District 4 Certcode 1409-0

## CERTIFICATE OF HIGHWAY MILEAGE YEAR ENDING FEBRUARY 10, 2020

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2020 to: Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section 219 N. Main Street, Barre, VT 05641.

We, the members of the legislative body of HARTLAND

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	0.000		-	00,00	0.000	•
Class 2	16.260			16.26	0.000	
Class 3	59.71	•		59,71	0.000	
State Highway	24.722			24,722	0.000	
Total	100.692			100.692	0.000	<b>S</b> .M.
* Class I Lane	0.000	X		0,00		
* Class 4	2.96			2.96	0.000	
* Legal Trail	4.58	0.49	0.20	4.87		

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

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

1.	<b>NEW HIGHWAYS:</b> Please attach Selectmen's "Certificate of Completion and Openie +0.49 mi New Legal Trail	<sup>rg".</sup> Received
2.	DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting)	FEB 19 2020
-	-0.20 mi LT-3 Discontinued	Policy, Planning & Intermodel Development Division

3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting). Received

MAR 05 2020

4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing Scenic Highways. Policy, Planning & Intermodel Development Division

IF THERE ARE NO CHANGES IN MILEAGE: Check box and sign below.

PART III - SIGNATURES - PLEASE SIGN. Selectmen/ Aldermen/ Trustees Signatures: martha 0 1. 16 yde l Date Filed: T/C/V Clerk Signature: Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL: E-SIGNED by Johnathan Croft on 2020-08-10 08:44:01 EDT

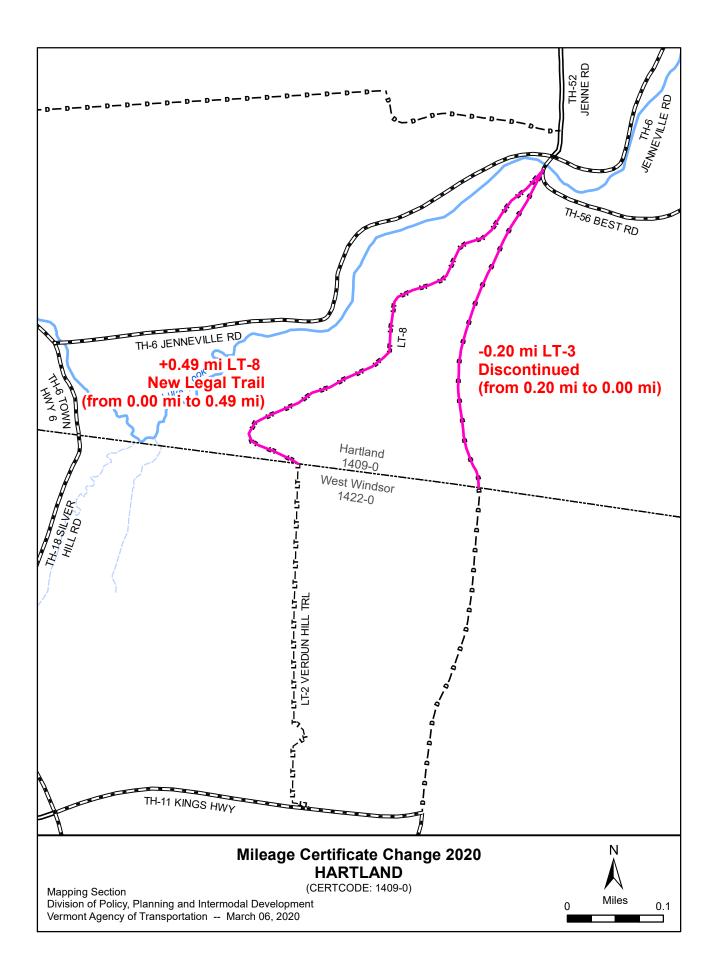
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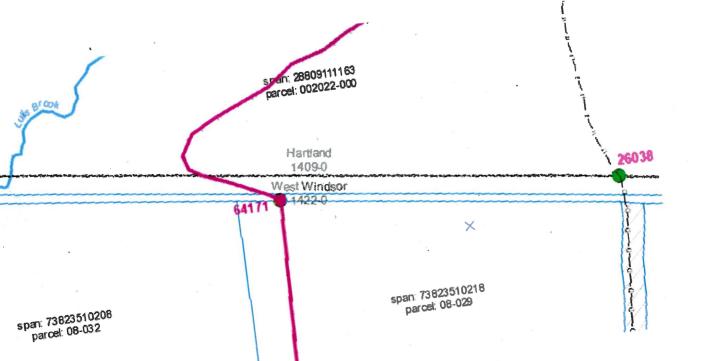
Signed copy will be returned to T/C/V Clerk.

APPROVED:

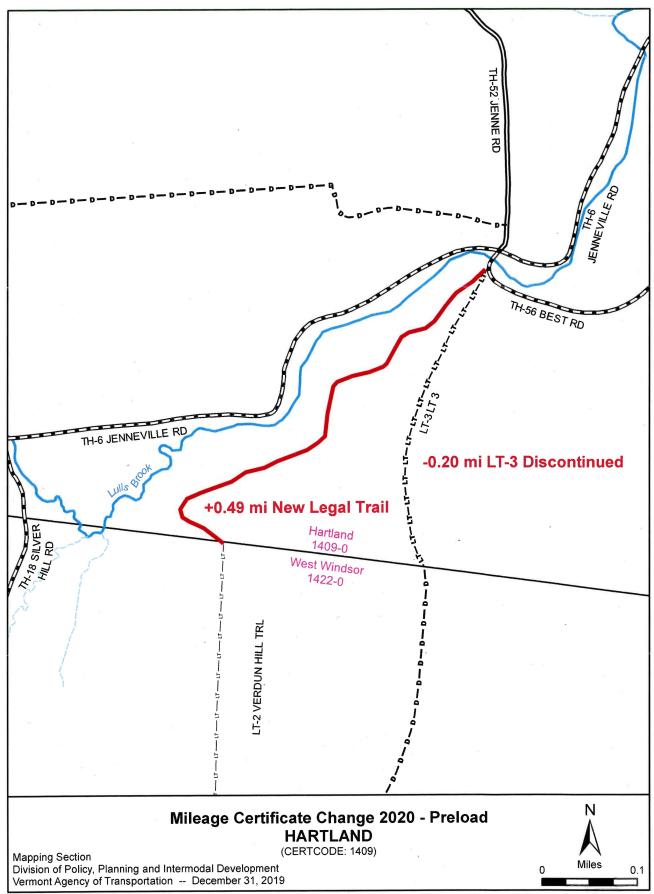
Representative, Agency of Transportation

DATE: August 10, 2020





Town boundary question for JC Boundary moved 2020-3-5



Select Board Meeting Minutes Hartland, Vermont September 10, 2018

Select Board members present: Mary O'Brien, Phil Hobbie, Matt Peeler, Gordon Richardson, Martha McGlinn

Town Manager: David Ormiston

Public present: Doug Linnell, Matt Dunne, Stuart Farnham, Rob Foote, Bob Bibby, Diane Bibby, Dana Jacobson-Goodhue, Noah Jacobson- Goodhue, Martin Dole, Virginia Dean (Vermont Standard)

# Signed orders.

Approved minutes from meeting on August 23, 2018.

# **Old Business**

1. Three Corners Intersection

a. Easements: Dave reported that we are moving forward on the easements still needed. Charlie Spear has signed his. Matt Dunne has asked the town to maintain the parking lot in front of his building and the Town has agreed that, if needed, a septic system under parking lot would be permissible (at his expense).

b. Utilities: Matt Dunne spoke about the feasibility and cost of burying the utility lines at the intersection. We have received an estimate from Green Mountain Power for \$68,000 and another for the excavation work for \$190K. Two Rivers is helping with estimates from Comcast and First Light. The overall cost would not be as high as originally suggested. Matt pointed out this is a "once in a generation" project to make the gateway into Hartland more beautiful. He further suggested that Municipal Planning Grants through the state might be available. Those applications are due Oct 1. Select Board members expressed concern at the additional expense. Further discussion of financing options with a 30 year bond or a bank loan for 10 years. The present plan has no cost associated with the utility lines.

2. Blood Hill Trail: A site visit will be scheduled and a public hearing will be warned. The motion was made and passed to initiate proceedings to lay out a new legal trail on the Hartland portion of the Johannensen property, parcel #8-29. The motion was made and passed to initiate proceedings to discontinue the existing legal trail on the Hartland section on the Johannensen property.

## New Business

1. Errors and Omissions: Doug Linnell explained the recent errors. Matt Peeler moved and the Board voted to accept the correction to GMP assessment reducing the amount by \$244,400. Matt made a second motion and the Board voted to accept the correction to Judy Howland's assessment which was reduced by \$2600. Third motion was made and passed concerning the removal of the Veterans' exemption from Craig Smith's assessment.

2. Conflict of Interest Policy: already in place, no action taken.

Meeting adjourned at 7:30 p.m. Next regular meeting Monday, September 17, 2018, at 5:30 p.m. Martha McGlinn, Clerk

## Notice of Hearing on Discontinuing an existing Legal Trail by the Selectboard of Hartland, Vermont

The Selectboard members of the Town of Hartland, Vermont, hereby give notice to the persons named below as owners of, or persons interested in, lands and rights that may be affected by the decisions of the Selectboard.

At a meeting held on September 10, 2018, the Selectboard passed a motion to initiate proceedings to discontinue the existing Legal Trail on the Johannensen property (Hartland Parcel #002-022). The existing Legal Trail, which was discontinued as a Town Highway (#55) and reclassified as a Legal Trail on January 18, 1963, is shown on Farnsworth Survey drawing 10-2036, dated January 15, 2010 and recorded in the Town Clerk's Office in File #1, Slide 1226. The Legal Trail is also visible on the State Highway Map located in the Hartland Town Clerks Office as well.

The Selectboard members and interested members of the public will meet on Best Rd., at the intersection of Best Road and Jenneville Rd., in Hartland, Vermont at 4:00 PM on Tuesday, October 23, 2018 for a site inspection of the Legal Trail proposed to be discontinued. The Selectboard members and interested members of the public will then meet at Damon Hall, located at 1 Quechee Rd. in Hartland, Vermont at approximately 5:45 PM to conduct a hearing on the question of discontinuing the Legal Trail.

As required by law, notice of this site inspection and hearing is being provided by certified mail to each person owning or interested in lands through which the trail passes, listed below, as well as the West Windsor and Hartland Planning Commissions, the West Windsor & Hartland Conservation Commissions, and the VT Commissioner of Forests, Parks & Recreation. A copy is to be posted in the office of the Town Clerk of each town and published in the *Valley News* newspaper not less than 10 days before the time set for the hearing.

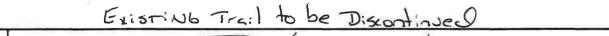
A survey showing the Legal Trail proposed for discontinuance is available for review and copying at the Hartland Town Office, located at 1 Quechee Rd., Hartland, Vermont, during regular business hours, Monday through Friday, from 8:00 AM until 4:00 PM.

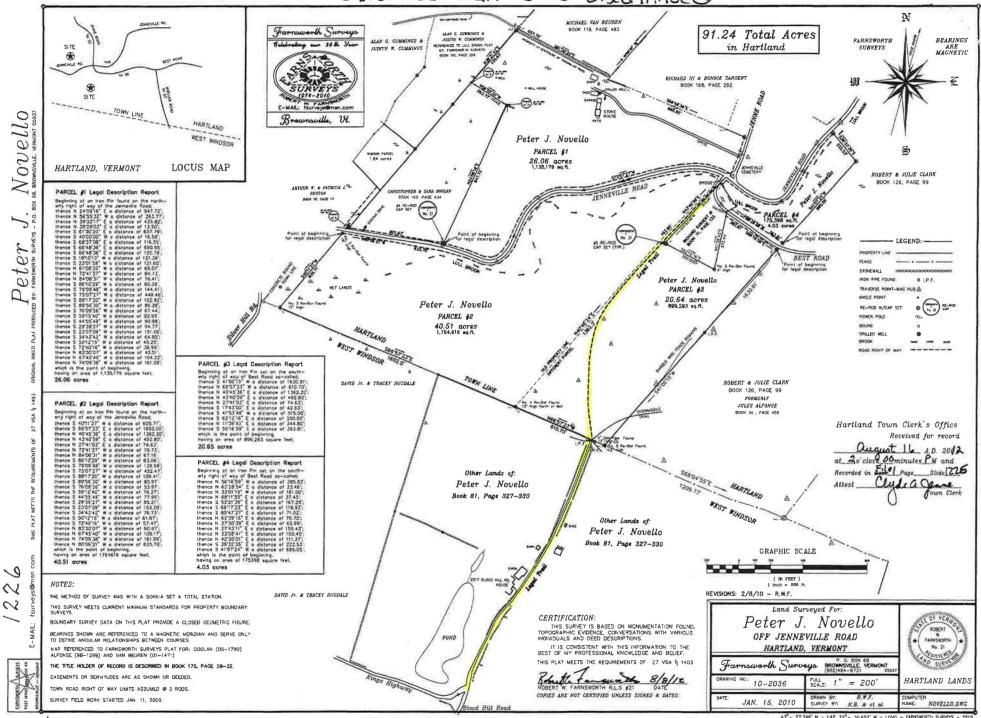
The following parties have been notified of the site inspection and public hearing:

Renee Johannensen Sandra & Kenneth Moeller Wynn & Betsy Medinger David & Tracey Dugdale John & Sue Greenall Green Mtn. Horse Association Dennis Lemire; West Windsor Moonlighters VT Association of Snow Travelers, Inc. Richard & Bonnie Sargent Brian & Laura Higginson Robert & Julie Clark John & Pamela White Patricia Rosson August & Diane Doll Town of West Windsor

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Gordon Richardson, Hartland Selectboard Chair





SEE LEGAL DESCRIPTION REPORT FOR MISSING SHORT LINE DESCRIPTIONS ON PLAT.

N - LAT. 72"- 30,652" W - LONG. - FARNSWORTH SURVEYS - 2010 Plotted @ 1" =  $270' \sim$ 

## Notice of Hearing on Laying out a new Legal Trail by the Selectboard of Hartland, Vermont

The Selectboard members of the Town of Hartland, Vermont, hereby give notice to the persons named below as owners of, or persons interested in, lands and rights that may be affected by the decision of the Selectboard.

At a meeting held on September 10, 2018, the Selectboard passed a motion to initiate proceedings to lay out a new Legal Trail along the western border of the Johannensen property (Hartland Parcel #002-022) as shown on Farnsworth Survey drawing #18-2175-TR (titled "Recreational Trail surveyed for Renee (Novello) Johannensen from King's Hwy. to Best Road, W. Windsor & Hartland, Vermont" dated August 13, 2018).

The Selectboard members and interested members of the public will meet on Best Rd., at the intersection of Best Road and Jenneville Rd., in Hartland, Vermont at 4:00 PM on Tuesday, October 23, 2018 for a site inspection of the proposed Legal Trail to be laid out. The Selectboard members and interested members of the public will then meet at Damon Hall, 1 Quechee Rd., Hartland, Vermont, at approximately 5:30 PM to conduct a hearing on the question of laying out a new Legal Trail.

As required by law, notice of this site inspection and hearing is being provided by certified mail to each person owning or interested in lands through which the trail passes, listed below, as well as the West Windsor & Hartland Planning Commissions, the West Windsor & Hartland Conservation Commissions, and the VT Commissioner of Forests, Parks & Recreation. A copy will also be posted in the Town Clerk's office and published in the *Valley News* newspaper not less than 10 days before the date set for the hearing.

A survey showing the proposed Legal Trail is available for review and copying at the Hartland Town Office, located at 1 Quechee Road, Hartland, Vermont, during regular business hours, Monday through Friday, from 8:00 AM to 4:00 PM.

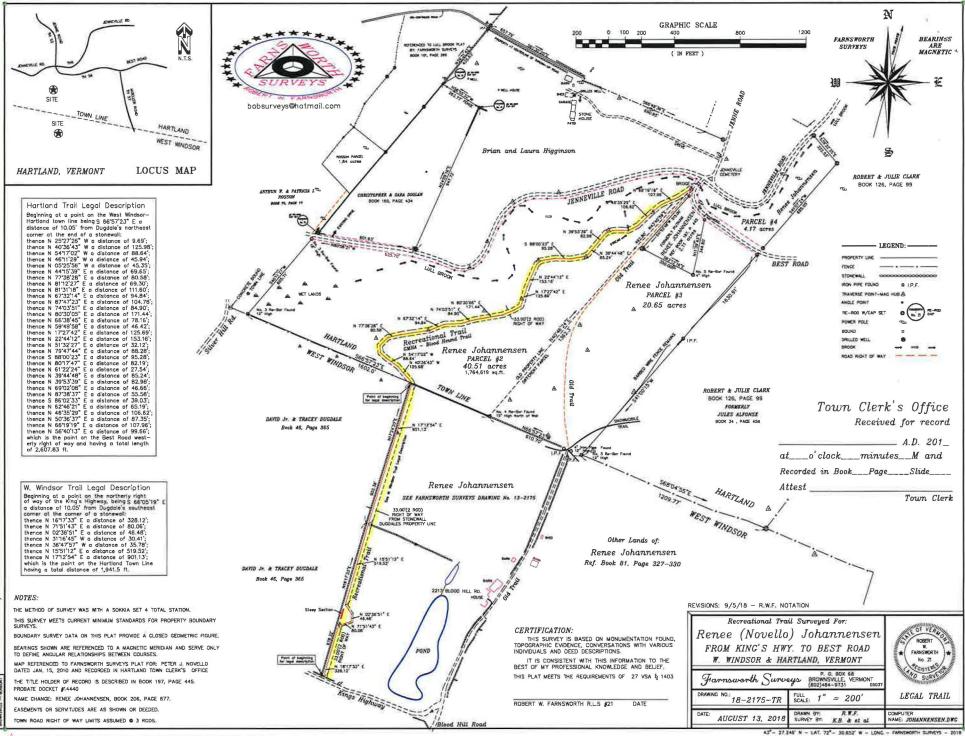
The following parties have been notified of the site inspection and public hearing:

Renee Johannensen Sandra & Kenneth Moeller Wynn & Betsy Medinger David & Tracey Dugdale John & Sue Greenall Green Mtn. Horse Association Dennis Lemire; West Windsor Moonlighters VT Association of Snow Travelers, Inc. Richard & Bonnie Sargent Brian & Laura Higginson Robert & Julie Clark John & Pamela White Patricia Rosson August & Diane Doll Town of W. Windsor

lion 9/19/18

Gordon Richardson, Hartland Selectboard Chair

Proposed New Layour



T SEE LEGAL DESCRIPTION REPORT FOR MISSING SHORT LINE DESCRIPTIONS ON PLAT.

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# ~.VERMONT

State of Vermont Department of Forests, Parks & Recreation Lands Administration and Recreation Division 1 National Life Drive, Davis 2 Montpelier, VT 05620-3801 http://fpr.vermont.gov

October 12, 2018

Town of Hartland Selectboard c/o Jean Clyde, Town Clerk P.O Box 349 Hartland, VT 05048 Agency of Natural Resources

RECEIVED

OCT 23 2018

HARTLAND TOWN CLERK

Dear Board Members,

On September 28, 2018, the Department of Forests, Parks & Recreation (FPR) received petitions to discontinue an existing Legal Trail and to lay out a new Legal Trail in the Town of Hartland. Per 19 V.S.A. §775, municipalities must notify the Commissioner of FPR when a petition to discontinue a highway is filed. It is the policy of FPR to encourage municipalities to keep highways as public rights-of-way for emergency, recreational, forestry, agricultural, and other purposes. These roads provide numerous benefits, including:

- Access to year-round and part-time residence and camps;
- Access to agricultural fields, forests, and sugaring operations;
- Access to state-owned parcels for recreational opportunities, for hunting and fishing, forest management and other forest products;
- Recreational access for activities like hiking, mountain biking, cross country skiing, horseback riding, and ATV and 4-wheel use

FPR's Lands Administration staff and District staff in our Springfield office have reviewed the petition and offer the following comments:

"The Springfield District has no problems with this proposal as long as there are no restrictions placed on the recreational use of the new legal trail - all of the recreational uses that would currently be allowed on the existing trail should continue to be allowed on the new trail."

In addition, FPR has informed our recreational partners of this petition (per our policy) so they may have the opportunity to provide comment. FPR staff will not be participating in the public hearing and site visit occurring on Tuesday, October 23, 2018. We respectfully ask that this letter be recorded as part of the official proceedings on this matter. Thank you for the opportunity to comment.

Sincerely,

- toh

Rebecca Washburn Director, Lands Administration and Recreation Division



October 23, 2018 Public Hearing Laying out and Discontinuance of a Legal Trail on Renee Johannensen's property Damon Hall

Public present: Rob Anderegg, Gary Trachier SelectBoard members Present: Matt Peeler, Gordon Richardson, Martha McGlinn Town Manager: Dave Ormiston

Gordon Richardson opened the hearing at 5:30 p.m. and explained the purpose of the hearing: to establish a new legal trail from Best Road to the Hartland town line, then joining the trail in Brownsville, ending at Kingshighway. Dave presented for the record a letter from Renee Johannensen requesting the change which would establish the new trail. He also presented a letter from the Department of Forests, Parks and Recreation which stated it's approval as long as "no restrictions were placed on the recreational use of the new trail – all of the recreational uses that would currently be allowed on the existing trail should continue to be allowed on the new trail". Gary Trachier presented a proposal for an alternate route which he says would alleviate the erosion problem. Hearing closed at 5:55 p.m.

Gordon Richardson opened the second hearing at 5:55 p.m. and explained the purpose which was to discontinue the old legal trail from Best Road, up over the hill and through the dooryard of Renee Johannensen to Kingshighway. The Hartland section is severely eroded and almost impassable. A letter from Ms. Johannensen presented the benefits to having this trail thrown up. Hearing ended at 6:05 p.m.

No action was taken.

HARTLAND, VT Town Clerk's Office Received for Record <u>Alternation 13</u> A.D. 2018 at <u>5</u> o'clock 20 Minutes A M and Recorded in Book 209 Page 253 Attest: <u>Clyde C 9000</u> For Town Clerk

 HARTLAND, VT Town Clerk's Office Received for Record ALCEMARY 13 A.D. 2018 at 8 o'clock AO Minutes A M and Recorded in Book 2009 Page 10 2
Of the Town of Hartland For the Discontinuance of Blood Hill Trail (L.T. 3) On the Renee Johannensen Property

At their September 10, 2018, meeting the Hartland Selectboard voted to initiate the process to discontinue Blood Hill Trail, (L.T. 3) on the Renee Johannensen property (Hartland Parcel # 002-022). Blood Hill Trail runs from its intersection with Best Road across the Johannensen property in a southerly direction to the West Windsor town line. Blood Hill Trail is designated and depicted as L.T. 3 on the 2016 Town of Hartland General Highway Map, prepared by the Vermont Agency of Transportation and dated July 20, 2016. Blood Hill Trail was formerly designated Town Highway 55. Town Highway 55 was discontinued and reclassified as a legal trail on January 18, 1963. Concurrently with the approval of that motion, the Selectboard approved a motion to initiate the process to lay out a new legal trail over the Johannensen property.

Notice of the site visit and public hearing on the proposed discontinuance of Blood Hill Trail was sent by certified mail on September 20, 2018 to: Renee Johannensen, Sandra and Kenneth Moeller, Wynn and Betsy Medinger, David and Tracey Dugdale, John and Sue Greenall, Green Mtn. Horse Association, Dennis Lemire; West Windsor Moonlighters, VT Association of Snow Travelers, Inc., Richard and Bonnie Sargent, Brian and Laura Higginson, Robert and Julie Clark, John and Pamela White, Patricia Rosson, August and Diane Doll, and the Town of West Windsor. Copies of the notice were posted at the Town Office and a copy of the notice was also published in the Valley News on October 10, 2018.

At 4:00 p.m. on October 23, 2018, the Hartland Selectboard held a site inspection and at 5:55 p.m. convened a hearing for the purpose of taking testimony from interested persons and others on whether the public good, necessity and convenience of the inhabitants of the municipality require Blood Hill Trail to be discontinued.

During the October 23<sup>rd</sup> site inspection, the Hartland Selectboard along with others met at Blood Hill Trail, at the trail head located off Best Road, which is at the intersection of Best Road and Jenneville Road. The Hartland Selectboard shared with the gathering, Farnsworth Survey Drawing No. 18-2175-TR (last revised November 9, 2018) showing Blood Hill Trail and the proposed layout of a new legal trail over the Johannensen property. Attending the site visit were Hartland Selectboard members Gordon Richardson, Martha McGlinn and Matt Peeler. Also attending were West Windsor Selectboard members Brett Myers, Win Johnson and Matt Kantola. Hartland Resident Gary Trachier and Hartland Town Manager David Ormiston were in attendance as well.

The Hartland Selectboard also held a Special Meeting on Thursday, September 20, 2018, at 5:00 p.m. for the purpose of walking the proposed new trail as well as the existing trail. Those in attendance on September 20, 2018, were Hartland Selectboard members Gordon Richardson, Martha McGlinn, Mary O'Brien, Matt Peeler and Phil Hobbie. Also, in attendance were Hartland Residents Gary Trachier and Rob Anderegg.

The Public Hearing held on October 23, 2018, was attended by Hartland Selectboard members Gordon Richardson, Martha McGlinn and Matt Peeler. In addition, Hartland residents Gary Trachier and Rob Anderegg, along with David Ormiston, Hartland Town Manager were in attendance. During the hearing, the following exhibits were introduced: (1) A letter from the State of Vermont, Forest Parks and Recreation supporting the proposed new layout, provided that all the recreational uses currently allowed

on the existing trail continue to be allowed on the new trail; (2) A letter from Renee Johannensen dated June 15, 2018, requesting an easement for a new trail that would replace the existing Legal Trail on her property; (3) A letter from Renee Johannensen, dated October 23, 2018, supporting the layout of a new trail to replace the existing trail on her property; and (4) A letter to the Selectboard by Gary Trachier, dated October 23<sup>rd</sup>, providing testimony that portions of the new trail should be re-routed due to erosion concerns.

Based on the evidence and exhibits presented at the hearing, the Selectboard makes the following findings:

- 1. Renee Johannensen on June 15, 2018, requested that the Town consider discontinuing Blood Hill Trail. She also proposed establishing a new easement for public use on another trail located on her property, presently maintained by the Green Mountain Horse Association for horse riding.
- 2. On August 20, 2018, Ted Siegler, Chair of the West Windsor Conservation Committee, attended a Hartland Selectboard Meeting supporting the request by Renee Johannensen. There was mutual agreement between the Hartland Selectboard and the Town of West Windsor that the new trail should be laid out as a legal trail.
- 3. Both Blood Hill Trail and the proposed new legal trail are solely on the property of Renee Johannensen
- 4. Blood Hill Trail was formerly designated Town Highway 55. Town Highway 55 was discontinued and reclassified as a legal trail on January 18, 1963.
- 5. Blood Hill Trail continues into the Town of West Windsor where it presently runs over the driveway of Renee Johannensen and alongside her house and horse stables. Blood Hill Trail shows up on GPS devices and motorists mistake the trail for a road which unnecessarily increases traffic and creates a nuisance for the property owner.
- 6. The Blood Hill Trail from Best Road to the West Windsor town line is completely overgrown and is unusable for recreational purposes.
- 7. The Vermont Department of Forests, Parks and Recreation, supports the discontinuance of Blood Hill Trail provided it is replaced with a new legal trail and all recreational uses currently allowed on Blood Hill Trail are also allowed on the new trail.
- 8. The new legal trail proposed to be laid out on the Johannensen property is presently utilized and maintained by the Green Mountain Horse Association, is in good condition and usable for recreational purposes.
- 9. The new legal trail proposed to be laid out on the Johannensen property will provide the residents with a new opportunity for recreational purposes.

Based on the preceding findings, the Selectboard concludes that:

- 1. Based on the lack of maintenance and poor condition of Blood Hill Trail in Hartland, Blood Hill Trail is of little public benefit for travel or recreational purposes.
- 2. Discontinuing Blood Hill Trail and establishing a new legal trail across the Johannensen property will eliminate the unnecessary traffic and nuisance created by motorist who mistakenly drive on Blood Hill Trail near the Johannensen house and horse stable in West Windsor.
- 3. The proposed new legal trail over the Johannensen property will provide more convenient recreational use by the public than Blood Hill Trail.
- 4. No party will be entitled to damages as a result of the discontinuance of Blood Hill Trail. Damages are not available in the case of a discontinuance because the abutting property owners are not relinquishing or being deprived of property rights.

Based on these findings and conclusions, the Selectboard concludes that discontinuance of Blood Hill Trail (L.T. 3) is in the public good, necessity and convenience of the inhabitants of the Town of Hartland and therefore the Selectboard orders that the entire length of Blood Hill Trail (L.T. 3) from its intersection with Best Road and Jenneville Road to the West Windsor town line shall be discontinued.

This Decision and Order and its incorporated findings, together with a copy of the minutes of the Selectboard's October 23, 2018, hearing, shall be filed with the Hartland Town Clerk for recording. A copy of this Decision and Order shall also be mailed, via certified mail, to each person who received written notice of the Selectboard's October 23, 2018, site visit and hearing.

## **Appeal Rights**

Any person interested in this decision to discontinue Blood Hill Trail (L.T. 3) or who objects to the decision on compensation may appeal this decision to the Superior Court of this county within 30 days of the decision, in writing. V.R.C.P. 75; 19 V.S.A. §740.

3-18 12 -

Gordon Richardson, Chair Date

Matt Peeler, Vice Chair Mary T. OBrien Mary O'Brien

martha Martha McGlinn

The T

Phil Hobbie

October 23, 2018 Public Hearing Laying out and Discontinuance of a Legal Trail on Renee Johannensen's property Damon Hall

Public present: Rob Anderegg, Gary Trachier SelectBoard members Present: Matt Peeler, Gordon Richardson, Martha McGlinn Town Manager: Dave Ormiston

Gordon Richardson opened the hearing at 5:30 p.m. and explained the purpose of the hearing: to establish a new legal trail from Best Road to the Hartland town line, then joining the trail in Brownsville, ending at Kingshighway. Dave presented for the record a letter from Renee Johannensen requesting the change which would establish the new trail. He also presented a letter from the Department of Forests, Parks and Recreation which stated it's approval as long as "no restrictions were placed on the recreational use of the new trail – all of the recreational uses that would currently be allowed on the existing trail should continue to be allowed on the new trail". Gary Trachier presented a proposal for an alternate route which he says would alleviate the erosion problem. Hearing closed at 5:55 p.m.

Gordon Richardson opened the second hearing at 5:55 p.m. and explained the purpose which was to discontinue the old legal trail from Best Road, up over the hill and through the dooryard of Renee Johannensen to Kingshighway. The Hartland section is severely eroded and almost impassable. A letter from Ms. Johannensen presented the benefits to having this trail thrown up. Hearing ended at 6:05 p.m. No action was taken.

HARTLAND, VT Town Clerk's Office		
Dessived for Record		
Accember 13 A.D. 2010 o'clock 20 Minutes AM	Decision and Order of the Selectboard	
and Recorded in Book and the	Of the Town of Hartland	
Attest: Town Qigrk	For the Laying Out of a Legal Trail	
	On the Renee Johannensen Property	

HARTLAN Received fo	D, VT Town Clerk's Office	
Received in	mber 13A.D. 2018	, 
at	S o'clock & Minutes	M
and Record Attest:	led in Book * 7 Page 99	8
To	Wn Clerk Road Book	

At their September 10, 2018, meeting the Hartland Selectboard voted to initiate the process to lay out a new legal trail on the Renee Johannensen property (Hartland Parcel # 002-022) from Best Road in a southerly direction to the West Windsor town line. The proposed new legal trail is shown on Farnsworth Survey Drawing No. 18-2175-TR (last revised November 9, 2018). Concurrently with the approval of that motion, the Selectboard approved a motion to initiate the process to discontinue Blood Hill Trail (L.T. 3). Blood Hill Trail was formerly designated Town Highway 55. Town Highway 55 was discontinued and reclassified as a legal trail on January 18, 1963.

Notice of the site visit and public hearing on the laying out of a new legal trail was sent by certified mail on September 20, 2018 to: Renee Johannensen, Sandra and Kenneth Moeller, Wynn and Betsy Medinger, David and Tracey Dugdale, John and Sue Greenall, Green Mtn. Horse Association, Dennis Lemire; West Windsor Moonlighters, VT Association of Snow Travelers, Inc., Richard and Bonnie Sargent, Brian and Laura Higginson, Robert and Julie Clark, John and Pamela White, Patricia Rosson, August and Diane Doll and the Town of West Windsor. Copies of the notice were posted at the Town Office and a copy of the notice was also published in the Valley News on October 10, 2018.

At 4:00 p.m. on October 23, 2018, the Hartland Selectboard held a site inspection and at 5:30 p.m. convened a hearing for the purpose of taking testimony from interested persons and others on whether the public good, necessity and convenience of the inhabitants of the municipality require a new legal trail to be laid out on the Johannensen Property.

During the October 23<sup>rd</sup> site inspection, the Hartland Selectboard along with others met at Blood Hill Trail, at the trail head located off Best Road, which is at the intersection of Best Road and Jenneville Road. The Hartland Selectboard shared with the gathering, Farnsworth Survey Drawing No. 18-2175-TR (last revised November 9, 2018) showing Blood Hill Trail and the proposed layout of a new legal trail over the Johannensen property. Attending the site visit were Hartland Selectboard members Gordon Richardson, Martha McGlinn and Matt Peeler. Also attending were West Windsor Selectboard members Brett Myers, Win Johnson and Matt Kantola. Hartland Resident Gary Trachier and Hartland Town Manager David Ormiston were in attendance as well.

The Hartland Selectboard also held a Special Meeting on Thursday, September 20, 2018, at 5:00 p.m. for the purpose of walking the proposed new legal trail as well as Blood Hill Trail. Those in attendance on September 20, 2018, were Hartland Selectboard members Gordon Richardson, Martha McGlinn, Mary O'Brien, Matt Peeler and Phil Hobbie. Also, in attendance were Hartland residents Gary Trachier and Rob Anderegg.

The Public Hearing held on October 23, 2018, was attended by Hartland Selectboard members Gordon Richardson, Martha McGlinn and Matt Peeler. In addition, Hartland residents Gary Trachier and Rob Anderegg, along with David Ormiston, Hartland Town Manager were in attendance. During the hearing, the following exhibits were introduced: (1) A letter from the State of Vermont, Forest Parks and Recreation supporting the proposed new layout, provided that all the recreational uses currently allowed on the existing trail continue to be allowed on the new trail; (2) A letter from Renee Johannensen dated June 15, 2018, requesting an easement for a new trail that would replace the existing legal trail on her property; (3) A letter from Renee Johannensen, dated October 23, 2018, supporting the layout of a new

trail to replace the existing trail on her property; and, (4) A letter to the Selectboard by Gary Trachier, dated October 23<sup>rd</sup>, providing testimony that portions of the new trail should be re-routed due to erosion concerns.

Based on the evidence and exhibits presented at the hearing, the Board makes the following findings:

- 1. Renee Johannensen on June 15, 2018, requested that the Town consider discontinuing Blood Hill Trail. She also proposed establishing a new easement for public use on another trail located on her property, presently maintained by the Green Mountain Horse Association for horse riding.
- 2. On August 20, 2018, Ted Siegler, Chair of the West Windsor Conservation Committee, attended a Hartland Selectboard Meeting supporting the request by Renee Johannensen. There was mutual agreement between the Hartland Selectboard and the Town of West Windsor that the new trail should be laid out as a legal trail.
- 3. Both the Blood Hill Trail and the proposed new legal trail are solely on the property of Renee Johannensen.
- 4. Blood Hill Trail was formerly designated Town Highway 55. Town Highway 55 was discontinued and reclassified as a legal trail on January 18, 1963.
- 5. Blood Hill Trail continues to the Town of West Windsor where it presently runs over the driveway of Renee Johannensen and alongside her house and horse stables. Blood Hill Trail shows up on GPS devices and motorists mistake the Trail for a road which unnecessarily increases traffic and creates a nuisance for the property owner.
- 6. Blood Hill Trail from Best Road to the West Windsor town line is completely overgrown and is unusable for recreational purposes.
- 7. The Vermont Department of Forests, Parks and Recreation, supports the proposed discontinuance of Blood Hill Trail provided it is replaced with a new legal trail and all recreational uses currently allowed on Blood Hill Trail are also allowed on the new trail.
- 8. The new legal trail proposed to be laid out on the Johannensen property is presently utilized and maintained by the Green Mountain Horse Association. It is in good condition and usable for recreational purposes.
- 9. The new legal trail proposed to be laid out on the Johannensen property will provide the residents with a new opportunity for recreational purposes.
- 10. Selectboard member Gordon Richardson and Renee Johannensen walked an area that was outlined by Gary Trachier in his exhibit, as a desirable alternative route to what has been presented. The alternative route was an effort to avoid erosion to the trail. It was deemed that the alternative route proposed by Gary Trachier would not suffice as a suitable pathway for the legal trail because it too would cause erosion.

Based on the preceding findings, the Selectboard concludes that, as a consequence of its concurrent decision to discontinue Blood Hill Trail (L.T. 3), a new legal trail will serve the public good, necessity and convenience of the inhabitants of Hartland. A legal trail across the Johannensen property in the location shown on Farnsworth Survey Drawing No. 18-2175-TR (last revised November 9, 2018) will accomplish this goal. Accordingly, the Selectboard orders that a legal trail shall be laid out from Best Road to the West Windsor town line in the location shown on Farnsworth Survey Drawing No. 18-2175-TR (last revised November 9, 2018).

The Selectboard is required under 19 V.S.A. §713 to "fix in their order the time within which the owner of the lands taken shall remove his or her buildings, fences, wood, or trees." The Selectboard finds that there are no buildings, fences, wood, or trees that require removal as a result of this decision and order.

With respect to payment of damages under 19 V.SA. §712, the Selectboard finds that the discontinuance of Blood Hill Trail (L.T. 3) and establishment of this new legal trail from Best Road to the West Windsor town line in the location shown on Farnsworth Survey Drawing No. 18-2175-TR (last revised November 9, 2018) confers significant benefit to Renee Johannensen by decreasing nuisance motor vehicle traffic and generally improving the safety and quiet enjoyment of her property. The Selectboard therefore orders that no compensation for damages shall be paid to Renee Johannensen as a result of this Decision.

This Decision and Order and its incorporated findings, together with Farnsworth Survey drawing No. 18-2175-TR (last revised November 9, 2018) and a copy of the minutes of the Selectboard's October 23, 2018, hearing shall be filed with the Hartland Town Clerk for recording. A copy of this Decision and Order shall also be mailed, via certified mail, to each person who received written notice of the Selectboard's October 23, 2018, site visit and hearing.

### **Appeal Rights**

Any person interested in this decision to lay out this legal trail or who objects to the decision on compensation may appeal this decision to the Superior Court of this county within 30 days of the decision, in writing. V.R.C.P. 75; 19 V.S.A. §740.

12-3-18 randian Gordon Richardson, Chair Date

eel Matt Peeler, Vice Chair Brien

martha

Martha McGlinn

Phil Hobbie

October 23, 2018 Public Hearing Laying out and Discontinuance of a Legal Trail on Renee Johannensen's property Damon Hall

Public present: Rob Anderegg, Gary Trachier SelectBoard members Present: Matt Peeler, Gordon Richardson, Martha McGlinn Town Manager: Dave Ormiston

Gordon Richardson opened the hearing at 5:30 p.m. and explained the purpose of the hearing: to establish a new legal trail from Best Road to the Hartland town line, then joining the trail in Brownsville, ending at Kingshighway. Dave presented for the record a letter from Renee Johannensen requesting the change which would establish the new trail. He also presented a letter from the Department of Forests, Parks and Recreation which stated it's approval as long as "no restrictions were placed on the recreational use of the new trail – all of the recreational uses that would currently be allowed on the existing trail should continue to be allowed on the new trail". Gary Trachier presented a proposal for an alternate route which he says would alleviate the erosion problem.

Gordon Richardson opened the second hearing at 5:55 p.m. and explained the purpose which was to discontinue the old legal trail from Best Road, up over the hill and through the dooryard of Renee Johannensen to Kingshighway. The Hartland section is severely eroded and almost impassable. A letter from Ms. Johannensen presented the benefits to having this trail thrown up. Hearing ended at 6:05 p.m. No action was taken.

### Johannensen abutters:

Renee Johannensen 2217 Blood Hill Road West Windsor, VT 05089

Sandra & Kenneth Moeller 567 Morrison Road West Windsor, VT 05089

Wynn & Betsy Medinger 1768 Blood Hill Road West Windsor, VT 05089

Dave & Tracey Dugdale 69 Kings Highway West Windsor, VT 05089

John & Sue Greenall 267 Kings Highway West Windsor, VT 05089

### **Other Interested Parties:**

Michael Snyder, Commissioner Dept. of Forests, Parks & Recreation 1 National Life Drive, Davis 2 Montpelier, VT 05620-3801

Green Mtn. Horse Association P.O. Box 8 South Woodstock, VT 05071

Vermont Association of Snow Travelers, Inc. 26 Vast Lane Barre, VT 05641

West Windsor Moonlighters c/o Dennis Lemire P.O. Box 26 Brownsville, VT 05037

#### Town:

Al Keiller, Chair West Windsor Planning Commission P.O. Box 6 Brownsville, VT 05037

Edwin L. Johnson, Chair, West Windsor Selectboard P.O. Box 6 Brownsville, VT 05037

> Ted Siegler, Chair W. Windsor Cons. Comm. 46 Rush Meadow Rd. Brownsville, VT 05037

Renee Johannensen 2217 Blood Hill Road West Windsor, VT 05089

Dave & Tracey Dugdale 69 Kings Highway West Windsor, VT 05089

Edwin L. Johnson, Chair West Windsor Selectboard P.O. Box 6 Brownsville, VT 05037

VT Assoc. of Snow Travelers, Inc. 26 Vast Lane Barre, VT 05641

Ted Siegler, Chair West Windsor Conserv. Commission 46 Rush Meadow Road Brownsville, VT 05037

John and Pamela White 6 Jenne Road Windsor, VT 05089 Sandra & Kenneth Moeller 567 Morrison Road West Windsor, VT 05089

John & Sue Greenall 267 Kings Highway West Windsor, VT 05089

Michael Snyder, Commissioner Dept. of Forests, Parks & Recreation 1 National Life Drive, Davis 2 Montpelier, VT 05620-3801

West Windsor Moonlighters c/o Dennis Lemire P.O. Box 26 Brownsville, VT 05037

Brian and Laura Higginson 49 Allen Street Rumson, NJ 07760

Patricia Rosson 298 Jenneville Road Windsor, VT 05089 Wynn & Betsy Medinger 1768 Blood Hill Road West Windsor, VT 05089

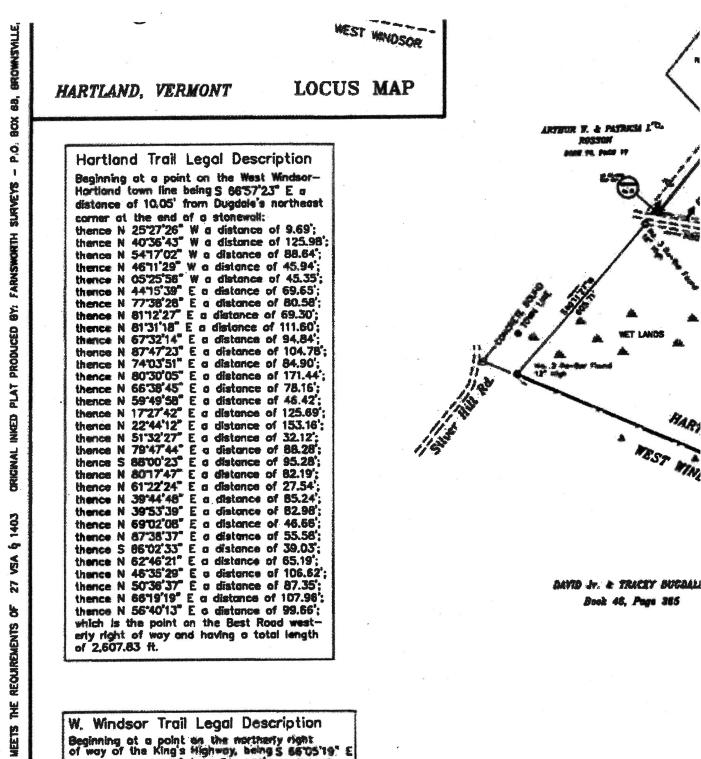
Al Keiller, Chair West Windsor Planning Commission P.O. Box 6 Brownsville, VT 05037

Green Mountain Horse Association P.O. Box 8 South Woodstock, VT 05071

Bonnie and Richard Sargent III P.O. Box 446 Hartland, VT 05048-0446

Robert and Julie Clark 168 Best Road Windsor, VT 05089

Diane and August Doll Jr. 11791 Southeast Sixth Street Williston, FL 32696



W. Windsor Trail Legal Description Beginning at a point on the mortherity right of way of the King's Highway, being \$ 5605'19" E a distance of 10.05' from Dugdale's southeast corner at the corner of a statewell: thence N 16'17'33" E a distance of 328.12'; thence N 71'51'43" E a distance of 30.06'; thence N 02'36'51" E a distance of 80.06'; thence N 02'36'51" E a distance of 30.41; thence N 35'16'45" W a distance of 30.41; thence N 15'51'12" E e distance of 35.78'; thence N 15'51'12" E e distance of 519.52'; thence N 17'12'54" E a distance of 901.13'; which is the point on the Hartland Town Line having a total distance of 1,941.5 ft.

DAVID Jr. & TRACKY DUSDALE Book 46, Page 365

### NOTES:

PLAT

SIHL

bobsurveys@hotmail.com

MAIL:

THE METHOD OF SURVEY WAS WITH A SOKIDA 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