CERTIFICATE OF HIGHWAY MILEAGE YEAR ENDING FEBRUARY 10, 2012

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2012 to: Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, One National Life Drive, Montpelier, VT 05633.

in WINDSOR We, the members of the legislative body of WEATHERSFIELD 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	 	1	0	0.000
Class 2	14.180	L	1	14.180	0.000
Class 3	55.14			55.14	0.000
State Highway	31.046			31.046	0.000
Total	100.366		[.	100.366	0.000
Class 1 Lane	0.000			0	0.000
Class 4	13.82		0.90	12.92	6
Legal Trail	0.64	1.80		2.44	0
Unidentified Corridor	0.00			0	0
Mileage for Class 1 L	ane, Class 4, Legal	Trail, and Unidentifi	ied Corridor classifi	ications are NOT incl	uded in total.

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

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

TH 115 0.61 miles 0.29 Miles

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

Total 1.80 mi Legal Trail LT-1 0.41 mi, LT-2 0.51 mi, LT-3 0.68 mi, LT-4 0.20 mi

APPROVED:

4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing Scenic Highways.

PART III - SIGNATURES - PLEASE SIGN. Selectmen/ Aldermen/ Trustees Signatures: T/C/V Clerk Signature: Please sign ORIGINAL and return it for Transportation signature. AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.	IF THERE ARE NO CHANGES IN MILEAGE: Check box at	nd sign below. []
Please sign ORIGINAL and return it for Transportation signature.	Mule & F	tus Dans
AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.		7 7 3.0
APPROVED: DATE: 6/05/20/2	AGENCY OF TRANSPORTATION APPROVAL: Sign	6/25/213

Representative, Agency of Transportation

Vermont Statutes Annotated

Received
FEB 1 7 2012
Policy, Planning & Intermodal

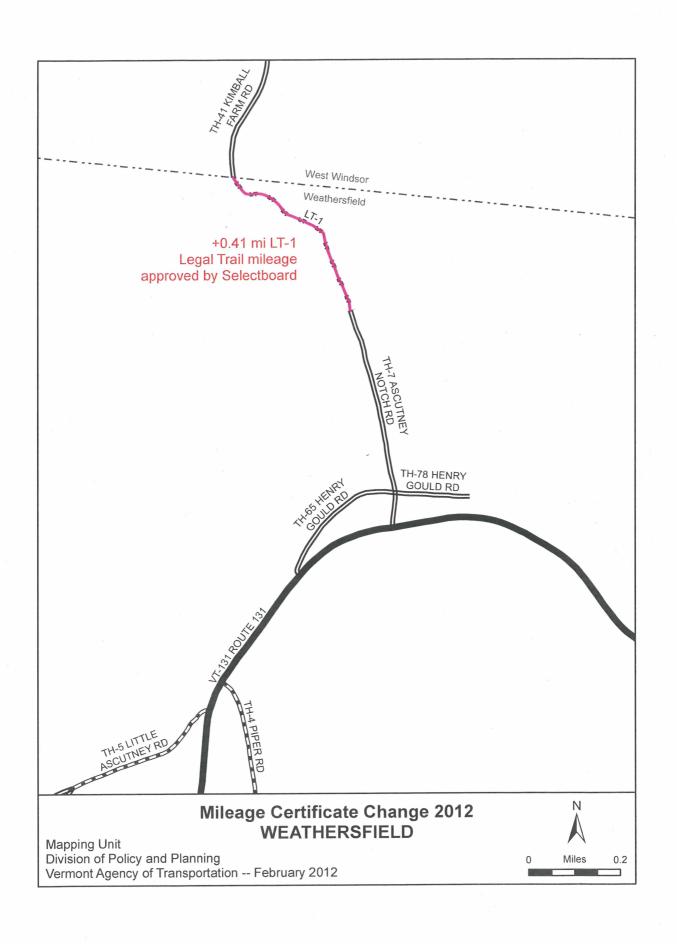
19 V.S.A. § 305. Measurement and inspection lopment Division

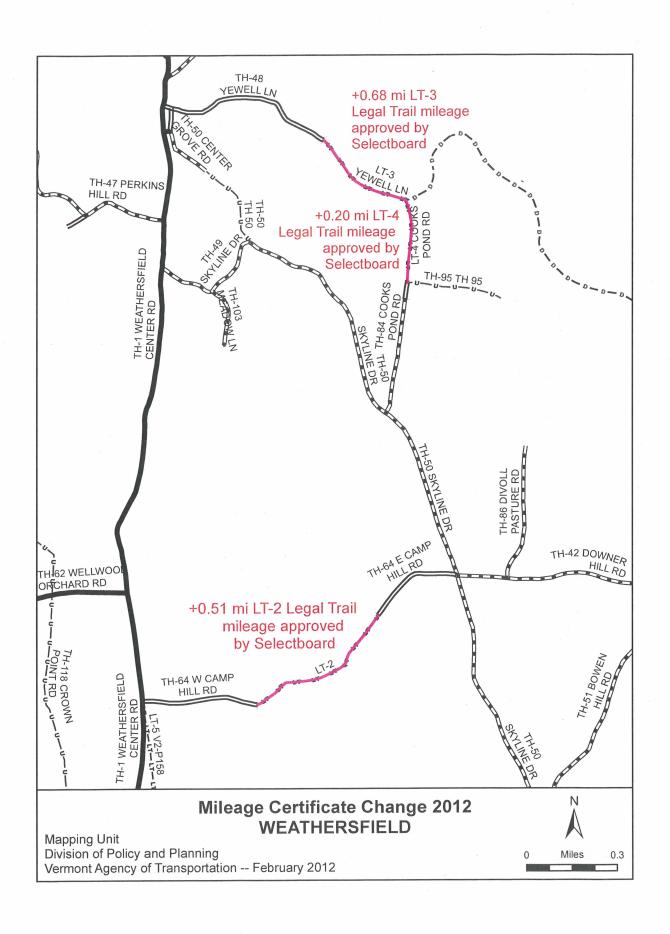
§ 305. Measurement and inspection

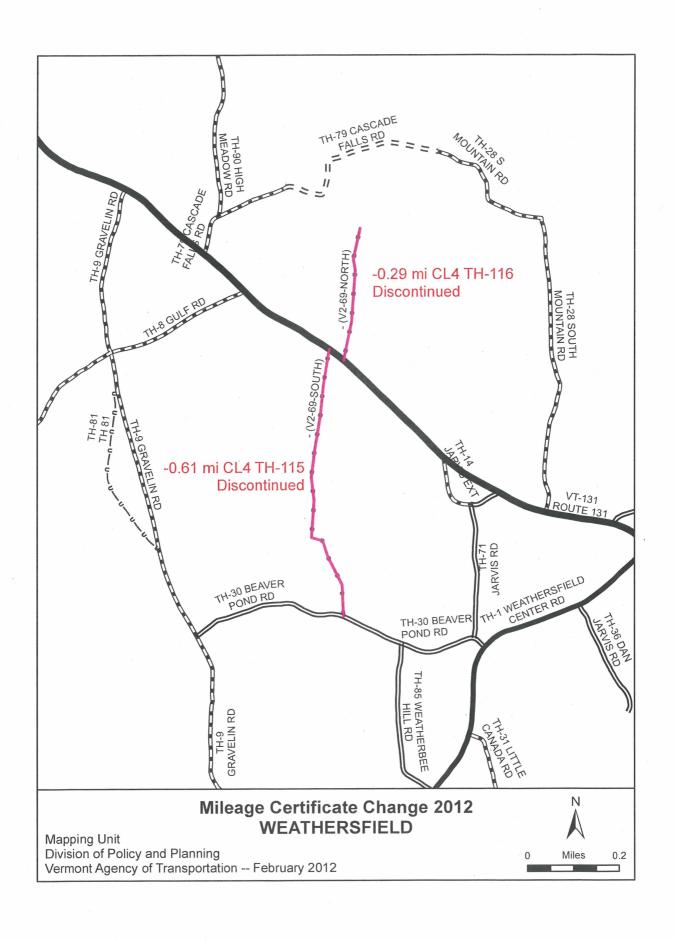
- (a) After reasonable notice to the selectboard, a representative of the agency may measure and inspect the class 1, 2, and 3 town highways in each town to verify the accuracy of the records on file with the agency. Upon request, the selectboard or their designee shall be permitted to accompany the 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

12/20/2010







State of Vermont

Agency of Transportation

Division of Policy, Planning and Intermodal Development - Mapping Unit

1 National Life Drive Montpelier, VT 05633-5001 http://www.aot.state.vt.us Telephone: 802-828-2109 Fax: 802-828-2334 Email: sara.moulton@state.vt.us

Weathersfield Chair, Selectboard Weathersfield, c/o Town Clerk PO Box 550 Ascutney, VT 05030

January 2012

The Agency of Transportation – Mapping Unit has on file information regarding legal trails within municipalities. A legal trail is a trail that is defined within Vermont Statutes in 19 V.S.A. § 301(8) and 19 V.S.A. § 302(5).

In 2006, Act 178 added the requirement that all legal trails are to be mapped by July 1, 2015. As a means of working toward this requirement, the Mapping Unit has reviewed its municipal files and noted all the legal trails currently on record at VTrans. Starting in the 1940's many trails have been shown on the General Highway Maps as dashed lines, with the letters "LT" added to the dashed lines in more recent decades.

In some cases, the mileage of the trails has been included on the Certificate of Highway Mileage and also on the Trail Mileage Summary on the General Highway Map. In other cases, a trail may be on the map but the mileage is not accounted for. The mileage for these legal trails needs to be added for compliance with Act 178 of 2006 and the requirements defined in 19 V.S.A. § 305(b) and 19 V.S.A. § 305(c).

To assist in the process of accounting for known legal trails, the Mapping Unit is providing a listing of the trails on record and including the total mileage on the Certificate of Highway Mileage. The majority of trails were created by the reclassification of a town highway into a trail, thus the legal trail inherited an official measurement. The former town highway number has been included in the FORMER TOWN HIGHWAY NUMBER column, and the former town highway mileage in the AOTMILES column for each trail. VTrans has assigned a trail number, such as LT-1, to make the trails distinct. If the AOTMILES column is zero, the municipality will need to provide a mileage. The column ARCMILES provides guidance on the mileage of a trail, derived from the geometry of the trail, as digitized in the Geographic Information System (GIS).

The legal trail mileage on file is as follows:

HIGHWAY / LEGATRAIL IDENTIFIE		ARCMILES	FORMER TOWN HIGHWAY NUMBER
LT-1	0.41	0.42	TH-7
LT-2	0.51	0.52	TH-64
LT-3	0.68	0.35	TH-48
LT-4	0.20	0.27	TH-84
To	otal 1.80	1.57	

To account for the known legal trails currently on file in the VTrans Mapping Unit records, the total mileage of the trails listed has been pre-loaded as added mileage on the Certificate of Highway Mileage. The legislative body of the municipality may make any adjustments and provide the necessary documentation for the changes.

State of Vermont

Agency of Transportation
Division of Policy, Planning and Intermodal Development - Mapping Unit

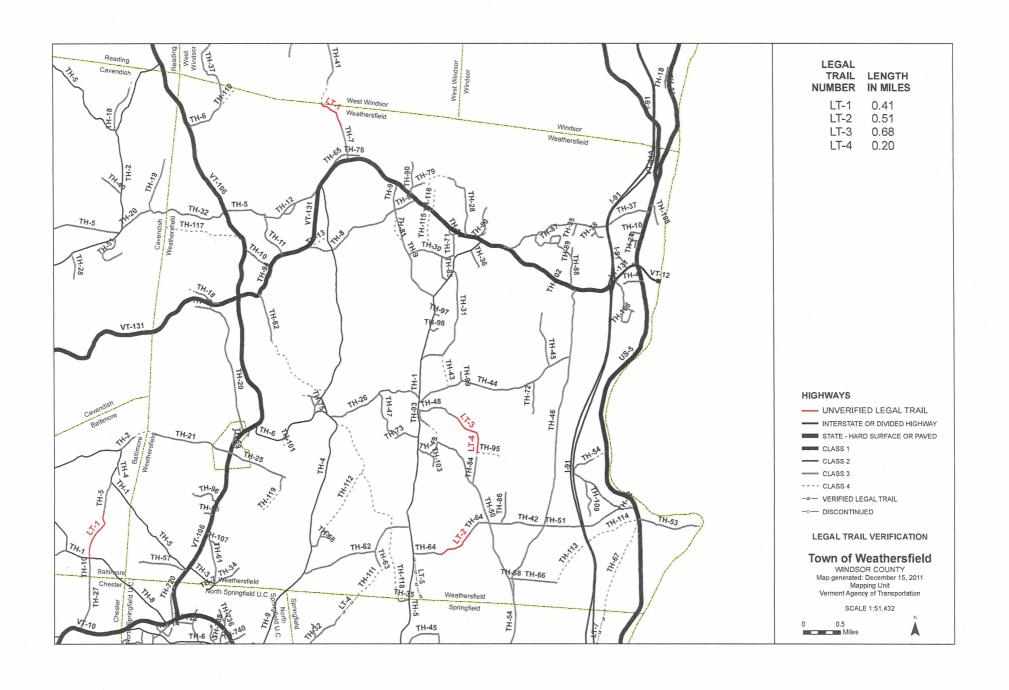
1 National Life Drive Montpelier, VT 05633-5001 http://www.aot.state.vt.us Telephone: 802-828-2109

Fax: 802-828-2334 Email: sara.moulton@state.vt.us

If you have any questions, please call me at 802-828-2109 or send email to sara.moulton@state.vt.us.

Thank you.

Sara Moulton Mapping and GIS Specialist



TOWN:	WEATHERS	SFIELD
COUNTY:	Windsor	
	Sheet	of

ACT 178 LEGAL TRAILS

Division of Policy and Planning - Mapping Unit

Legal Trail No.	Original Town Highway No.	Present Mileage	Remarks
LT-5	-	0.64	+0.64 LT 2010
TOTAL		0.64	2011
The following tra (S.Moulton)	ils were created b	efore Act 178 of 20	006, and remain unconfirmed Legal Trails as December 2011.
LT-1	TH-7	0.41	0.41 CL4 to Legal Trail (1987)
LT-2	TH-64	0.51	0.51 CL4 to Legal Trail (1987)
			0.38 CL4 to Legal Trail (1993) 0.30 CL4 to Legal Trail (1995)
LT-3	TH-48	0.68	Puzzled about this one, the AOTMILE'S total 0.68 mi, but the ARCMILES total 0.35 mi (S.Moulton Jan 2006) I wonder if a math error was made in 1973-1982 during the revisions that happened then (S.Moulton Oct 2009)
LT-4	TH-84	0.20	0.06 CL4 to Legal Trail (1993) 0.14 CL4 to Legal Trail (1995)
	•		
		,	

Select Board 07/19/2011

Weathersfield Select Board

Minutes

July 19, 2011

Present: Gordon Eglintine

Norman John Arrison

Dave Fuller

Dan Boyer

Others Present: Lisa Slade, Recording Secretary

Wes Hazeltine, Highway Superintendent

Edith Stillson

Chris Adams (filling in for Jim Mullen)

Michael Todd

deForest Bearse

Gary Rapanotti

Matthew Birmingham, Attorney for Mr. Manifort

John Wright

Chris Harris

- 1. Call to Order: Mr. Fuller called the Weathersfield Select Board meeting to order at 7:00 p.m. at Weathersfield Center Meeting House.
- 2. Comments from Citizens and Select Board: Mr. Arrison reminded everyone that the Town's 250th celebration will be held at the Weathersfield Center Meeting House on August 20th and gave a summary of the events happening that day.

Mr. Eglintine said we have cash comparison info in our packet but it is not on the Agenda, Mr. Fuller said he will add it to the end of the Agenda.

- 3. Review Minutes from Previous Meeting(s): Mr. Eglintine made the motion to approve the minutes dated July 5, 2011, Mr. Arrison seconded the motion. Corrections were noted. Motion carried unanimously. Mr. Fuller noted corrections still need to be made to the minutes from May (from the perambulations that were done).
- 4. Public Hearing to consider discontinuing Town Highway #'s 115 & 116, or Reclassify them as trails: Mr. Fuller said the perambulation was on Saturday the 16th and asked for public input at this time.

Mr. Harris asked the Town's obligation if it is a trail. Mr. Fuller said if it is a trail there will not be any motorized vehicles on it but the rights of way stay intact. Mr. Harris asked if this impacted development. Mr. Fuller said yes, in order for development to happen the landowner would have to request a hearing to request it be reclassified to a Class IV road. Mr. Boyer asked how it would affect the current snowmobile trail if it is reclassified as a trail. Mr. Arrison said they would have to ask for permission.

Mr. Fuller asked if Town Highway 115 connects to Town Highway 116, Mrs. Bearse said no.

Mr. Todd asked what it was going to cost the town to do this since it has been said it will have to be surveyed. He said a lot of people have complained about road conditions on our current roads and he is not in favor of spending money on roads that are in the woods.

There was more discussion on where the snowmobile trail goes and if it is maintained by the snowmobile club at this time.

Mr. Birmingham said Mr. Manifort is asking the Town to discontinue the roads as there is no physical evidence on the ground and the information the Ancient Road Committee found is substantially different than the State Highway map. He said the road was laid out in 1797 and it may have moved 300' since then. He reminded the Board they need to find public good, necessity or convenience and he doesn't think they can do this with the evidence they have. Mr. Birmingham said the Town would also have to survey it, monument it and defend it which is estimated at \$30,000.

Mr. Wright said looking at the map this goes along the Eastern border of his property and he meets with the snowmobile club each year for the past thirty years and they have an agreement that they can go across his property. He said whatever exists on his property he would be happy to have the Board discontinue it.

Mr. Harris asked if it would have to be surveyed for a Class IV road or a Trail. Mr. Fuller said yes. Mr. Fuller closed the Public Hearing.

Mr. Arrison made the motion to discontinue Town Highway 115 and 116 it its entirety, Mr. Boyer seconded the motion. Mr. Arrison said it appears that there is no public good, no public necessity or not public convenience to keep this as a Trail or Class IV road. Mr. Harris said it is a shame to just throw this up. Mr. Arrison said it wasn't on the original list of Ancient Roads, and there is lack of evidence on the ground. Motion carried unanimously.

5. New Business

A. Bids

-Bid's Received for Lighting Replacement at Martin Memorial Hall: for information only.

- -Approve Release of Request for Bids for Body and Plow for 10 Wheel Truck: Mr. Eglintine made the motion to approve the Request for Bids for the Body and Plow for the 10 Wheel Truck, Mr. Boyer seconded the motion. Mr. Hazeltine said he talked with Mr. Arrison about this today and thinks everything is good with this Bid information. Motion carried unanimously.
- -Approve Release of Request for Bids for Survey Work on Crown Point Road: Mr. Arrison made the motion to table this until August 2nd, Mr. Boyer seconded the motion. Mr. Arrison said he thinks we are putting the cart before the horse, we should not be sending this out at this time. Mr. Eglintine said he feels we need to get a cost for the Public Hearing that is scheduled in September. Mr. Arrison said he feels it is unfair to ask for bids when we do not have money available for this project. Mr. Fuller said he would like to talk with Mr. Mullen about this. Motion carried unanimously.

6. Appointments:

K. Town Pound: House of Cathy Sullivan, 21 Hartford Street Claremont, NH: Mr. Arrison made the motion to appoint Cathy Sullivan's house the Town Pound, Mr. Eglintine seconded the motion. Mr. Arrison said he would not vote in favor of this until he has heard that someone from Weathersfield has inspected the location, not that there are any issues at all he just thinks someone from Weathersfield should do a site visit first. Motion failed 1 - 3 with Mr. Fuller, Mr. Arrison and Mr. Boyer casting the dissenting votes.

Mr. Adams will call her to let her know and this will be on the next Agenda to discuss again.

7. Next Meeting's Agenda Items: Chief Brown, Budget Committee, Ag land lease for land in the Bow, Town Pound, Solid Waste Facility (new system financial impact).

Cash Flow: Mr. Arrison said from the information received our Cash Flow has improved substantially. Mr. Adams said that is correct. There are still some bills to be paid but there is a significant improvement over last year. Mr. Fuller asked if this included all three funds, Mr. Adams said yes (as far as cash goes). Mr. Fuller asked if there are any roll over notes, Mr. Adams said no.

Mr. Fuller said once all the final amounts are in we should establish an amount of money to have in the General Fund and revise the property tax bills because of our surplus. Mr. Adams said if these figures hold true we should have about \$295,000. It was noted that this is a direct result of the Board passing the delinquent tax policy.

8. Sign Treasurer's Warrants: Mr. Arrison made the motion to approve the Treasurer's Warrants as follows:

General Fund Payroll \$16,853.59

General Fund Operating Expense \$31,096.24

Highway Fund Payroll \$12,885.91

Highway Fund Operating Expense \$ 9,404.27

Solid Waste Management Fund Payroll \$ 1,479.56

Solid Waste Management Fund Operating Expense \$ 8,645.79

Agency Monies \$ 1,478.50

Library \$ 589.54

Mr. Eglintine seconded the motion which passed without dissent.

9. Adjourn: Mr. Arrison made the motion to adjourn. Mr. Boyer seconded the motion which passed without dissent. The Weathersfield Select Board meeting was adjourned at 7:47 p.m.

Respectfully Submitted,

Lisa Slade

Approved by the Weathersfield Select Board on August 2, 2011

Last Updated on Monday, 08 August 2011 12:21

Perambulation of TH 115 & 116 7-16-2011 Minutes

Select Board Perambulation of TH 115 and 116 July 16, 2011 Meeting Minutes

Present: Dave Fuller, Dick Clattenburg, John Arrison, Gordon Eglintine, Julia Lloyd Wright, Gary Rapanotti, Chris Harris, deForest Bearse

The above met on Beaver Pond Road between Chris Harris's house and the Filley Farm at 9AM. The group viewed the approximate location where TH 115 is believed to end just west of the Harris home. It is clear that there is no evidence of the road on the ground. Due to the lack of evidence, the group decided against attempting to follow the road's path through the woods toward Route 131.

The group decided against trying to view the location on Route 131 where TH 115 crosses Route 131 and continues onto the Wright property as TH 116 on the grounds that there is no safe place to park the vehicles and because there is no evidence of the road on that end either.

The group disbanded at approximately 10 AM. The public hearing to discuss whether to reclassify TH 115 and TH 116 as trails or to discontinue them has been warned for July 19th, 2011 at the Center Meetinghouse at 7PM.

Respectfully submitted, deForest Bearse

Received

FEB 23 2012

Policy, Planning & Intermodal Development Division

Certification of Posting and Distribution of Notice of Public Hearing - Select Board

Discontinuance or Reclassification of: TH 115 and TH 116

Perambulation Date July 16, 2011	
Hearing Date July 19, 2011	
I hereby certify that I have posted the attached "Notice of Public Hearing" in the following places and mailed, faxed or emailed as noted said "Notice of Public Hearing" to the following on as required by the Vermont Statutes Annotated, Chapter 19, §709. **Additional Control of Public Hearing" in the following the following the same of the following the state of Public Hearing of Public Hearing in the following the fo	g parties
Give 30 days' notice to <i>petitioners</i> of the time when they (SB) will inspect the site receive testimony. The notice shall be given by certified mail sent to the official re of the person(s) required to be notified. No petitioners - request made Repaired in behalf of frank re	esidence
Give 30 days' notice to persons owning or interested in lands through which the may pass or abut of the time when they (SB) will inspect the site and receive testi. The notice shall be given by certified mail sent to the official residence of the person required to be notified. 5/31/2011 (see attached list)	<i>highway</i> mony.
They (SB) shall also give notice to any municipal planning commission in the tow notice shall be given by certified mail sent to the official residence of the person(s required to be notified. 5/31/2011 Bruce Cox, Chair of Planning Con 395 S Chimney Ridge, Perkinsville, V	s)
They shall also post a copy of the notice in the office of the town clerk, $\frac{5}{3i/3}$	
They shall also cause a notice to be published in a local newspaper of general circle in the area not less than ten days before the time set for the hearing. $\frac{5/3i/2c_{W}}{c_{W}}\frac{f_{W}}{7/5/2c_{W}}$	ulation
Ascutney P.O. Perkinsville P.O. Town Website $ 5/3/2011 5/3/2011 5/3/2011 5/3/2011$	27/

TOWN OF WEATHERSFIELD, VERMONT

Notice of Public Hearing

Pursuant to the requirements of Title 19, Chapter 7, of the <u>Vermont Statutes Annotated</u>, the Select Board for the Town of Weathersfield, Vermont, will conduct a public hearing on Tuesday, July 19, 2011, at 7:00 P.M., at the Weathersfield Center Meetinghouse on Weathersfield Center Road to take public comment in their consideration of discontinuing TH 115 and TH 116 or their reclassification from Class 4 roads to trails. The hearing will be preceded with a visit to the site of each roadway on July 16, 2011 at 9:00 AM.

The highways are briefly described as follows:

TH 115

Starting at a point on the north side of Town Highway 30, the so-called Beaver Pond Road, where it crosses an unnamed stream that feeds into Beaver Pond and proceeding in a northerly direction paralleling said unnamed stream to the point where the stream crosses Vermont Route 131. Said right-of-way is laid out at four (4) rods as recorded in Volume 2, Page 69, of the Weathersfield Town Proceedings.

TH 116

Starting at a point on the south side of Vermont Route 131 at the intersection of TH 115 and Vermont Route 131, due east along Vermont Route 131 a distance of one hundred seventy-six feet (176'); thence due north continuing to parallel said stream for a distance of two thousand, thirty-six feet (2,036'). Said right-of-way is laid out at four (4) rods as recorded in Volume 2, Page 69, of the Weathersfield Town Proceedings.

Persons wishing to review the documents pertaining to this proposal may do so at the Weathersfield Town Offices, in Ascutney.

Persons wishing to comment or give evidence regarding the proposal may do so in person during the hearing, or by filing their comments, in writing, prior to the hearing.

This hearing is before the Town of Weathersfield Select Board at the above time and place.

Dated at Weathersfield, this 31st day of May, 2011.

Gordon Eglintine, Board Clerk To: Valley News

From: Weathersfield Planning and Zoning <zoning@weathersfield.org>

Subject: legal notice - TH 115 & 116

Cc: Bcc: Attached:

Please publish the following hearing notice as an in-column legal notice in the July 5th issue of the Valley News.

Please confirm via email and use the name TH 115 & 116 in the confirmation.

Please use the name "TH 115 & 116" in the P.O. for this ad.

Thanks, deForest

Notice of Public Hearing

Pursuant to the requirements of Title 19, Chapter 7, of the <u>Vermont Statutes Annotated</u>, the Select Board for the Town of Weathersfield, Vermont, will conduct a public hearing on Tuesday, July 19, 2011, at 7:00 P.M., at the Weathersfield Center Meetinghouse on Weathersfield Center Road to take public comment in their consideration of discontinuing TH 115 and TH 116 or their reclassification from Class 4 roads to trails. The hearing will be preceded with a visit to the site of each roadway on July 16, 2011 at 9:00 AM. The highways are briefly described as follows: TH 115

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TH 116

Starting at a point on the south side of Vermont Route 131 at the intersection of TH 115 and Vermont Route 131, due east along Vermont Route 131 a distance of one hundred seventy-six feet (176'); thence due north continuing to parallel said stream for a distance of two thousand, thirty-six feet (2,036'). Said right-of-way is laid out at four (4) rods as recorded in Volume 2, Page 69, of the Weathersfield Town Proceedings.

deForest D.L. Bearse, Land Use Administrator Weathersfield Land Use Department

Telephone: [802]674-2626 Fascimile: [802]674-2117

Website: http://www.weathersfield.org

From: Moulton, Sara [mailto:Sara.Moulton@state.vt.us]

Sent: Friday, February 17, 2012 3:19 PM

To: 'tclerk@weathersfield.org'

Subject: Weathersfield Mileage Certificate - Documentation Needed

We have received Weathersfield's 2012 Certificate of Highway Mileage which noted that TH-115 and TH-116 had been discontinued, but no documentation was included with the Certificate.

In order to process these changes, we need documentation that demonstrates that the town followed the discontinuance process as defined in V.S.A. Title 19, § 709. Notice and hearing. Specifically, we need the following items:

-- copies of the Selectboard's minutes of the meetings at which the Selectboard took action on these discontinuances,

-- a copy of the notice that was sent to the abutting landowners via certified mail,

-- a copy of the notice that was sent to the local newspaper including the name of the newspaper, and

-- a copy of the minutes of the site visit.

The Vermont Statutes Annotated can be referred to online at this address: http://www.leg.state.vt.us/statutes/sections.cfm?Title=19&Chapter=007

Another resource that might be helpful is "The 'Orange Book' a Handbook for Local Officials" available online at http://www.aot.state.vt.us/ops/documents/AOT-OPS OrangeBook.pdf.

Once we receive these items, we can process the changes on the Certificate and incorporate the changes on the Town Highway Map. Please let me know if you have any questions.

Page 2 of 2

Sara Moulton, GISP
Mapping & GIS Specialist, Mapping Unit
Division of Policy and Planning
Vermont Agency of Transportation (VTrans)
Tel: 802-828-2109