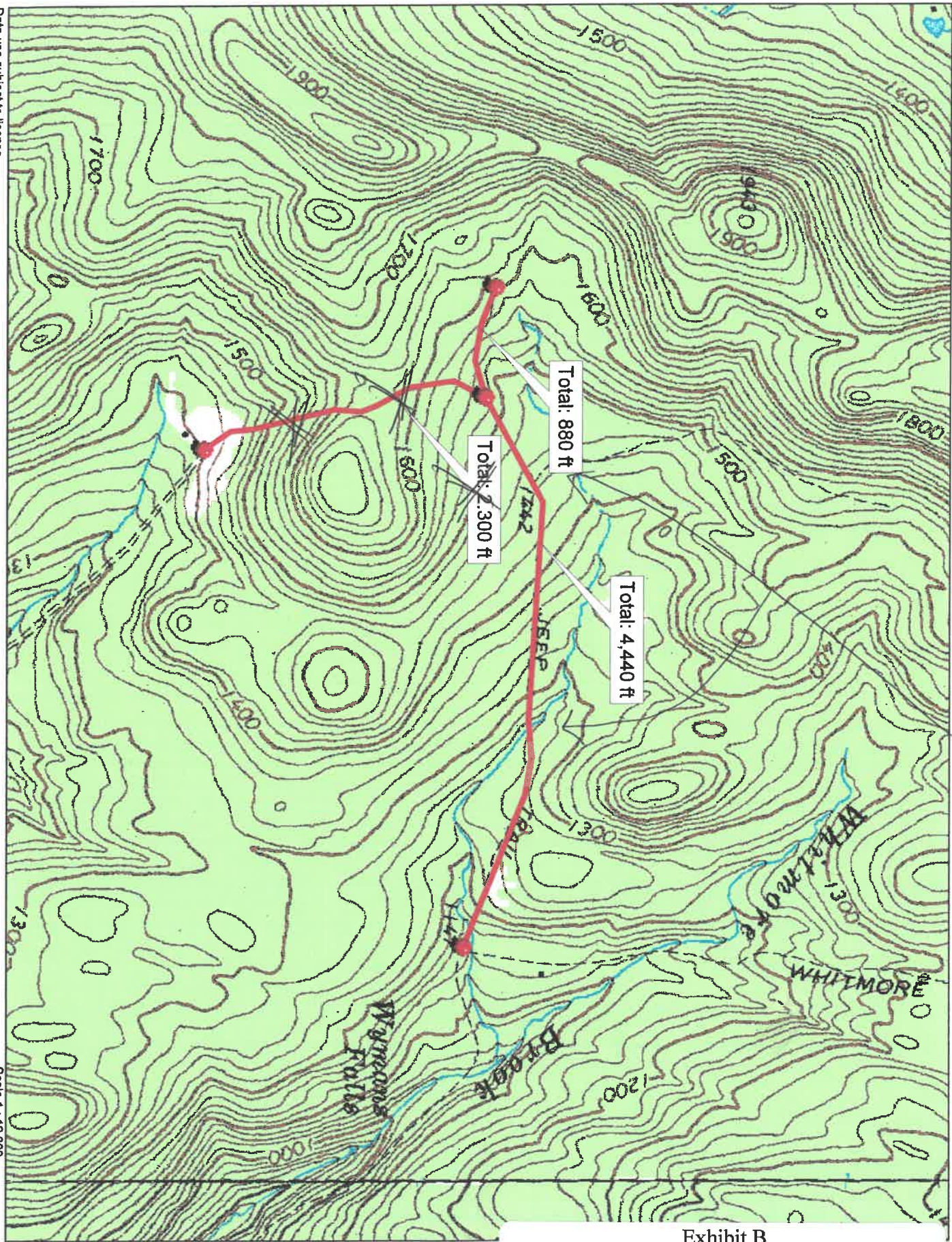
##### 5. **2010 GENERAL FUND BUDGET APPROVAL:**

Mr. Pisha stated that the changes to the budget include salary adjustments and the addition to the paving line item, as requested. He stated that the proposed budget will reduce the overall tax collection requirement by approximately \$20,000.00.

Mr. Suursoo stated that under General Government the bottom line increased by \$2,000.00. He further noted that the zoning and planning line item increased by \$5,000.00. Ms. Hance explained that she moved \$5,000.00 from the grant matching fund line item and is using the money as an expense. She explained that the Planning Grant funds have been cut by the State for 2010 and that she will need that money to pay for assistance from Regional Planning in rewriting the Zoning Regulations this year.

Mr. Suursoo also noted that on the Public Works Budget, item 431-68, column 2 should show \$43,000.00. He further stated that it is his opinion that North Street Culvert paving should have its own line item and not be classified in with the overall paving budget.





*being added*

Exhibit B

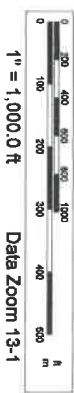
Town of Chester - Class IV Additions  
Varian Balch Road

Data use subject to license.

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www.delorme.com

Scale 1 : 12,000





TH-34 1.60 mi

Town of Chester  
Certificate of Highway Mileage  
Class IV Road Addition

MICHAEL ROAD

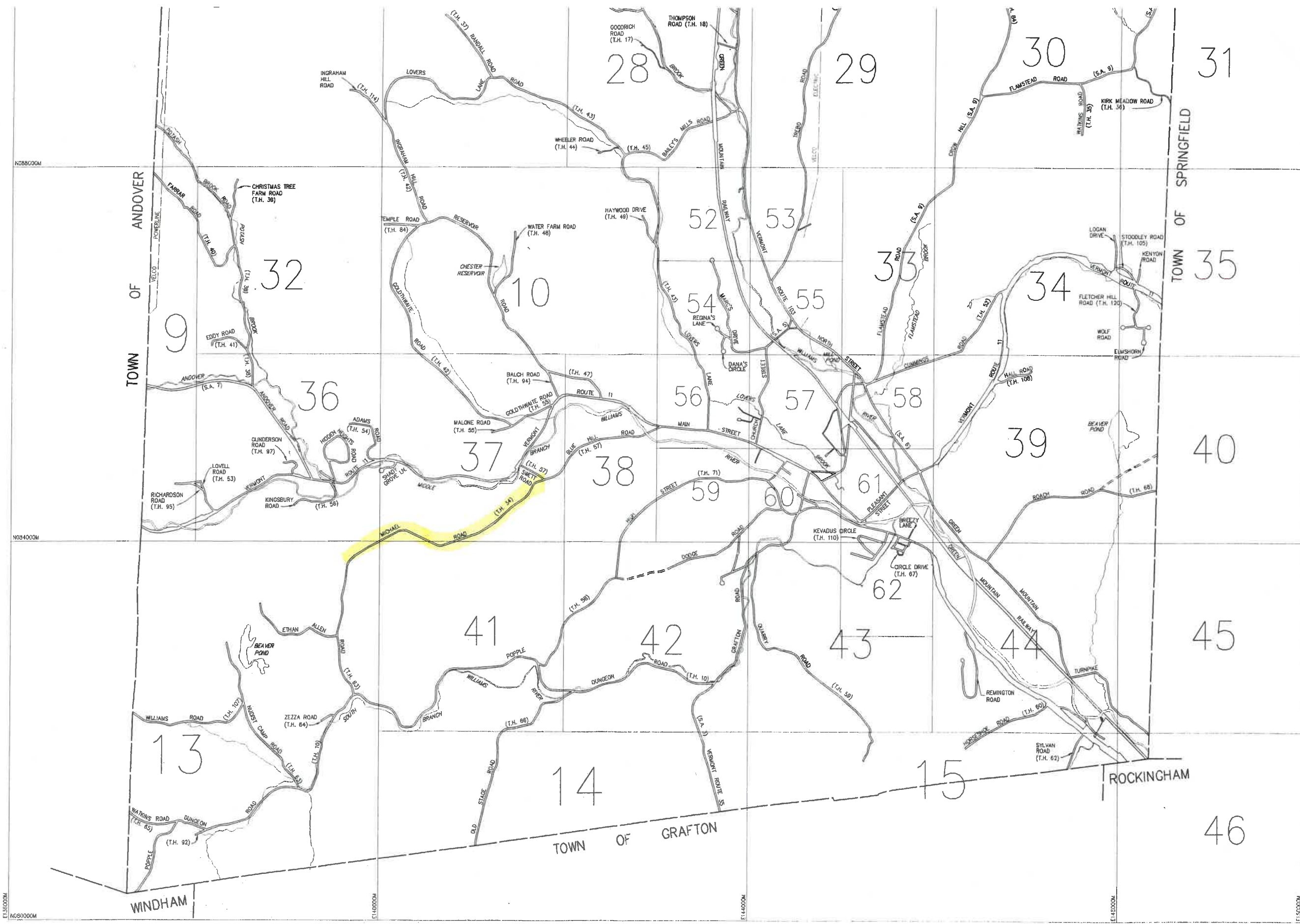
No survey has been found for this old road, which had fallen into disuse but is now used in large part as a VAST trail and for logging purposes as well as recreational hiking, cross country skiing, etc.

The section being added links the north end of presently mapped TH 34 (Michael Road) and TH 57 (called both Swett Road on the west end and Blue Hill Road on the east end). The length is approximately 1.74 miles.

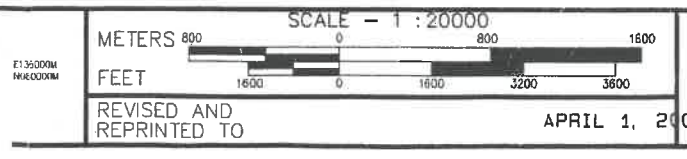
This road appears on the USGS map (See Exhibit A), a map in the 1957 Town Report (See Exhibit B), and the current tax map (See Exhibit C).

The status of this road has been called into question at times, but the Selectboard has affirmed its public nature, perhaps with most detail in Road Book 3, Pages 96-97 (See Exhibit D).

This section of road is among those approved by the Selectboard for inclusion on the AOT map at a meeting held on January 20, 2010 (See Exhibit E).



LEGEND  
**Exhibit C**  
 Town of Chester - Class IV Additions  
 Michael Road



TOWN OF  
**CHESTER**  
 VERMONT

**INDEX  
 MAP**

THIS MAP IS FOR ASSESSMENT PURPOSES ONLY. IT IS NOT VALID FOR LEGAL DESCRIPTION OR CONVEYANCE.

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**CARTOGRAPHIC ASSOC. INC.**  
 PROFESSIONAL GIS CONSULTANT  
 MUNICIPAL MAPPING - GIS - PUBLIC WORKS INFORMATION  
 11 PLEASANT STREET, LITTLETON, NEW HAMPSHIRE  
 (603)444-6788 - 1(800)322-4540 - FAX (603)444-1366 - W



STATE OF VERMONT  
WINDSOR COUNTY, SS.

IN RE:

BEFORE:

PETITION FOR DISCONTINUANCE  
OF TOWN ROAD NEAR PREMISES OF  
WILLIAM H. LINKROUM, JR., CLAIRE  
S. LINKROUM, JOHN MASON AND  
MARTHA MASON

SELECTMEN OF THE TOWN  
OF CHESTER

SELECTMEN'S REPORT

WHEREAS AT CHESTER, aforesaid, the Selectmen of said town, to wit, John Pierce, Hugh Jameson, Claire Hesselton, Walter Carter and Russell Leitch, upon petition of William H. Linkroum, et al dated June 18, 1971 and an amendment thereto dated July 3, 1971 and pursuant to Chapter 7, Title 19, V.S.A. as amended, did order and appoint that on the 22nd day of September, 1971 at 8:00 in the evening Eastern Daylight Savings Time at the Town Clerk's Office in Chester in the County of Windsor and State of Vermont, that they would examine the premises hereinafter described and hear the parties interested concerning discontinuance of a town road in said Chester:

A portion of Blue Hill Road, so-called, located in said Town of Chester, Vermont, which portion may be more particularly described as follows:

Beginning at a point marked by iron pins set on the northerly and southerly sides of the travelled portion of the said highway, which point is located approximately 60 feet westerly and northwesterly from the northwesterly corner of the foundation of a small barn, which barn is located northwesterly of the dwelling house occupied by William H. Linkroum, Jrs. and Claire S. Linkroum;

Thence following the center line of the travelled portion of the said highway and running northwesterly, westerly and southwesterly a distance of approximately 1100 feet to the point on the northerly side of said highway where the real property of William H. Linkroum, Jr., and Claire S. Linkroum meets the real property of Martha Mason.

Also another section of road:

Beginning at a point in the center line of the travelled portion of the highway known as Blue Hill Road, so-called, said point being at the location in said road where the road is crossed by the boundary line between lands of Mason and lands of Linkroum, said point further being the termination of the road description under the original petition herein before mentioned; thence running westerly along said Blue Hill Road as said Blue Hill Road runs a distance of 790 feet, more or less, to a point southerly of the Mason's house and at the junction of the road leading northerly past the Mason's house to Route 11; thence continuing westerly along said Blue Hill Road as said Blue Hill Road runs a distance of approximately 1,600 feet, more or less, to a point 50 feet easterly of the originally westerly boundary of the Mason property.

And afterwards on the 22nd day of September, 1971 the Selectmen aforesaid did examine said premises and hear the parties interested and having given notice to William H. Linkroum, Jr., Clarire S. Linkroum, Auvergene W. Miller, Hugh Pennell, John Mason, Martha Mason, Douglas Richards, Esquire, Chester Planning Commission and by posting in the Town Clerk's Office at least (30) thirty days prior thereto in writing and notice having been sent by registered mail to C. Stanley Farnum and Winifred Dean, such notice having been given in accordance with the statute and further notice by publication in the Times Reporter, a newspaper circulating in Chester, such notice having been published according to law and in compliance with the statute in such case made and provided and according to said appointment, and after hearing the parties interested, the said Selectmen were then and there of the opinion that the public good does not require that said highway be discontinued and that it is necessary for the convenience of the public that said highway remain an open public highway and that the petition of the freeholders dated June 18, 1971 is dismissed.



Dated at Chester, this 22 day of DECEMBER A.D.  
1971.

John C. Pierce  
Russell H. Litch  
Frank Johnson  
Walter Carter

\_\_\_\_\_  
Selectmen, Town of Chester

# TOWN OF CHESTER



556 Elm Street  
P.O. Box 370  
Chester, VT 05143

(802) 875-2173  
Fax (802) 875 2237

## TOWN OF CHESTER BOARD OF SELECTMEN

**January 20, 2010**

### **Minutes**

**PRESENT:** Richard Jewett, Chairman; John DeBenedetti; Derek Suursoo; Julie Ladieu-Walton; Michael Westine

**VISITORS:** David Pisha; Chris Rosegrant; Debbie Aldrich; Greg Donabedian; Deborah Jo Epler; Peter Farrar; Tim Farrar; Bill Lindsay; Debbie Trent; Michael Caduto; Barry Goodrich; Rick Cloud; Leo Graham; Dick Higley; John Adler; Julie Hance

The meeting was called to order at 7:00 p.m. by Mr. Jewett. He then asked everyone to stand for the Pledge of Allegiance. Mr. Jewett thanked everyone for coming to the meeting.

#### 1. APPROVAL OF MINUTES

A motion was made by Mr. Westine to approve the minutes of the December 16, 2009 meeting. Seconded by Mr. DeBenedetti. Motion passed.

A motion was made by Mr. Westine to approve the minutes of the January 6, 2010 meeting. Seconded by Mr. Suursoo. The following amendments were made:

Mr. Suursoo: Page 4, Item 6, Seconded paragraph – Mr. Westine should be replaced with Mr. Suursoo with regard to the yes vote.

Page 5, Paragraph 3 – should read the Mr. Suursoo withdrew the motion.

Page 6, Item 7, Line 2 should read "... support of a Capital Budget Plan."

Ms. Walton: Questioned if she discussed the need for review of the Personnel Policy under old business at the last meeting. Nobody recalled the discussion at the last meeting.

Mr. DeBenedetti: Page 4, fourth paragraph from bottom – should read "... to make pay raises effective..."

2. **CITIZENS COMMENTS:**

There were no citizens comments discussed.

3. **REVIEW OF DRAFT TOWN WARNING:**

Mr. Suursoo commented that Article 6 discussed approving a sum of money for bridges and facilities and stated that the Board should be prepared to have an answer as to which bridges or facilities. Discussion transpired regarding whether or not the Board needs to specifically name each bridge or facility for each year that money is being allocated towards. General consensus of the Board was to not identify specific bridges or facilities.

However, after further discussion, a motion was made by Ms. Ladieu-Walton to amend Article 6 to add “.. the remainder of \$26,000.00 to be allocated to bridges and facilities”. Seconded by Mr. DeBenedetti. Motion passed with Mr. DeBenedetti voting no.

A motion was made by Ms. Ladieu-Walton to remove the language “not to exceed” from Article 6. Seconded by Mr. Suursoo. Motion passed.

Ms. Ladieu-Walton stated that she was pleased to see Article 4 on the Warning and that the Town responded so quickly. She questioned if the School had been contacted. Ms. Aldrich stated that the school will charge the Town \$100.00 for the rental of the auditorium plus \$21.00 per hour for the janitors. Mr. Pisha noted that if the meeting starts during the morning hours, it will most likely run during lunch which will mean either feeding people, or breaking for lunch, thereby creating more hours.

A motion was made by Mr. Suursoo to approve the Articles as amended. Seconded by Mr. DeBenedetti. Motion passed.

Ms. Aldrich reminded the Board that they will need to stop into the Town Office on Friday and sign the Warning.

4. **ROADS FOR AOT MAP:**

Mr. Jewett asked Ms. Hance to elaborate on the memorandum that she provided to the Selectboard regarding the AOT maps. Ms. Hance explained that she has spoken with several people from AOT in addition to a few attorneys regarding the ancient roads laws. Ms. Hance stated that the “ancient roads” laws do not really apply to Chester because the roads that have been identified are already Class IV roads. She stated that the defining factor is whether the roads are visible or not. She provided the Board with a list of roads identified by Peter Farrar and Richard Jewett as clearly visible.

Ms. Hance clarified for the Board that for Class IV roads that are visible on the ground with no record of discontinuance simply need to be added to the AOT maps by February



10, 2010. The status of the roads does not change. They will remain Class IV roads, the Board is simply identifying them on a map.

Ms. Hance further discussed the four roads that are not clearly visible on the ground. She informed the Board that the town has missed deadlines relative to these roads. In July, 2010, these roads will become identified corridors, which will require a different process in order to retain them as Class IV roads.

Mr. Suursoo confirmed that should the Board agree to map the 17 roads identified on the list, this does not preclude any citizen from challenging these roads in the future should an issue arise.

Discussion transpired regarding roads 13 and 14, Old Chandler Road and Old Meadow Road, which were a part of the Old Baltimore Road. Mr. Farrar stated that these two roads were part of the Petition to discontinue Old Baltimore Road, which the Board previously ruled on several months ago.

Mr. Adler expressed concerns regarding a Class IV road that crosses his neighbors property. The Board clarified that Class IV roads are not maintained by the town and that upgrading to a Class III road would require reclassification, which would require public hearings.

A motion was made by Mr. Suursoo to affirm, until proven otherwise, that Chase Brook Road (N. Branch), Chase Brook Road (S. Branch), Steadman Hill Road, Beard Road, Malon-Poston Road, Contro Road, Michael Road, Roach Road to Springfield, Smokshire road to Cavendish, Varian Balch area roads, Rugg Road, G.S. Mitchell Road, Old Chandler Road, Old Meadow Road, Richardson-Trombley Road, Rod & Gun Club Road to Andover and Road west from Smokeshire Cemetery remain Class IV roads and be put on the AOT maps. Seconded by Mr. Westine. Motion passed.

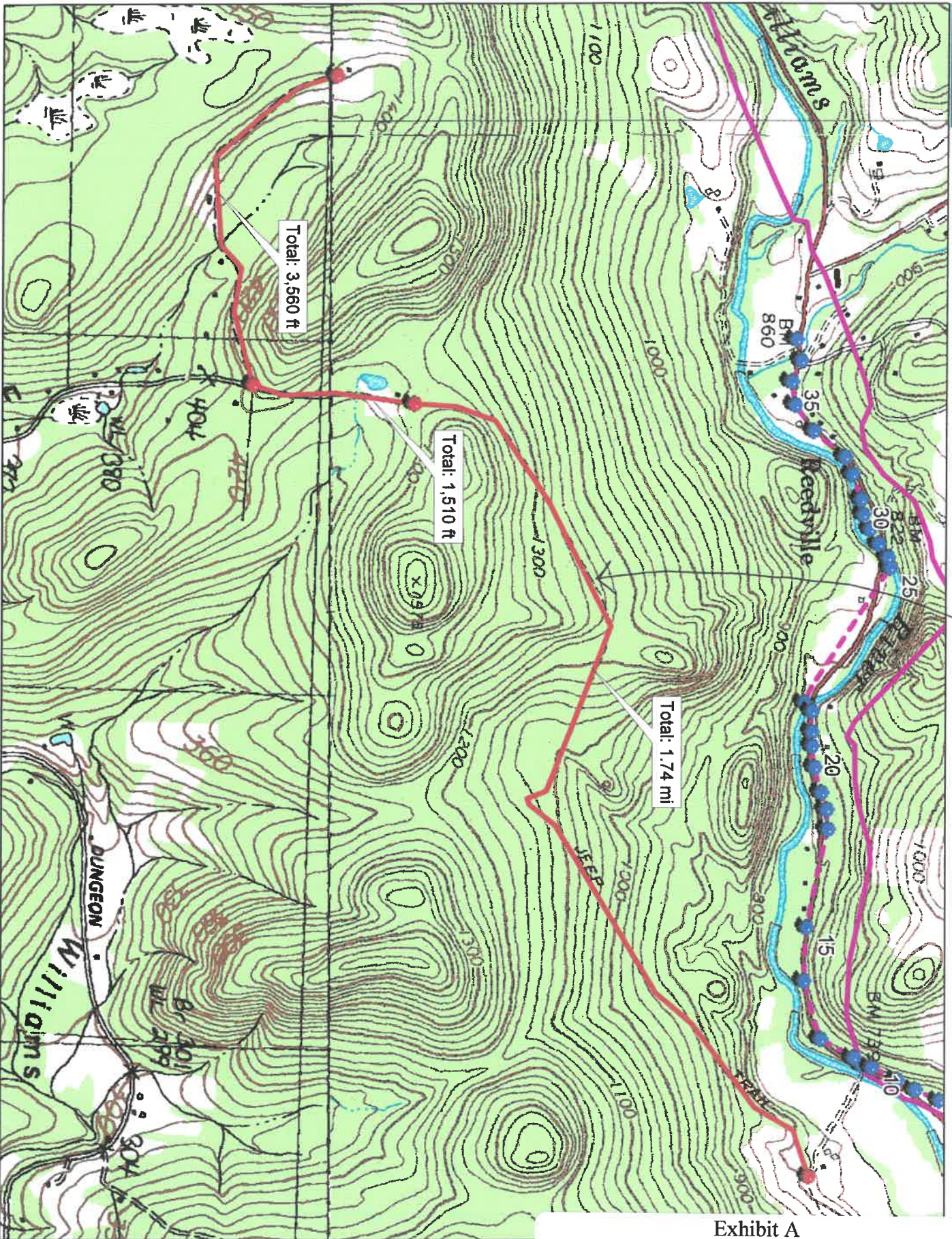
#### **5. 2010 GENERAL FUND BUDGET APPROVAL:**

Mr. Pisha stated that the changes to the budget include salary adjustments and the addition to the paving line item, as requested. He stated that the proposed budget will reduce the overall tax collection requirement by approximately \$20,000.00.

Mr. Suursoo stated that under General Government the bottom line increased by \$2,000.00. He further noted that the zoning and planning line item increased by \$5,000.00. Ms. Hance explained that she moved \$5,000.00 from the grant matching fund line item and is using the money as an expense. She explained that the Planning Grant funds have been cut by the State for 2010 and that she will need that money to pay for assistance from Regional Planning in rewriting the Zoning Regulations this year.

Mr. Suursoo also noted that on the Public Works Budget, item 431-68, column 2 should show \$43,000.00. He further stated that it is his opinion that North Street Culvert paving should have its own line item and not be classified in with the overall paving budget.





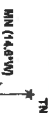
*section being added*

Exhibit A  
Town of Chester - Class IV Additions  
Michael Road

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Scale 1 : 14,400

1" = 1,200.0 ft Data Zoom 13.0



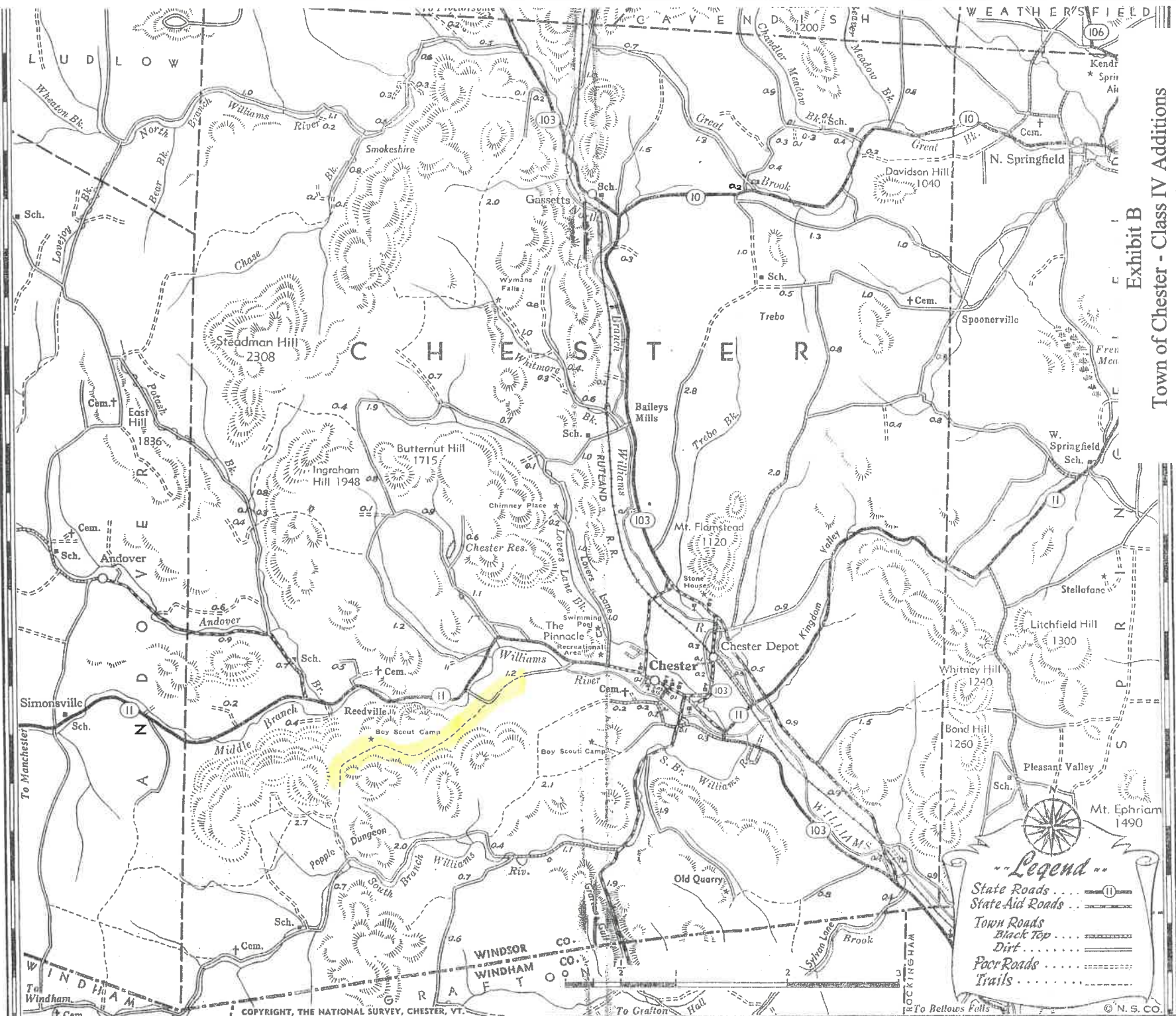


Exhibit B  
Town of Chester - Class IV Additions  
Michael Road



Town of Chester  
Certificate of Highway Mileage  
Class IV Road Addition

TH-65 0.20 mi

CONTRO ROAD

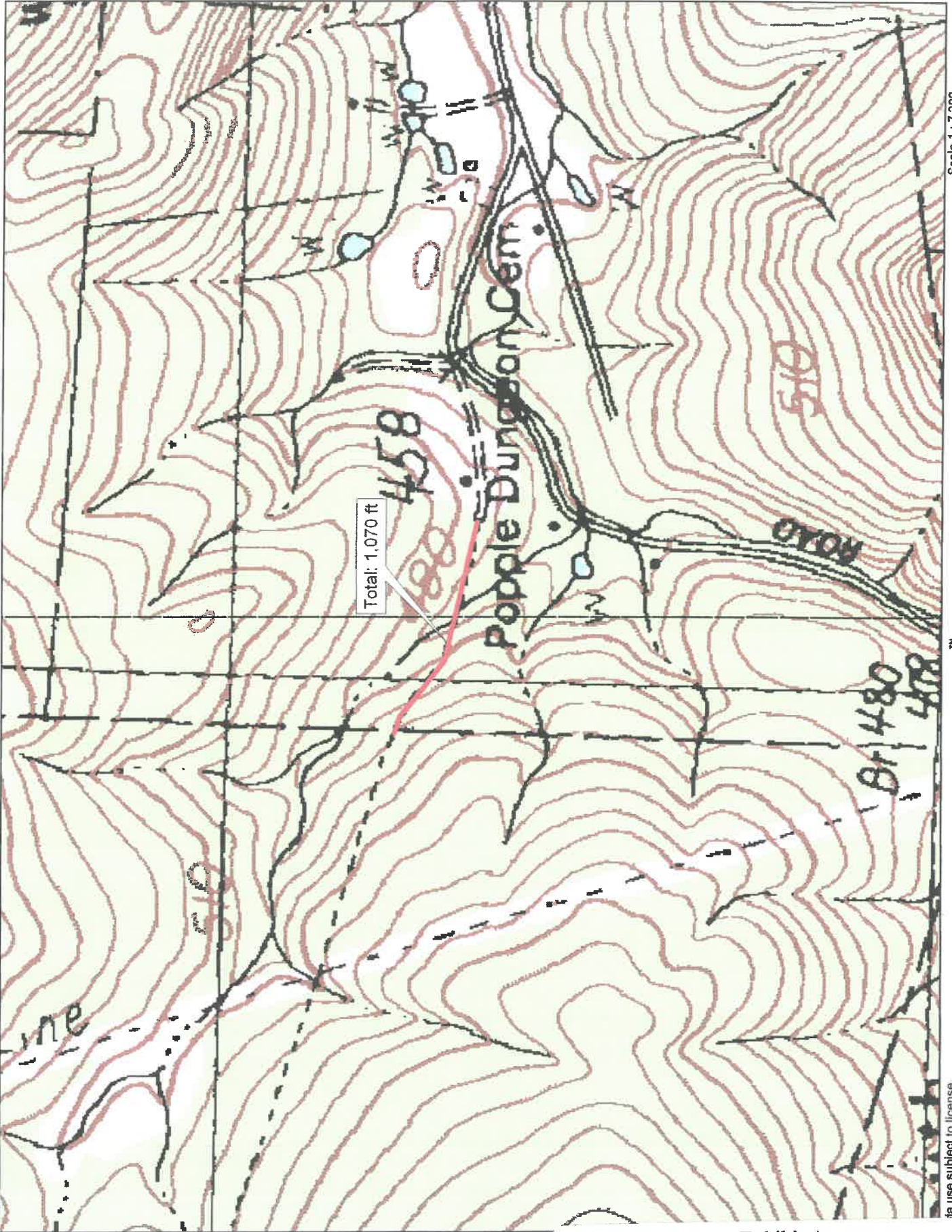
There is no survey found of this road, but it appears from records in Andover (c. 1787) that this road was established by that time. The survey for Boone Road (Andover Town Records 1-257) was of an established "way" and there seems little reason not to presume this extended east into Chester to meet the Old Chester-Windham road.

This road appears on numerous historic maps and, though there were some alterations in the east end closer to Contros' house, the extension to the west has not been changed much over time.

This road appears on USGS maps (See Exhibit A) and on the current tax map (See Exhibit B).

The distance from the presently maintained west end of TH 65 (Contro Road) to the east end of TH 18. The distance from Boone Road at the Andover Town Line is approximately 1,070 feet.

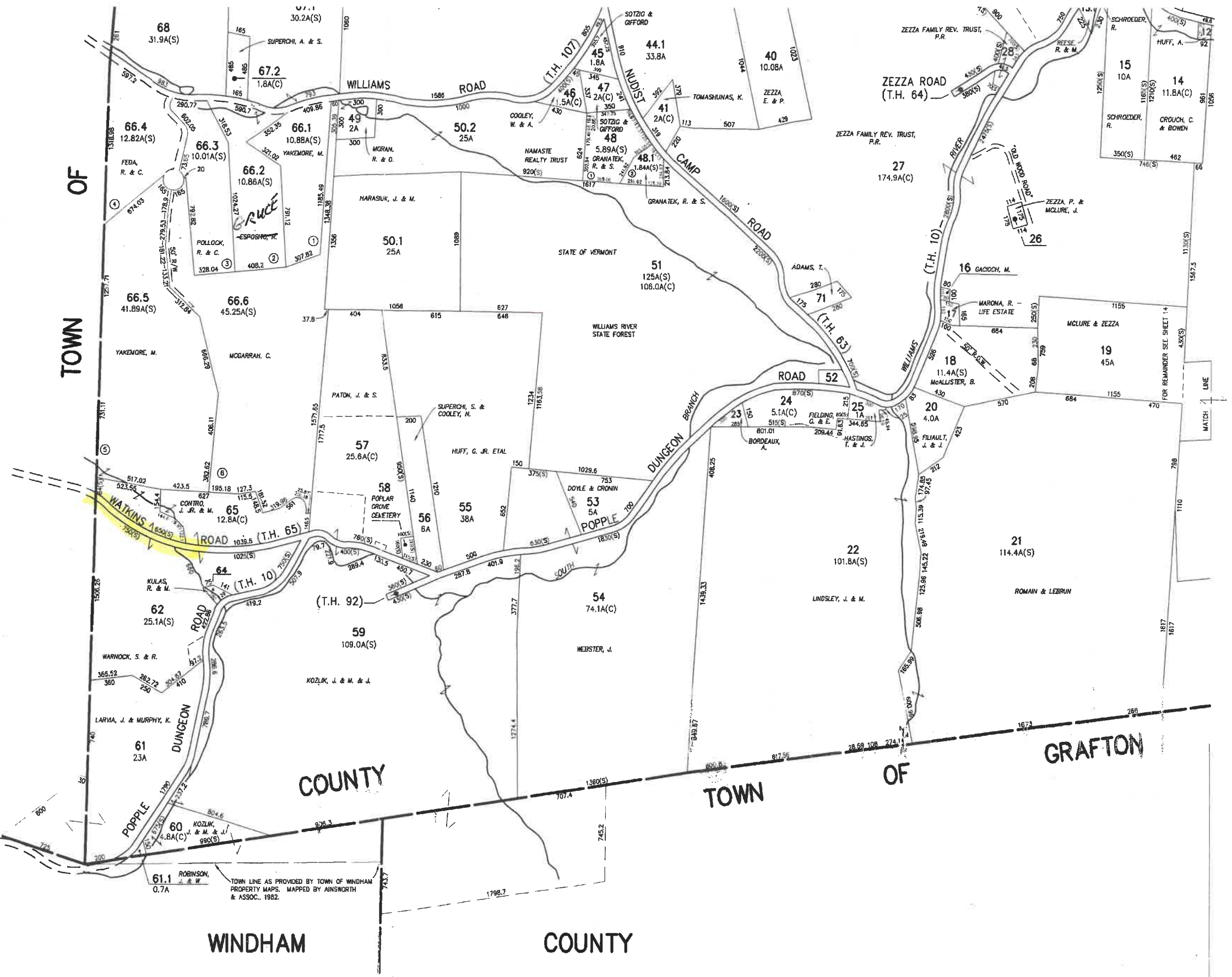
This road is among those approved for addition to the AOT map by the Selectboard on January 20, 2010.



TN  
NN (14.4°W)

Exhibit A  
Town of Chester - Class IV Additions  
Contro Road

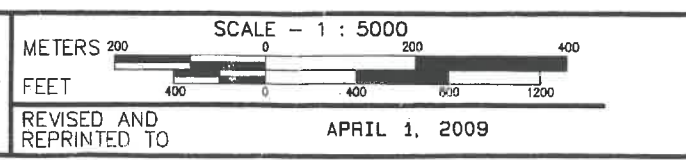




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 (603)444-1386 - WWW.CAI-INFO.COM

LEGEND	
SURVEYED PARCEL	(A)(S)
CALCULATED ACREAGE	(A)(C)
DEED/SURVEY DIMENSION	100
SCALED DIMENSION	100(S)
TOWN LINE	(T.H. 9)
TOWN HIGHWAY NO.	(S.A. 11)
STATE HIGHWAY NO.	(S.A. 11)
SUBDIVISION LOT NO.	②
BLOCK LIMITS	②①
SUBLOT NO.	②①
MATCH LINE	②①
RIGHT OF WAY	②①
COMMON OWNERSHIP	②①
WATER	②①



TOWN OF  
**CHESTER**  
 VERMONT

MAP INDEX  
 TOWN OF ANDOVER 9 10  
 WINDSOR COUNTY 14  
 TOWN OF WINDHAM 14  
 TOWN OF GRAFTON

LOCAL MAP NO  
**13**  
 STATE MAP NO  
**136080**

Exhibit B  
 Town of Chester - Class IV Additions  
 Contro Road



TH-133 CL4  
0.21 mi

Town of Chester  
Certificate of Highway Mileage  
Class IV Road Addition

### BEARD ROAD

This road was laid out and built c. 1829 after the opening of Potash Brook Road (TH 38).

It was at first a pent road and the Beers' map (1869) only shows the eastern end to the former gate (See Exhibit A).

In 1914 the seletmen were petitioned to make this pent road an open road (See Exhibit B) and the road was surveyed (See Exhibit C).

This road served as a boundary for a number of properties divided from the historic Beard Farm (See Exhibit D).

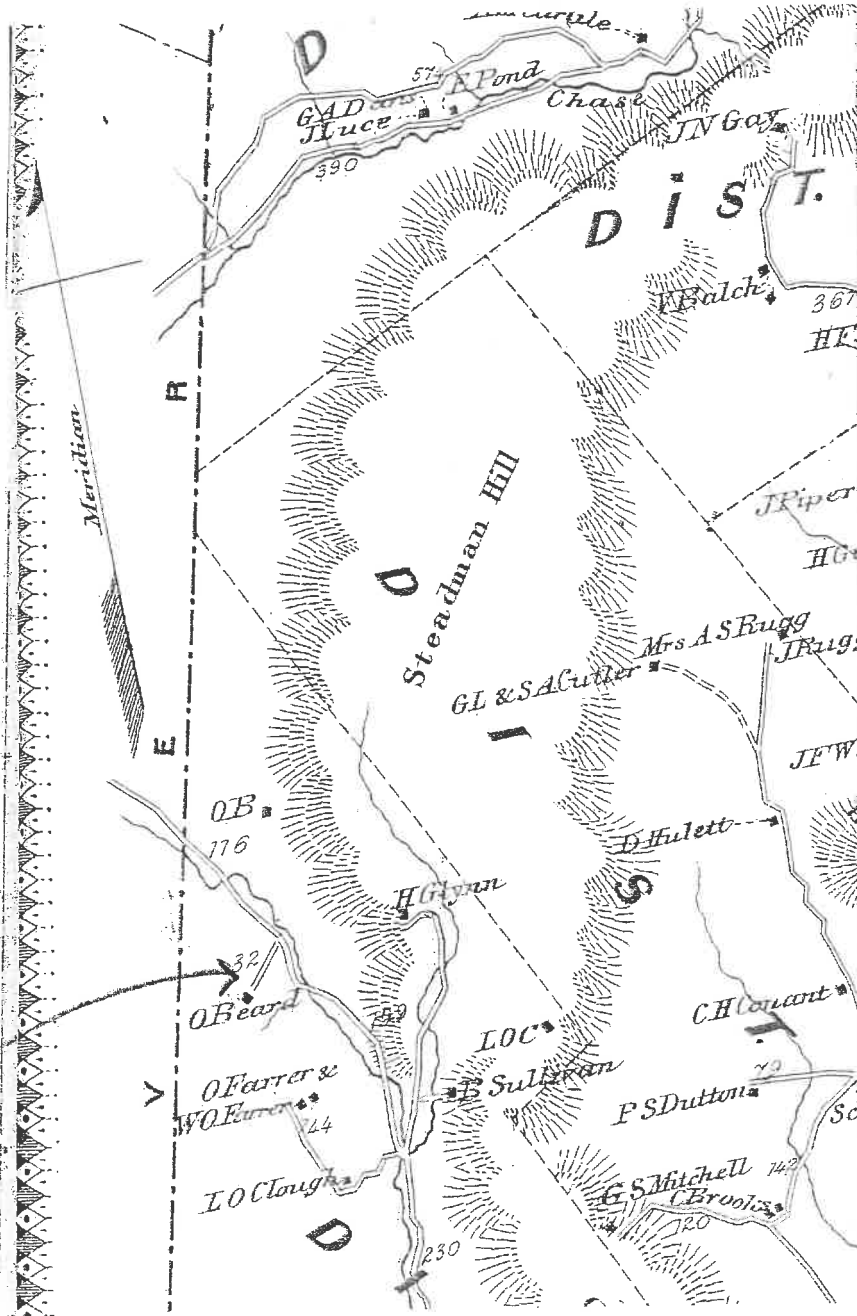
Its status has been forgotten, but after study and public meetings, the Selectboard affirmed it was a Class IV road on May 17, 2007 (See Exhibit E).

This road links TH 38 (Potash Brook Road) and TH 40 (Farrar Road). The length is approximately 1,080 feet.

Attached is a copy of a recent survey which shows the east end of this road (See Exhibit F).

The Beard Road is among those approved by the Selectboard on January 20, 2010 for addition to the AOT map (See Exhibit G).

Beers 1869



BEARD  
1872

Exhibit A  
Town of Chester - Class IV Additions  
Beard Road





## Board of SELECTMEN

Town of Chester, Vt.

Chester, Vt., ..... 190

Survey of Road leading from L.M. Coles  
 dwelling house to the Potomac road so called  
 Beginning at a point  $1\frac{1}{2}$  rods northerly and  
 in a line with the West side of L.M. Coles house & E.  
 thence N.  $71\frac{1}{2}^{\circ}$  E. 8 rods, thence N.  $63^{\circ}$  E. 6 rods,  
 thence N.  $58\frac{1}{2}^{\circ}$  E. 5 rods, thence N.  $52^{\circ}$  E. 16 rods,  
 thence N.  $48^{\circ}$  E. 11 rods, thence N.  $55\frac{1}{2}^{\circ}$  E. 8 rods,  
 thence N.  $25\frac{1}{2}^{\circ}$  E. 11 rods, thence N.  $44^{\circ}$  E. 5 rods,  
 to center of the Potomac road as now traced,  
 road to be 3 rods wide. This survey is center  
 of road as laid out

Nov 30 - 1914

To T.E.Lonergan , Atwood Sargeant, and DeWitt Davis,  
Selectmen, of Chester Vermont

We the undersigned Inhabitants and Freeholders in the town  
of Chester, hereby respectfully request, that you will as  
soon as conveniently may be, open the pent road leading from  
the so-called Potash road to the house now owned and occupied  
by Loren M.Cole, the same to be done at no expense to the  
town with the exception of furnishing the wire to fence said  
road if made an open road,

Dated at Chester this 31st day of October A.D.1914.

*[Faint handwritten signatures and text, including names like "Loren M. Cole" and "Chester Vermont"]*



Opening Pent Road

From Potash Road to Jackson Beard Farm  
To J. E. Lomergan's Atwood Sergeants and  
De Witt Davis, Selectmen of Chester Vermont,  
We the undersigned Inhabitants and Freeholders  
in the town of Chester, hereby respectfully  
request, that you will as soon as conveniently  
may be, open the pent road leading from  
the so-called Potash road to the house now  
owned and occupied by Leon M. Cole,  
the same to be done at no expense to the  
town with the exception of furnishing the  
wire to fence said road if made an open  
road.

Dated at Chester this 31st day of October A. D. 1914.  
J. Sullivan; H. D. Hyde; J. A. Thompson  
Geo. P. Farrow; E. B. Finney; L. M. Cole

Survey of Road leading from  
L. M. Cole dwelling to the Potash Road so-called  
Beginning at a point 1/2 rods northerly and  
in a line with the west side of L. M. Cole  
House & Ell.

Thence N. 71 1/2° E. 8 rods; Thence N. 63° E. 6 rods  
Thence N. 58 1/2° E. 5 rods; Thence N. 52° E. 16 rods  
Thence N. 48° E. 11 rods; Thence N. 55 1/2° E. 8 rods  
Thence N. 25 1/2° E. 11 rods Thence N. 49° E. 5 rods  
to center of the Potash road as now traveled  
road to be 3 rods wide this survey in center  
of road as laid out.

We the undersigned Selectmen of Chester  
do by these presents declare that we hereby  
open said road, and make of the same  
an open road for public travel

Atwood Sergeant } Selectmen of  
De Witt Davis } Chester Vermont

Chester Town Clerk's Office, Received for Record  
November 30th A. D. 1914  
At Test: C. J. Holt  
Town Clerk.

Discont  
Road to

To the N  
We who  
petition of  
highway  
the but  
so called  
soap stor  
three wh  
ing the t  
Geo. R. Pa  
Carrie Ha

We the  
hereby ce  
personal  
within of  
June 1915,  
Prayer as

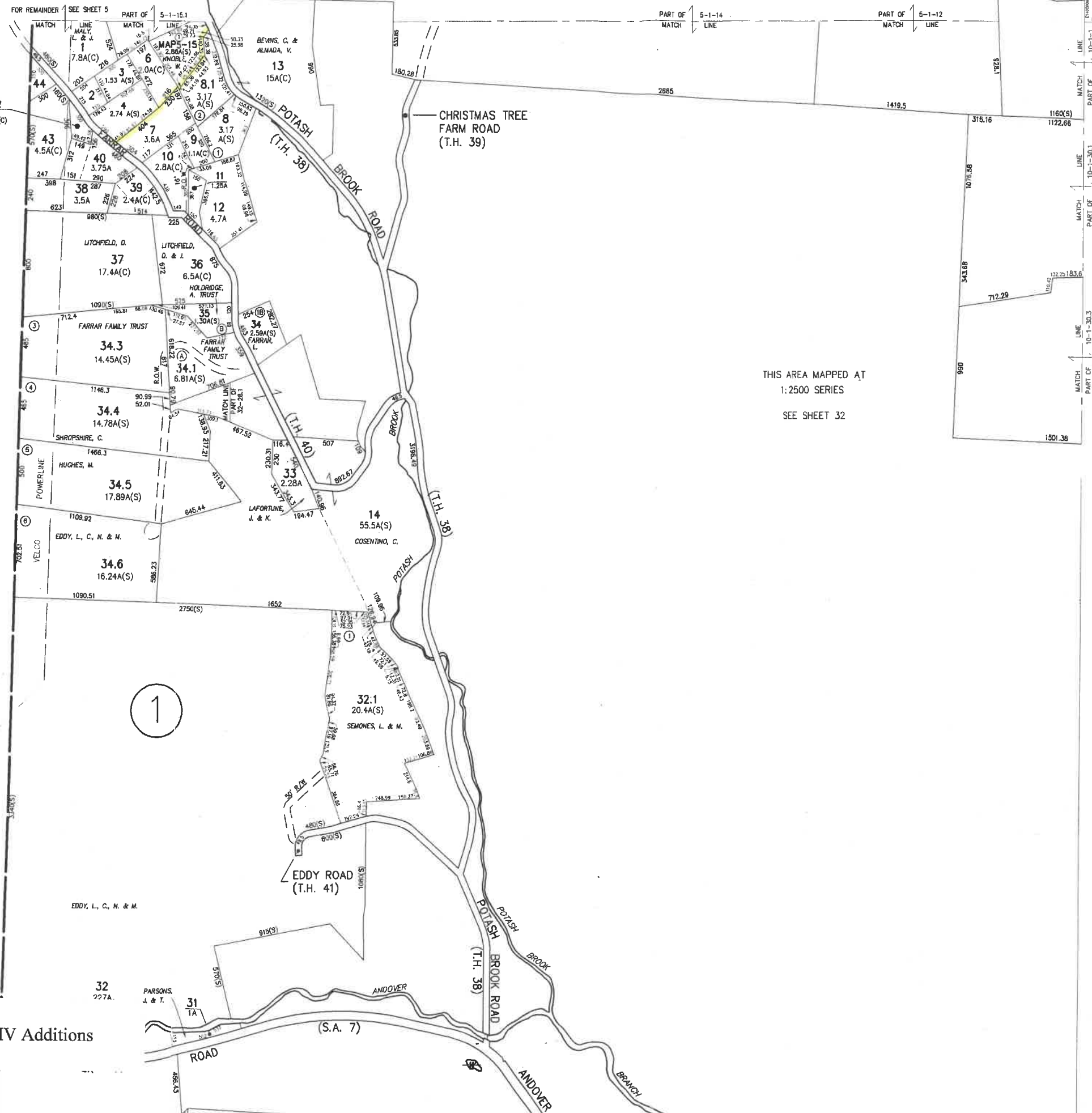
Chester 3  
June 26

- PARCEL - OWNER
- 2 - AREMBURG, J. & M.
  - 3 - AREMBURG, J. & M.
  - 4 - INGALLS, M. & M.
  - 6 - AREMBURG-MILLS
  - 7 - CHARLO, E.
  - 8 - CORMIER, C. & L.
  - 8.1 - BROSSI, R. & D.
  - 9 - FRIEDMAN, I. & D.
  - 10 - FRIEDMAN, I. & D.
  - 11 - BROWN JR., R. & D.
  - 12 - LITCHFIELD, D.P.
  - 38 - VERMONT TRANSCO, LLC
  - 39 - AREMBURG, P. & M.
  - 40 - RAMSLAND, E. & S. & WESTLEY, L.
  - 42 - HOWARD, L. & D.
  - 43 - RAMSLAND, E.
  - 44 - VERMONT TRANSCO, LLC

ANDOVER

1

Exhibit D  
Town of Chester - Class IV Additions  
Beard Road



THIS AREA MAPPED AT  
1:2500 SERIES  
SEE SHEET 32

(Board of Selectmen 05-16-07)

TOWN OF CHESTER  
BOARD OF SELECTMEN

May 16, 2007

Minutes

PRESENT: Richard Jewett, William Lindsay, Derek Suursoo, Michael LeClair, Seeley Morton, Susan Spaulding

VISITORS: Arthur Purdy, Wanda Purdy, Rick Cloud, John DeBenedetti, Jo-Anne DeBenedetti, Linda Limoges, Harry Goodell, Irene Wood, Thomas Bock, Debbie Aldrich, Jeff Holden, Robert Farnsworth, Ken Barrett, Peter Farrar, Greg Donabedian, Graham Kennedy, Peter Hudkins, Dan Ferguson, Stephen Lavoie, Margaret Yahemiak, Jack Yahemiak, Barry Goodrich, Scott Wunderle, Bruce McEnaney, Julie Hance, Chris Curran, Mark Curran, Trever Colburn, Adrian Colburn, Quentin Trombley, William Dakin

The meeting was called to order at 7:00 p.m. by Mr. Jewett. He then asked everyone to stand for the Pledge of Allegiance. Mr. Jewett thanked everyone for coming to the meeting.

**1. APPROVAL OF MINUTES**

The following corrections were reported to the minutes of the May 2, 2007, Selectmen's meeting:

Mr. Suursoo - Page 4, first paragraph, second sentence, change Mr. Jewett to Mr. Suursoo

Third paragraph, fourth sentence, add "...and stated that he felt the matter was closed."

Page 7, change all "4/2 shifts" to "4/3 shifts" under item No. 12

Mr. Lindsay - Page 2, last paragraph, fourth sentence, remove "...a drug forfeiture and budget reports." and insert "...a review of the Drug Forfeiture fund expenditures and a listing of items in dollars that should not be in that accounting."

Sixth sentence, remove "...for funding the lease of the third cruiser once the Drug Forfeiture Fund audit is complete and adjustments are made to that fund from the General Fund." and insert "...of funding to adjust the funds charging the leased items to the General Fund."

Page 5, Item 9, third sentence, remove "...if the structure is inhibiting the travel of fish."



(Board of Selectmen 05-16-07)

Mr. Lindsay referred to a letter from Thomas Bock, Planning Commission Chairman, who expressed concern for continuity and the need for seasoned members. He then recommended Harry Goodell and Scott Wunderle for appointment to the DRB. Mr. Suursoo pointed out that the Select Board has not adopted the Development Review Board but added that when the time comes the Board will be ready to make appointments. Mr. Morton then asked if the delay in appointment affects the training grant. Ms. Hance responded that the Town has ninety days and added that the Board meeting on June 6 has been warned for adoption of the Development Review Board. A majority of the Board members agreed that the Alternate members of the DRB be required to attend all meetings and several of the Board members felt that such a requirement be stated in the bylaws. Mr. Jewett then thanked the applicants for their presentations.

#### 5. ANCIENT ROADS

Ms. Spaulding reported that she placed a notice in the newspaper inviting residents to review the Ancient Road map and only one individual had a question. Mr. LeClair suggested that the roads which have been confirmed to be Town roads be color coded. Mr. Donabedian questioned a portion of his road and Ms. Spaulding confirmed that it was a Town road. Mr. Jewett expressed concern that all of the roads need to be confirmed as Town roads. Ms. Spaulding explained that the Town paid to have the map prepared and the colored roads indicate that they are also on the State map. Mr. LeClair then asked if there are any ancient roads on the map of which the Town is unsure. Ms. Spaulding responded that there are two roads which have been brought to the attention of the Board and is unsure if they are Town roads. Mr. Jewett again expressed concern that the Town needs to confirm each road. Mr. Dakin stated that he thought there was funding to assist with the research. Ms. Spaulding responded that those funds have been depleted. Mr. Dakin then pointed out that Peter Farrar is a tremendous resource. The Board discussed the need for funding and Ms. Spaulding suggested that funds be included in the next budget. Mr. LeClair suggested contacting the State Representative to see if there is any additional funding. Mr. Suursoo stressed the need for input from the public on this matter.

#### 6. FARRAR REPORT

Mr. Farrar offered to answer any questions concerning his report which he feels substantiates that Beard Road is a Class 4 Town Road. Mr. Dakin, representing Mr. Brossi, explained his client's concern that the road is indeed a Town road. He stated that Mr. Farrar reviewed Town records to determine if Beard Road had been discontinued and failed to find that it had been. Mr. Farnsworth, a surveyor, stated that property deeds provide a description of the road. Mr. LeClair stated that he was impressed with the amount of work required to provide the research and is ready to accept Beard Road as a Class 4 Road. Mr. Goodell pointed out that the Brossi subdivision mylar indicates that it was not a Town road. Mr. Farnsworth explained that when he began his research, beginning with the Rapanotti survey, he could not find any indication that it was a Town road. He then began checking deeds and descriptions and determined it was a Town road. Mr. Goodell pointed that it has not been accepted by the Planning Commission. Ms.

(Board of Selectmen 05-16-07)

Hance pointed out that the mylar states "old road, no rights of usage." Mr. Jewett felt that the matter should be followed up with Attorney Dakin and the mylar situation. Mr. Suursoo commended Mr. Farrar on his research but pointed out that he has not seen where the road was laid out. He continued that all evidence has been provided by individuals who work for Mr. Brossi and that the matter needs to be reviewed by a qualified individual who represents the Town. Mr. Suursoo felt that the matter needs to be reviewed by a qualified individual who knows what to question. Ms. Spaulding referred to her experience working with a real estate attorney and felt that if a road appeared on the Beers map, then it was a Town road. Mr. LeClair agreed and also considered the research provided. Mr. Suursoo again stated that he did not feel qualified to make a decision.

MOTION by Mr. Morton that the Board confirms that Beard Road is an existing Class 4 Road based on the survey provided by Robert Farnsworth and research by Peter Farrar. Mr. LeClair second. Passed by majority with Mr. Suursoo voting no.

#### **7. MOUNTAIN VIEW STORM DRAIN**

Mr. and Mrs. Colburn reported that there is a problem with the storm drain behind their home located in Mountain View which causes water to pond in their backyard. They added that this problem is creating a safety issue for their small children and that the road is collapsing. Ms. Spaulding explained that the water used to drain onto the City Slicker Diner property until the previous owner filled in the area. She added that the new owner is willing to allow the Town to come onto his property to correct the situation. Mr. Kennedy questioned the Town doing the work and explained that there is three- inch stone at the end of the culvert which, when debris builds up, is preventing the water from leaving the culvert. Mr. Lindsay reported that he understood that the house next to the diner is going to be moved back on the property and also felt it was not the Town's responsibility to remedy the situation. Ms. Spaulding stated that she would send a letter to the property owner explaining what needs to be done and give him ten days to comply. Mr. Kennedy felt the matter should be corrected immediately and that the Town should unplug the culvert. Mr. and Mrs. Colburn were assured that the matter would be corrected.

#### **8. SEWER/WATER RATES**

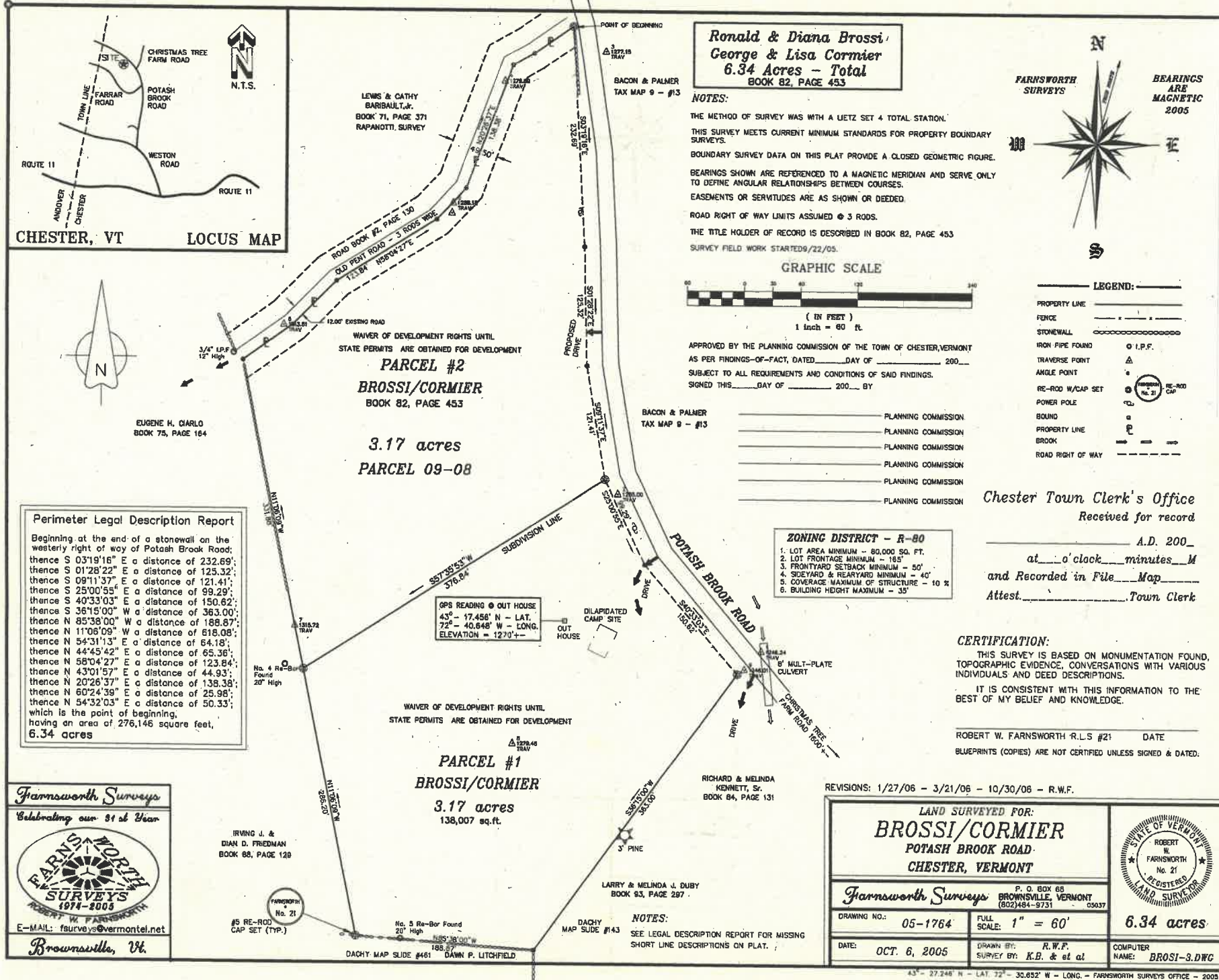
Mr. Jewett reported that the Select Board agreed to table the Sewer/Water Rates to a special meeting on Monday, May 21, at 7:00 p.m. He added that there will be an Executive Session to discuss the matter with sewer and water personnel. After some discussion, Mr. Holden provided the Board with the necessary documentation for their next meeting.

#### **9. ACADEMY BUILDING BIDS**

Ms. Spaulding referred to bid information for the Academy building improvements which were

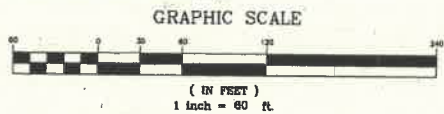
Ronald & Diana Brosi - George & Lisa Cormier

THIS PLAT MEETS THE REQUIREMENTS OF 27 VSA § 1403 ORIGINAL INKED PLAT PRODUCED BY: FARNSWORTH SURVEYS - P.O. BOX 68, BROWNVILLE, VERMONT 05637



Ronald & Diana Brosi  
George & Lisa Cormier  
6.34 Acres - Total  
BOOK 82, PAGE 453

**NOTES:**  
THE METHOD OF SURVEY WAS WITH A LIETZ SET 4 TOTAL STATION.  
THIS SURVEY MEETS CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.  
BOUNDARY SURVEY DATA ON THIS PLAT PROVIDE A CLOSED GEOMETRIC FIGURE.  
BEARINGS SHOWN ARE REFERENCED TO A MAGNETIC MERIDIAN AND SERVE ONLY TO DEFINE ANGULAR RELATIONSHIPS BETWEEN COURSES.  
EASEMENTS OR SERVITUDES ARE AS SHOWN OR DEEDED.  
ROAD RIGHT OF WAY LIMITS ASSUMED @ 3 RODS.  
THE TITLE HOLDER OF RECORD IS DESCRIBED IN BOOK 82, PAGE 453  
SURVEY FIELD WORK STARTED 9/22/05.



APPROVED BY THE PLANNING COMMISSION OF THE TOWN OF CHESTER, VERMONT AS PER FINDINGS-OF-FACT, DATED \_\_\_\_\_ DAY OF \_\_\_\_\_ 200\_\_ SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID FINDINGS. SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 200\_\_ BY

- \_\_\_\_\_ PLANNING COMMISSION
- \_\_\_\_\_ PLANNING COMMISSION
- \_\_\_\_\_ PLANNING COMMISSION
- \_\_\_\_\_ PLANNING COMMISSION
- \_\_\_\_\_ PLANNING COMMISSION
- \_\_\_\_\_ PLANNING COMMISSION

**LEGEND:**

_____	PROPERTY LINE
_____	FENCE
_____	STONEWALL
_____	IRON PIPE FOUND
_____	TRaverse POINT
_____	ANGLE POINT
_____	RE-ROD W/CAP SET
_____	POWER POLE
_____	BOUND
_____	PROPERTY LINE BROOK
_____	ROAD RIGHT OF WAY

Chester Town Clerk's Office  
Received for record  
\_\_\_\_\_ A.D. 200\_\_  
at \_\_\_\_\_ o'clock \_\_\_\_\_ minutes \_\_\_\_\_ M  
and Recorded in File \_\_\_\_\_ Map \_\_\_\_\_  
Attest \_\_\_\_\_ Town Clerk

**CERTIFICATION:**  
THIS SURVEY IS BASED ON MONUMENTATION FOUND, TOPOGRAPHIC EVIDENCE, CONVERSATIONS WITH VARIOUS INDIVIDUALS AND DEED DESCRIPTIONS.  
IT IS CONSISTENT WITH THIS INFORMATION TO THE BEST OF MY BELIEF AND KNOWLEDGE.  
ROBERT W. FARNSWORTH R.L.S #21 DATE \_\_\_\_\_  
BLUEPRINTS (COPIES) ARE NOT CERTIFIED UNLESS SIGNED & DATED.

REVISIONS: 1/27/06 - 3/21/06 - 10/30/06 - R.W.F.

LAND SURVEYED FOR: <b>BROSSI/CORMIER</b> POTASH BROOK ROAD CHESTER, VERMONT		
<b>Farnsworth Surveys</b> P. O. BOX 68 BROWNVILLE, VERMONT (802)484-9731 05037		
DRAWING NO.:	05-1764	FULL SCALE: 1" = 60'
DATE:	OCT. 6, 2005	COMPUTER NAME: BROSSI-3.DWG
DRAWN BY: R.W.F. SURVEY BY: K.B. & et al		6.34 acres

**Perimeter Legal Description Report**  
Beginning at the end of a stonewall on the westerly right of way of Potash Brook Road; thence S 03°19'16" E a distance of 232.69'; thence S 01°28'22" E a distance of 125.32'; thence S 09°11'37" E a distance of 121.41'; thence S 25°00'55" E a distance of 99.29'; thence S 40°33'03" E a distance of 150.62'; thence S 36°15'00" E a distance of 363.00'; thence N 85°38'00" W a distance of 188.67'; thence N 11°08'09" E a distance of 64.18'; thence N 54°31'13" E a distance of 65.36'; thence N 44°45'42" E a distance of 123.84'; thence N 58°04'27" E a distance of 44.93'; thence N 43°01'57" E a distance of 138.38'; thence N 20°26'37" E a distance of 25.98'; thence N 60°24'39" E a distance of 50.33'; thence N 54°32'03" E a distance of 50.33'; which is the point of beginning, having an area of 276,146 square feet, 6.34 acres

**Farnsworth Surveys**  
Celebrating our 31st Year

ROBERT W. FARNSWORTH  
E-MAIL: fsurveys@vermontel.net  
Brownville, Vt.

IRVING J. & DIAN D. FRIEDMAN  
BOOK 88, PAGE 128

#5 RE-ROD CAP SET (TYP.)

No. 3 Re-Rod Found 60" High

DACHY MAP SLIDE #461

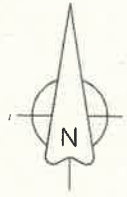
LARRY & MELINDA J. DUBY  
BOOK 93, PAGE 287

RICHARD & MELINDA KENNETT, Sr.  
BOOK 84, PAGE 131

WAIVER OF DEVELOPMENT RIGHTS UNTIL STATE PERMITS ARE OBTAINED FOR DEVELOPMENT

WAIVER OF DEVELOPMENT RIGHTS UNTIL STATE PERMITS ARE OBTAINED FOR DEVELOPMENT

LEWIS & CATHY BARBAULT, Jr.  
BOOK 71, PAGE 371  
RAPANOTTI, SURVEY



CHESTER, VT LOCUS MAP

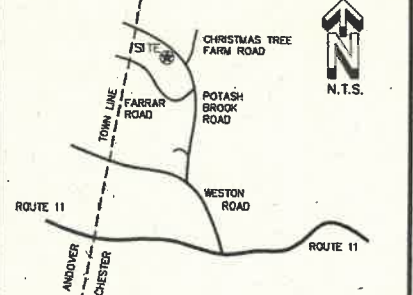


Exhibit F  
Town of Chester - Class IV Additions  
Beard Road





# TOWN OF CHESTER

556 Elm Street  
P.O. Box 370  
Chester, VT 05143

(802) 875-2173  
Fax (802) 875 2237

## TOWN OF CHESTER BOARD OF SELECTMEN

**January 20, 2010**  
**Minutes**

**PRESENT:** Richard Jewett, Chairman; John DeBenedetti; Derek Suursoo; Julie Ladieu-Walton; Michael Westine

**VISITORS:** David Pisha; Chris Rosegrant; Debbie Aldrich; Greg Donabedian; Deborah Jo Epler; Peter Farrar; Tim Farrar; Bill Lindsay; Debbie Trent; Michael Caduto; Barry Goodrich; Rick Cloud; Leo Graham; Dick Higley; John Adler; Julie Hance

The meeting was called to order at 7:00 p.m. by Mr. Jewett. He then asked everyone to stand for the Pledge of Allegiance. Mr. Jewett thanked everyone for coming to the meeting.

### 1. APPROVAL OF MINUTES

A motion was made by Mr. Westine to approve the minutes of the December 16, 2009 meeting. Seconded by Mr. DeBenedetti. Motion passed.

A motion was made by Mr. Westine to approve the minutes of the January 6, 2010 meeting. Seconded by Mr. Suursoo. The following amendments were made:

Mr. Suursoo: Page 4, Item 6, Seconded paragraph – Mr. Westine should be replaced with Mr. Suursoo with regard to the yes vote.

Page 5, Paragraph 3 – should read the Mr. Suursoo withdrew the motion.

Page 6, Item 7, Line 2 should read "... support of a Capital Budget Plan."

Ms. Walton: Questioned if she discussed the need for review of the Personnel Policy under old business at the last meeting. Nobody recalled the discussion at the last meeting.

Mr. DeBenedetti: Page 4, fourth paragraph from bottom – should read ".. to make pay raises effective..."

2. **CITIZENS COMMENTS:**

There were no citizens comments discussed.

3. **REVIEW OF DRAFT TOWN WARNING:**

Mr. Suursoo commented that Article 6 discussed approving a sum of money for bridges and facilities and stated that the Board should be prepared to have an answer as to which bridges or facilities. Discussion transpired regarding whether or not the Board needs to specifically name each bridge or facility for each year that money is being allocated towards. General consensus of the Board was to not identify specific bridges or facilities.

However, after further discussion, a motion was made by Ms. Ladieu-Walton to amend Article 6 to add “.. the remainder of \$26,000.00 to be allocated to bridges and facilities”. Seconded by Mr. DeBenedetti. Motion passed with Mr. DeBenedetti voting no.

A motion was made by Ms. Ladieu-Walton to remove the language “not to exceed” from Article 6. Seconded by Mr. Suursoo. Motion passed.

Ms. Ladieu-Walton stated that she was pleased to see Article 4 on the Warning and that the Town responded so quickly. She questioned if the School had been contacted. Ms. Aldrich stated that the school will charge the Town \$100.00 for the rental of the auditorium plus \$21.00 per hour for the janitors. Mr. Pisha noted that if the meeting starts during the morning hours, it will most likely run during lunch which will mean either feeding people, or breaking for lunch, thereby creating more hours.

A motion was made by Mr. Suursoo to approve the Articles as amended. Seconded by Mr. DeBenedetti. Motion passed.

Ms. Aldrich reminded the Board that they will need to stop into the Town Office on Friday and sign the Warning.

4. **ROADS FOR AOT MAP:**

Mr. Jewett asked Ms. Hance to elaborate on the memorandum that she provided to the Selectboard regarding the AOT maps. Ms. Hance explained that she has spoken with several people from AOT in addition to a few attorneys regarding the ancient roads laws. Ms. Hance stated that the “ancient roads” laws do not really apply to Chester because the roads that have been identified are already Class IV roads. She stated that the defining factor is whether the roads are visible or not. She provided the Board with a list of roads identified by Peter Farrar and Richard Jewett as clearly visible.

Ms. Hance clarified for the Board that for Class IV roads that are visible on the ground with no record of discontinuance simply need to be added to the AOT maps by February

10, 2010. The status of the roads does not change. They will remain Class IV roads, the Board is simply identifying them on a map.

Ms. Hance further discussed the four roads that are not clearly visible on the ground. She informed the Board that the town has missed deadlines relative to these roads. In July, 2010, these roads will become identified corridors, which will require a different process in order to retain them as Class IV roads.

Mr. Suursoo confirmed that should the Board agree to map the 17 roads identified on the list, this does not preclude any citizen from challenging these roads in the future should an issue arise.

Discussion transpired regarding roads 13 and 14, Old Chandler Road and Old Meadow Road, which were a part of the Old Baltimore Road. Mr. Farrar stated that these two roads were part of the Petition to discontinue Old Baltimore Road, which the Board previously ruled on several months ago.

Mr. Adler expressed concerns regarding a Class IV road that crosses his neighbors property. The Board clarified that Class IV roads are not maintained by the town and that upgrading to a Class III road would require reclassification, which would require public hearings.

A motion was made by Mr. Suursoo to affirm, until proven otherwise, that Chase Brook Road (N. Branch), Chase Brook Road (S. Branch), Steadman Hill Road, Beard Road, Malon-Poston Road, Contro Road, Michael Road, Roach Road to Springfield, Smokshire road to Cavendish, Varian Balch area roads, Rugg Road, G.S. Mitchell Road, Old Chandler Road, Old Meadow Road, Richardson-Trombley Road, Rod & Gun Club Road to Andover and Road west from Smokeshire Cemetery remain Class IV roads and be put on the AOT maps. Seconded by Mr. Westine. Motion passed.

#### **5. 2010 GENERAL FUND BUDGET APPROVAL:**

Mr. Pisha stated that the changes to the budget include salary adjustments and the addition to the paving line item, as requested. He stated that the proposed budget will reduce the overall tax collection requirement by approximately \$20,000.00.

Mr. Suursoo stated that under General Government the bottom line increased by \$2,000.00. He further noted that the zoning and planning line item increased by \$5,000.00. Ms. Hance explained that she moved \$5,000.00 from the grant matching fund line item and is using the money as an expense. She explained that the Planning Grant funds have been cut by the State for 2010 and that she will need that money to pay for assistance from Regional Planning in rewriting the Zoning Regulations this year.

Mr. Suursoo also noted that on the Public Works Budget, item 431-68, column 2 should show \$43,000.00. He further stated that it is his opinion that North Street Culvert paving should have its own line item and not be classified in with the overall paving budget.



TH-135 CL4  
0.33 mi

Town of Chester  
Certificate of Highway Mileage  
Class IV Road Addition

RUGG ROAD

This road appears in School District #19 on the Beers' Map (See Exhibit A) and is mentioned in the 1977 Highway District Book in District #22 (See Exhibit B)

This road runs south from the elbow in TH 15 for a distance of approximately .33 miles.

This road is among those affirmed as Class IV roads and approved for addition to the AOT map by the Selectboard on January 20, 2010 (See Exhibit C).

<p>19 3279 3786</p> <p>Beginning at a point where the Woughtonsville road intersects with the main road leading from Chester to Hindham near Sash's place. Thence on the said road by Richard Whitney's and Warden Field's place to a point where the road near the Wood's place intersects with said Hindham Road - also to the house of Forelove Cook, and John E. Morse and from said Hindham road to the forks of the road northwest of John Marshall's house C. McNeilan</p>		<p>21 3278 6344</p> <p>Beginning at the intersection of roads near Millard Bailey's saw mill, thence across the bridge over the Mill Pond, and on the road by Nathan R. Nicholsons house to the house on the old Warton farm, now owned by B. A. Cook, and said road to Warren J. Fletcher's. J. McWhitmore H. E. Fletcher</p>	
<p>20 Beginning at the forks of the roads near the School House in School District No. 1, thence on the road by Ana M. Carlisle's house to Anderson line, also from said road to the house of Elias Pond, Joseph Piper &amp; Coach, H. Fletcher, J. R. Fletcher</p>		<p>22 Beginning at the forks of the road near N. R. Nicholsons house, thence on the road by the house formerly owned by H. F. Smith to the house of Durion Balch, and to the place owned by Laurin Gunn and to B. B. Farnsworth's house, also from said road near the School House by the Nyma farm and Alwood place to the no line of Alwood farm and to John Green's &amp; the Nathan Miller place and from said School House to Alwood place,</p>	



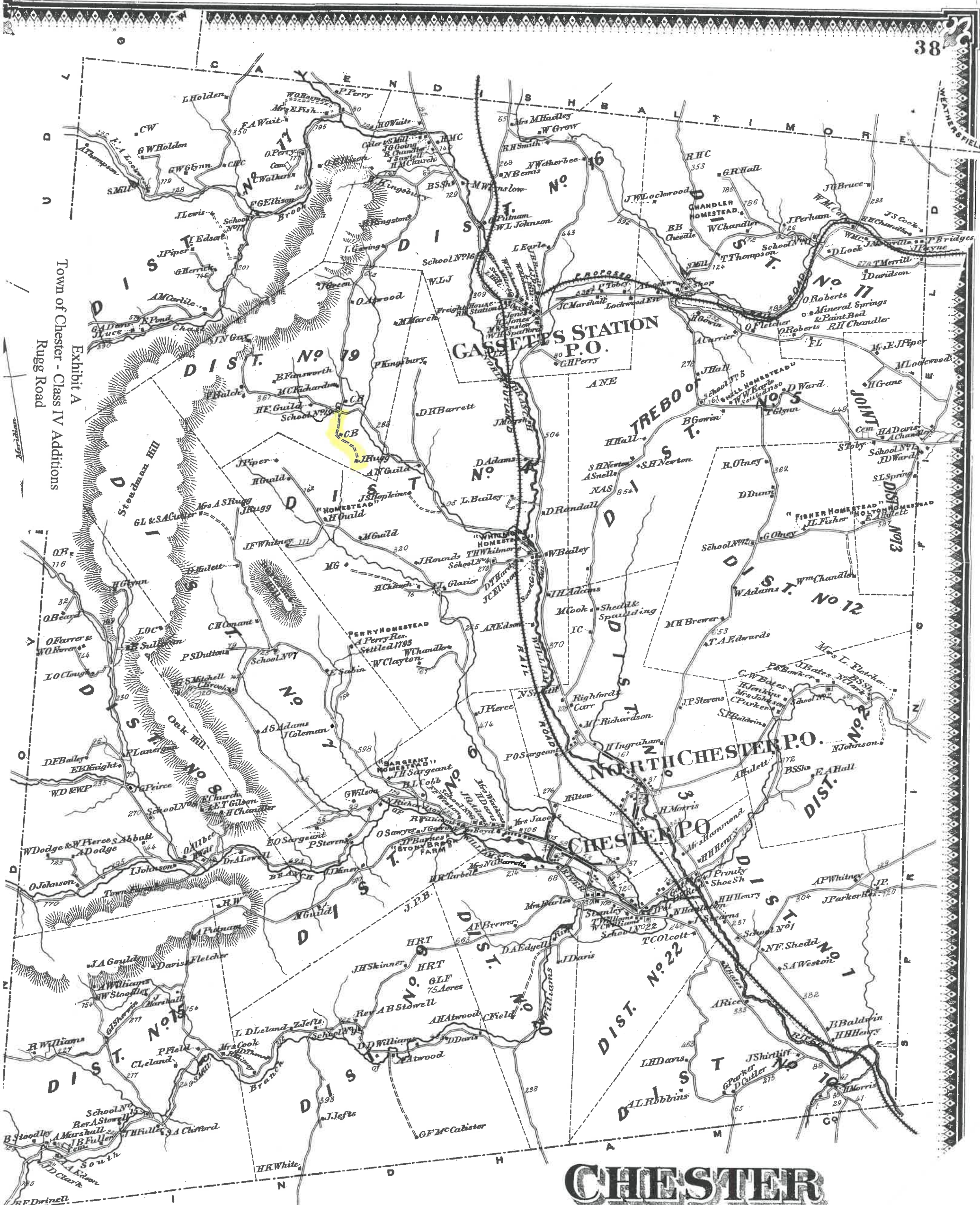


Exhibit A  
Town of Chester - Class IV Additions  
Rugg Road

# CHESTER

Scale 1/2 Inch to the Mile





# TOWN OF CHESTER

556 Elm Street  
P.O. Box 370  
Chester, VT 05143

(802) 875-2173  
Fax (802) 875 2237

## TOWN OF CHESTER BOARD OF SELECTMEN

**January 20, 2010**

### Minutes

**PRESENT:** Richard Jewett, Chairman; John DeBenedetti; Derek Suursoo; Julie Ladieu-Walton; Michael Westine

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TH-134 CL4  
0.18 mi.

Town of Chester  
Certificate of Highway Mileage  
Class IV Road Addition

0.18 mi.  
DANIEL PEABODY ROAD

This short road (924 feet per survey) extends south from Route 11 to the Andover line. It begins about 200 feet east of the Andover line and enters Andover about 900 feet south of Route 11.

The Chester survey is from April 10, 1834 (though the road was laid out some years previously) as referenced in Road Book 1, Page 61 (See Exhibit A).

This road is also shown on the 1986 road map for the Town of Chester (See Exhibit B).

Andover is retaining the continuation of this road to the former Daniel Peabody site.

This road is among those affirmed to be a Class IV road and approved for addition to the AOT map by the Selectboard on January 20, 2010 (See Exhibit C).

61 Sixty five dollars together with the usual allowance  
Land and the Old road from his south line to his  
North East Corner - which lies on his land to his  
East line - in full of his damages -

Walter direct, that said Road be opened in the  
month of October next - dated at Chester this 4<sup>th</sup>  
day of July 1833 -

Amos Heald } Select men  
Phineas Gasquet } of Chester  
Abiel Richardson }

Town Clerk's Office Chester October 7<sup>th</sup> 1833 -  
& Received by Amos Heald Town Clerk -

Survey of a Road laid and established by the under  
signed Select men of Chester beginning two rods -  
East of a small bridge (on the road leading from  
Chester to Manchester) - near Andover line and  
beginning South 50<sup>o</sup> - west nine rods - thence South  
60<sup>o</sup> East eight rods - thence South 19<sup>o</sup> west ten  
rods - thence South 38<sup>o</sup> East four rods - thence  
South 7<sup>o</sup> East four rods - thence South 22<sup>o</sup> West  
twelve rods - thence South 61<sup>o</sup> West nine rods  
to Andover line - The above described  
Road is laid a just road three rods <sup>in</sup> width -  
and Daniel Peabody is to make and support  
a good and sufficient gate for the convenience of travelers  
near the commencement of said Road.

Chester April 10<sup>th</sup> - 1834.

Amos Heald }  
Phineas Gasquet }  
Abiel Richardson }

Select men  
of Chester

Town Clerk's Office  
for Record - & Received  
Road Book 1  
Page 1

Survey of a road laid  
Select men of Chester  
to David Johnson  
road thence South 7  
rods - thence west  
degrees north 12 rods - thence  
East line of farm owned  
The above described road is  
rods in width & David Johnson  
a good and sufficient gate to  
Road - and Chester Walker  
gate at the termination of  
and an alteration of the Road  
beginning about 13 rods to  
Johnson - where it intersects  
running West 35<sup>o</sup> - north 14<sup>o</sup>  
Road -

Town Clerk's Office Chester  
Received for Record and  
1834 Apr

Exhibit A  
Town of Chester - Class IV Additions  
Daniel Peabody Road







# TOWN OF CHESTER

556 Elm Street  
P.O. Box 370  
Chester, VT 05143

(802) 875-2173  
Fax (802) 875 2237

## TOWN OF CHESTER BOARD OF SELECTMEN

**January 20, 2010**

### Minutes

**PRESENT:** Richard Jewett, Chairman; John DeBenedetti; Derek Suursoo; Julie Ladieu-Walton; Michael Westine

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TH-141 CL 4 0.60 mi

Town of Chester  
Certificate of Highway Mileage  
Class IV Road Addition

#### SMOKESHIRE CEMETERY ROAD (EXTENSION)

This road extends the old road to/by Smokeshire Cemetery, TH 29 westerly to meet the "Bailey Hill Road".

The length is approximately 3,000 feet.

This road appears on the USGS map for purposes of location (See Exhibit A). Also attached is the current Town of Chester tax map (See Exhibit B).

This road is among those affirmed by the Selectboard on January 20, 2010 to be a Class IV road and approved for addition to the AOT map (See Exhibit C).



# TOWN OF CAVENDISH

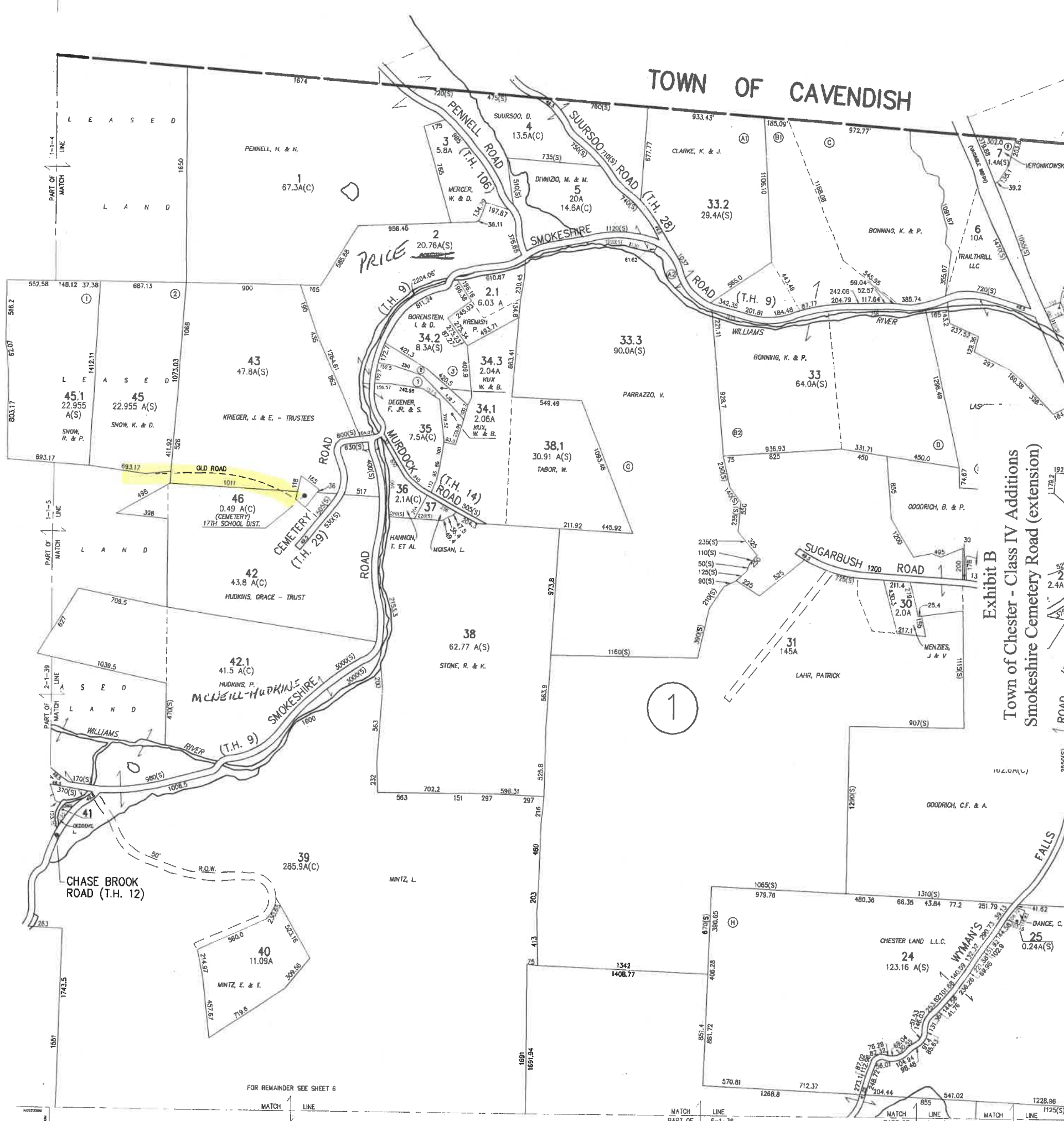


Exhibit B  
Town of Chester - Class IV Additions  
Smokeshire Cemetery Road (extension)

DIGITIZED IN 2001 BY  
**CARTOGRAPHIC ASSOC. INC.**  
PROFESSIONAL GIS CONSULTANTS  
MUNICIPAL MAPPING - GIS - PUBLIC WORKS INFORMATION MANAGEMENT  
11 PLEASANT STREET, LITTLETON, NEW HAMPSHIRE 03561  
(603)444-6768 - 1(800)322-4540 - FAX (603)444-1368 - WWW.CAI-INFO.COM

SURVEYED PARCEL	..... A(S)
CALCULATED ACREAGE	..... A(C)
DEED/SURVEY DIMENSION	..... 100
SCALED DIMENSION	..... 100(S)
TOWN LINE	..... (T.H. 9)
TOWN HIGHWAY NO.	..... (S.A. 11)
STATE HIGHWAY NO.	..... (S.A. 11)

SUBDIVISION LOT NO.	..... (2)
BLOCK NO.	..... (20)
RIGHT OF WAY	..... R.O.W.
COMMON OWNERSHIP	..... (W)
WATER	..... (W)

SCALE - METERS 200  
SCALE - FEET 400  
REVISED AND REPRINTED TO

THIS MAP IS FOR ASSESSMENT PURPOSES. IT IS NOT VALID FOR LEGAL DESCRIPTION OR CONVEYANCE.  
ORIGINAL PROPERTY MAPS WERE PREPARED BY WEILER MAPPING, INC., HORSEHEADS, NEW YORK. MAPS ARE REVISED AND REPRINTED BY CARTOGRAPHIC ASSOCIATES, INC.





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TH-136 CL4

1.09 mi

Town of Chester  
Certificate of Highway Mileage  
Class IV Road Addition

#### BAILEY HILL ROAD

This road links the south end of Cavendish's Bailey Hill Road with TH 9 (Smokeshire Road) in Chester along the path shown on the Beers' map (See Exhibit A) and as shown on the map prepared for the Town in 1986 (See Exhibit B).

The length of the road is approximately 5,775 feet. 1.09 mi

This road was affirmed to be a Class IV road by the Selectboard on May 21, 1997 (See Exhibit C).

This road is among those approved for inclusion on the AOT map by the Selectboard on January 20, 2010 (See Exhibit D).

(Board of Selectmen 05-21-97)

and Ruth Zezza. The terms of the Agreement are as approved at the last meeting. The Board signed the document.

4. **COMPUTER - LISTERS' OFFICE**

Ms. Spaulding reported that Ms. Purdy has been advising her of the condition of the computer in the Listers' Office. It does not have any additional memory and may not be able to provide the Grand List. Ms. Spaulding recommended that a new computer, 486 with a modem and CD rom, be purchased at a cost of under \$1,800.

MOTION by Mr. Jewett that a new computer be purchased for the Listers for an amount not to exceed \$1,800. Mr. Westine second. Passed unanimously.

5. **CLASS 4 ROAD DETERMINATION**

Mr. Jewett explained that a resident in Cavendish objects to the snowmobile club using the road that runs from Bailey Hill Road in Cavendish to Bridge No. 70 on Smokeshire Road in Chester. To resolve the matter, the Cavendish Board of Selectmen declared the portion of the road in Cavendish a Class 4 road which allows the road to be used by snowmobiles. The Cavendish Board asked that the Chester Board take similar action concerning the portion of the road in Chester.

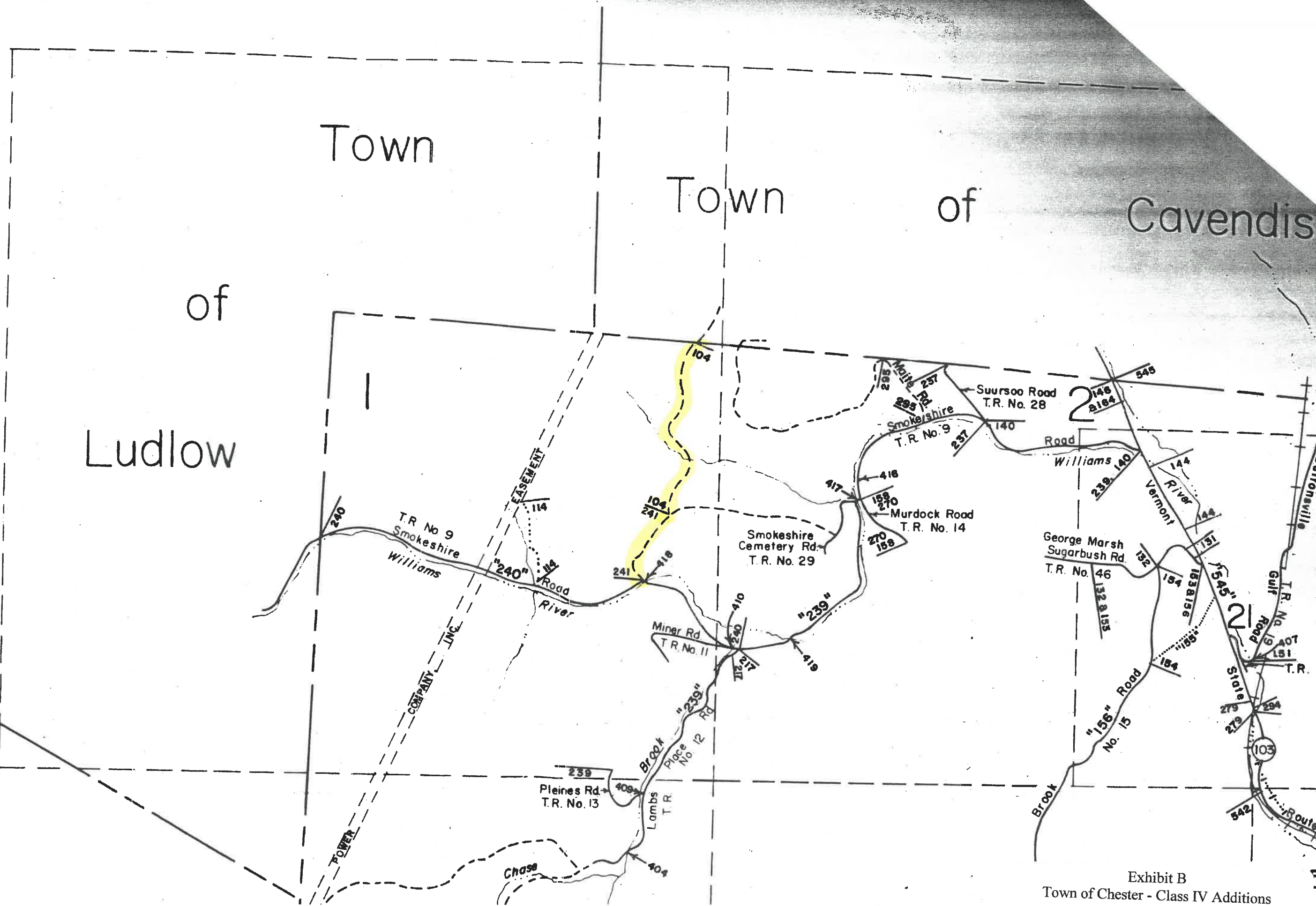
MOTION by Mr. Capogrossi that the Chester portion of the road that runs from Bailey Hill Road in Cavendish to Bridge No. 70 on Smokeshire Road in Chester be reaffirmed a Class 4 road. Mr. Westine second. Passed unanimously.

Ms. Spaulding will write a letter to the Town of Cavendish advising them of the Board's action.

6. **COUNCIL ON RURAL DEVELOPMENT**

Ms. Spaulding stated that she had distributed information to the Board concerning Community Assessments conducted by the Council on Rural Development. She added that the material had also been distributed to the members of the Economic Development Corporation and they asked that it be brought to the Board's attention. She explained that the Town's only involvement in the process would be to provide meeting space and a list of people from the community to serve on the teams.

Ms. Balch felt that the Town has good rapport with all areas of the community and that the assessment was not necessary. Mr. Capogrossi stated that he was impressed with the program and felt it would be beneficial. Mr. Westine stated that if the process could assist with attracting



Town of Ludlow

Town of Cavendis

Exhibit B  
 Town of Chester - Class IV Additions  
 Bailey Hill Road



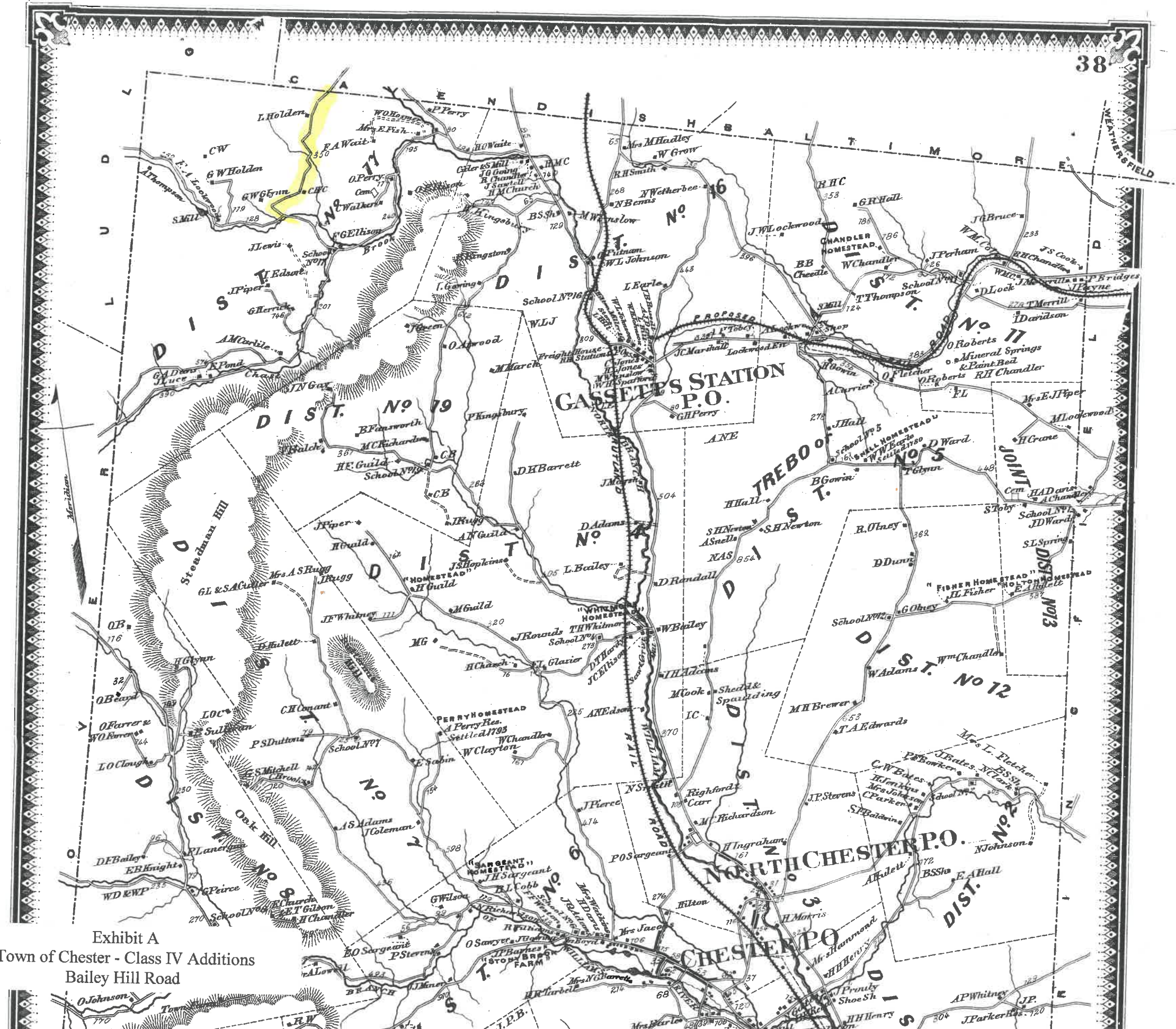


Exhibit A  
 Town of Chester - Class IV Additions  
 Bailey Hill Road



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TH-137 CL 4  
0.85 mi

Town of Chester  
Certificate of Highway Mileage  
Class IV Road Addition

### MCCALISTER ROAD

This road appears on the Beers' Map in School District #9 extending north from the house of G.F. McCalister to the Chester-Windham Road (See Exhibit A).

Its length is approximately .85 miles.

This road was worked as a public road in 1877 in District #34 (See Exhibit B).

Though this road visibly extends to intersect Hall Ranch Road in Grafton, no record has been found to show the section south of the McAlister site was a public road and it is not included in this action.

The north end is located at Old Stage Road (TH 66) approximately 500 feet from its intersection with Popple Dungeon Road.

This road was affirmed as a public road and approved to be added to the AOT map by the Selectboard on January 20, 2010 (See Exhibit C).

This road is readily visible, parts begin walled and all of it having been improved by private parties in the recent past.



Beginning at the forks  
 of road near the Baptist Parsonage  
 thence south by G. W. Davis  
 and next Edgell & on the cow  
 gut road to Grafton line also  
 from a road to Sawyer Mill,  
 & to the house of Seth Davis  
 and Charles Field.

No 1 Norwich

34 Beginning at the intersec-  
 tion of the cow gut on Mindham  
 roads - thence on the said  
 Mindham road by W. B. Williams &  
 Josiah Swift to a point where the  
 Houghtonsville road intersects with  
 the said Mindham road and from  
 said road by the Artemus Smith place  
 to Grafton line - also from S.  
 road near Almus Alwoods house  
 to the McClester house

D. D. Williams

Swift

Beginning on the Mindham  
 road at the intersection of the  
 roads from the Good & Little house  
 thence on the brook to Mindham  
 line near B. H. Devinal's house  
 and by Sarah Hazzett to On-  
 down line - also from S. brook  
 road to the house of Sylvester  
 McClifford Melan French and  
 Papa D. Clark.

36 Beginning at the corner  
 of Main St in the south village near  
 Mellors Tin Shop thence on the road  
 by Edwidge Knight's house to H. B.  
 Farbell's house and from road  
 near A. B. Flandiss's house to the  
 end of bridge near A. F. Baldwin's  
 house - also from S. road  
 near Maria Eards house by D. W.  
 McSkinner to the brook road  
 near the School House in Dist No 9

H. W. Meier

Exhibit B





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3. **REVIEW OF DRAFT TOWN WARNING:**

Mr. Suursoo commented that Article 6 discussed approving a sum of money for bridges and facilities and stated that the Board should be prepared to have an answer as to which bridges or facilities. Discussion transpired regarding whether or not the Board needs to specifically name each bridge or facility for each year that money is being allocated towards. General consensus of the Board was to not identify specific bridges or facilities.

However, after further discussion, a motion was made by Ms. Ladieu-Walton to amend Article 6 to add “.. the remainder of \$26,000.00 to be allocated to bridges and facilities”. Seconded by Mr. DeBenedetti. Motion passed with Mr. DeBenedetti voting no.

A motion was made by Ms. Ladieu-Walton to remove the language “not to exceed” from Article 6. Seconded by Mr. Suursoo. Motion passed.

Ms. Ladieu-Walton stated that she was pleased to see Article 4 on the Warning and that the Town responded so quickly. She questioned if the School had been contacted. Ms. Aldrich stated that the school will charge the Town \$100.00 for the rental of the auditorium plus \$21.00 per hour for the janitors. Mr. Pisha noted that if the meeting starts during the morning hours, it will most likely run during lunch which will mean either feeding people, or breaking for lunch, thereby creating more hours.

A motion was made by Mr. Suursoo to approve the Articles as amended. Seconded by Mr. DeBenedetti. Motion passed.

Ms. Aldrich reminded the Board that they will need to stop into the Town Office on Friday and sign the Warning.

4. **ROADS FOR AOT MAP:**

Mr. Jewett asked Ms. Hance to elaborate on the memorandum that she provided to the Selectboard regarding the AOT maps. Ms. Hance explained that she has spoken with several people from AOT in addition to a few attorneys regarding the ancient roads laws. Ms. Hance stated that the “ancient roads” laws do not really apply to Chester because the roads that have been identified are already Class IV roads. She stated that the defining factor is whether the roads are visible or not. She provided the Board with a list of roads identified by Peter Farrar and Richard Jewett as clearly visible.

Ms. Hance clarified for the Board that for Class IV roads that are visible on the ground with no record of discontinuance simply need to be added to the AOT maps by February

10, 2010. The status of the roads does not change. They will remain Class IV roads, the Board is simply identifying them on a map.

Ms. Hance further discussed the four roads that are not clearly visible on the ground. She informed the Board that the town has missed deadlines relative to these roads. In July, 2010, these roads will become identified corridors, which will require a different process in order to retain them as Class IV roads.

Mr. Suursoo confirmed that should the Board agree to map the 17 roads identified on the list, this does not preclude any citizen from challenging these roads in the future should an issue arise.

Discussion transpired regarding roads 13 and 14, Old Chandler Road and Old Meadow Road, which were a part of the Old Baltimore Road. Mr. Farrar stated that these two roads were part of the Petition to discontinue Old Baltimore Road, which the Board previously ruled on several months ago.

Mr. Adler expressed concerns regarding a Class IV road that crosses his neighbors property. The Board clarified that Class IV roads are not maintained by the town and that upgrading to a Class III road would require reclassification, which would require public hearings.

A motion was made by Mr. Suursoo to affirm, until proven otherwise, that Chase Brook Road (N. Branch), Chase Brook Road (S. Branch), Steadman Hill Road, Beard Road, Malon-Poston Road, Contro Road, Michael Road, Roach Road to Springfield, Smokshire road to Cavendish, Varian Balch area roads, Rugg Road, G.S. Mitchell Road, Old Chandler Road, Old Meadow Road, Richardson-Trombley Road, Rod & Gun Club Road to Andover and Road west from Smokshire Cemetery remain Class IV roads and be put on the AOT maps. Seconded by Mr. Westine. Motion passed.

##### **5. 2010 GENERAL FUND BUDGET APPROVAL:**

Mr. Pisha stated that the changes to the budget include salary adjustments and the addition to the paving line item, as requested. He stated that the proposed budget will reduce the overall tax collection requirement by approximately \$20,000.00.

Mr. Suursoo stated that under General Government the bottom line increased by \$2,000.00. He further noted that the zoning and planning line item increased by \$5,000.00. Ms. Hance explained that she moved \$5,000.00 from the grant matching fund line item and is using the money as an expense. She explained that the Planning Grant funds have been cut by the State for 2010 and that she will need that money to pay for assistance from Regional Planning in rewriting the Zoning Regulations this year.

Mr. Suursoo also noted that on the Public Works Budget, item 431-68, column 2 should show \$43,000.00. He further stated that it is his opinion that North Street Culvert paving should have its own line item and not be classified in with the overall paving budget.