

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

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

Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	0.000				0.000
Class 1 Lane	0.000				
Class 2	17.670			17.670	0.000
Class 3	31.78			31.78	0.000
State Highway	14.886			14.886	0.000
Class 4	0.26	0.07		0.26	0.000
Legal Trail	0.00	0.87		0.87	
Total	64.336 65.206			64.336	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 3/5/10*
- 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:

Roger Boise *Pat Piquell*
Kathleen Hayes *Kimela Marsh*
Kathleen Tjaden

T/C/V Clerk Signature:

Pamela Kingman

Date Filed:

2/4/10

Please sign ORIGINAL and return it for Transportation signature.

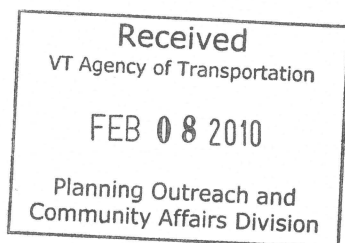
AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.

APPROVED:

[Signature]
Representative, Agency of Transportation

DATE:

5/14/2010



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

Town Of New Haven
78 North Street
New Haven, Vermont 05472-2003
802 453-3516
newhaven@gmavt.net
www.newhavenvt.com

February 2, 2010

Reference: 2010 Certificate of Highway Mileage
Town of New Haven

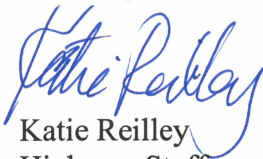
Dear Ms. Moulton:

In preparing our annual submittal of the Certificate of Highway Mileage, we realized that we had never included a town highway that was converted to a Class 4 trail in 2001. The road in question is Town Highway 23, which extends from Route 17 on the western end to Pearson Road on the eastern end. Our General Highway Map shows only the western 1320' of the road. It has been marked to show the location of the trail from Route 17 to Pearson Road.

We have also included materials pertaining to the action, including the findings, notice of hearing and correspondence from the VT Agency of Natural Resources. Also enclosed is your certificate form, amended.

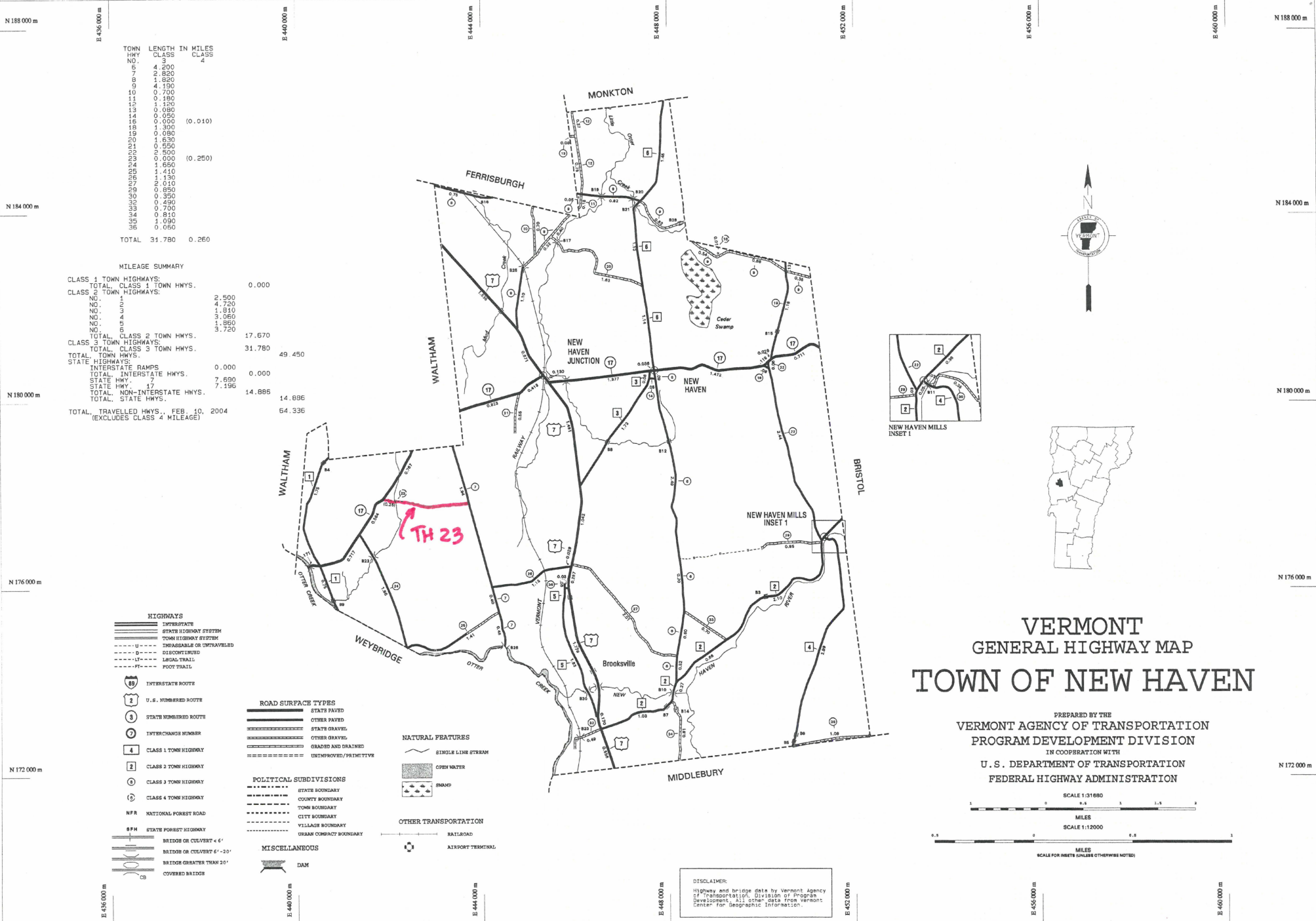
If there's anything further we need to do or other information we need to submit, please let us know.

Sincerely,



Katie Reilley
Highway Staff

cc: Roger Boise, Road Co-Commissioner
Pat Paquette, Road Co-Commissioner
Pam Kingman, Town Clerk



TOWN	LENGTH IN MILES
NO.	CLASS
1	4.300
2	2.820
3	1.820
4	4.130
5	0.700
6	0.180
7	1.120
8	0.090
9	0.000 (0.010)
10	1.300
11	0.090
12	1.630
13	0.550
14	0.500
15	0.000 (0.250)
16	1.660
17	2.500
18	1.330
19	2.010
20	0.950
21	0.350
22	0.430
23	0.700
24	0.810
25	1.090
26	0.050
TOTAL	31.780

MILEAGE SUMMARY

CLASS 1 TOWN HIGHWAYS	0.000
TOTAL CLASS 1 TOWN HWS.	
CLASS 2 TOWN HIGHWAYS	2.500
NO.	4.720
NO.	1.810
NO.	3.060
NO.	1.850
NO.	3.720
TOTAL CLASS 2 TOWN HWS.	17.670
CLASS 3 TOWN HIGHWAYS	31.780
TOTAL CLASS 3 TOWN HWS.	31.780
TOTAL TOWN HWS.	49.450
STATE HIGHWAYS	
INTERSTATE RAMP	0.000
TOTAL INTERSTATE HWS.	0.000
STATE HWY.	7.690
STATE HWY.	7.196
TOTAL NON-INTERSTATE HWS.	14.886
TOTAL STATE HWS.	14.886
TOTAL TRAVELLED HWS., FEB. 10, 2004 (EXCLUDES CLASS 4 MILEAGE)	64.336

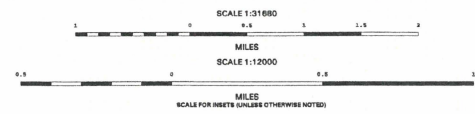
- HIGHWAYS**
- INTERSTATE
 - STATE HIGHWAY SYSTEM
 - TOWN HIGHWAY SYSTEM
 - ROADWAY OR UNTRAVELLED
 - DISCONTINUED
 - LEGAL TRAIL
 - FOOT TRAIL
- ROAD SURFACE TYPES**
- STATE PAVED
 - OTHER PAVED
 - STATE GRAVEL
 - OTHER GRAVEL
 - GRASS AND DRAINED
 - UNIMPROVED/PRIMITIVE
- POLITICAL SUBDIVISIONS**
- STATE BOUNDARY
 - COUNTY BOUNDARY
 - TOWN BOUNDARY
 - CITY BOUNDARY
 - VILLAGE BOUNDARY
 - URBAN CONTACT BOUNDARY
- MISCELLANEOUS**
- DAM

- NATURAL FEATURES**
- SINGLE LINE STREAM
 - OPEN WATER
 - SWAMP
- OTHER TRANSPORTATION**
- RAILROAD
 - AIRPORT TERMINAL



VERMONT GENERAL HIGHWAY MAP TOWN OF NEW HAVEN

PREPARED BY THE
VERMONT AGENCY OF TRANSPORTATION
PROGRAM DEVELOPMENT DIVISION
IN COOPERATION WITH
U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION



DISCLAIMER:
Highway and bridge data by Vermont Agency of Transportation, Division of Program Development. All other data from Vermont Center for Geographic Information.

FINDINGS, DECISION AND ORDER

A hearing on a proposed discontinuance of Town Highway 23 lying between Pearson Road (Town Highway 7) and Route 17 initiated by the Selectmen of the Town of New Haven pursuant to 19 V.S.A. §708 was held on January 25, 2001, by the Selectmen of the Town of New Haven. A site visit was held at 11:00 A.M. for the purpose of examining and inspecting the town road in question, and a hearing was held at 7:00 P.M. at the Town Offices for the purposes of receiving testimony from persons having an interest in this matter. Notice of the times and date of the hearing was given as required by 19 V.S.A. §709. Personal notice by certified mail, return receipt requested, was given to all persons owning or interested in lands through which Town Highway 23 passes or abuts, and a list of the persons so notified is attached hereto as Exhibit A. Notice was also given to the State of Vermont Commissioner of Forests, Parks and Recreation as required by 19 V.S.A. §775. The hearing held on January 25, 2001, was continued to March 1, 2001, (a site visit at 2:00 P.M. and a hearing at 7:00 P.M.) and notice was provided to those who had previously received notice.

Based upon the evidence received and the examination of the site, the Selectmen of the Town of New Haven make the following findings:

1. The original survey for Town Highway 23 may be found at Town Record Book 1 Page 47.
2. Town Highway 23 is currently a Class 4 town highway.
3. Town Highway 23 has not been maintained for over 20 years and is not required to provide access to any individual property owner.
4. Town Highway 23 is not passable by an ordinary motor vehicle.
5. Town Highway 23 does provide significant public access for uses such as

snowmobile trails, horseback riding trails, hiking and other recreational uses.

6. Given the use and condition of Town Highway 23 between Pearson Road (Town Highway 7) and Route 17, it is in the public good to reclassify the status of Town Highway 23 between Pearson Road (Town Highway 7) and Route 17 from a Class 4 town highway to a trail.

7. A trail is a public right of way which is not a highway. It is in the public interest for Town Highway 23 between Pearson Road (Town Highway 7) and Route 17 to have the status of a trail as a public resource.

8. It is the finding of the Selectmen of the Town of New Haven that the public good, necessity and convenience of the inhabitants of the Town of New Haven require that the status of Town Highway 23 between Pearson Road (Town Highway 7) and Route 17 be reclassified from a Class 4 town highway to a trail.

ORDER


Town Highway 23 between Pearson Road (Town Highway 7) and Route 17 is reclassified from a Class 4 town highway to a trail.

DATED at New Haven, Vermont, this 5th day of April, 2001.


SELECTMEN OF THE TOWN OF NEW HAVEN



Andy Dylstra, Selectman



Burt Allen, Selectman



Amos Roleau, Selectman

EXHIBIT A

1. Peter and Barbara Bolduc
P.O. Box 17
New Haven, VT 05472
2. Philip Livingston
535 Daniels Road
New Haven, VT 05472
3. Kathryn Pabst
P.O. Box 2165
Manchester Center, VT 05255

Notice of hearing and examination

For the purpose of town road discontinuance

Pursuant to VT. Statutes Annotated Title 19, Chapter 7, 708 - 711 relating to the discontinuance of town roads: The selectmen of the Town of New Haven hereby give notice this 20th day of December 2000 that they are initiating proceedings respecting the discontinuance of Town Highway 23 a road in the Town of New Haven lying between Pearson Rd. (Town Hwy. #7), and Route 17.

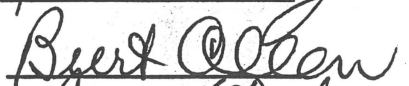
The selectmen of the Town of New Haven will meet January 25th, 2001 at 11:00 am at the intersection of Pearson Road and Route 17 for the purpose of examining and inspecting the town road in question. Following this examination at 7:00 PM on January 25th, the selectmen will meet at the Town Offices on North St. for the purpose of receiving testimony by any persons having interest respecting this matter.

All parties with an interest in the continuance or discontinuance of this town highway are requested to be present at the examination and hearing relating to this action.

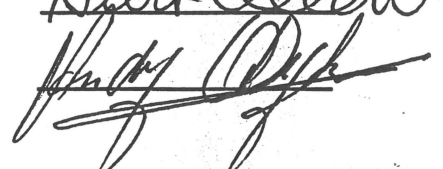
Paul Audy, Chairman



Burt Allen



Andy Dykstra



cc:

- ✓ Abutting Landowners
- Mortgagees and interested persons *livyngtons*
- ✓ Commission of Forests, Parks and Recreation
- Town of New Haven Planning Commission - *hadd dolner George*
- ✓ James Ouimette Esq.
- ✓ New Haven Town Clerk's Office (posted)
- ✓ The Addison Independent (for publication) *Faxed*
- Regional Planning Comm*
- VGM*
- PO*
- School*

Attest:

Barbara Sevin Town Clerk
12/20/00

Please Post Legals 12/21 12/28 1/4 1/11 1/18

State of Vermont

Department of Fish and Wildlife
Department of Forests, Parks and Recreation
Department of Environmental Conservation

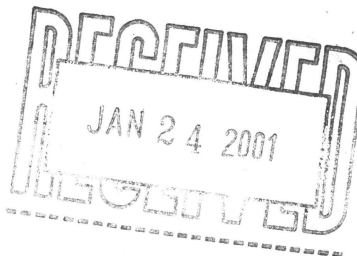


AGENCY OF NATURAL RESOURCES
103 South Main St., 10 South
Waterbury, Vermont 05671-0601

DEPT. OF FORESTS, PARKS AND RECREATION
802-241-3693 Fax: (802) 244-1481
State Lands Division

January 22, 2001

Selectboard
Town of New Haven
c/o Barbara Torian, Town Clerk
78 North Street
New Haven, Vermont 05472



Dear Board Members:

We are in receipt of the notice pursuant to the requirements of Title 19 V.S.A. that you propose to discontinue a portion of land in the Town known as Town Highway 23.

For your information, it has been the policy of this Department to encourage towns to continue ownership of highway rights-of-way where they are of sufficient length or location to be of value to snowmobilers, cross-country skiers, hikers, horseback riders, and other recreational users. Such existing rights-of-way can be valuable recreation resources for our growing population.

This Department has no objection to your proposed discontinuance. However, the Town may want to consider discontinuing the road to "trail" status so that the right-of-way is retained for possible future use but the Town would have no responsibility for maintenance.

With the passage of H. 83 in the 1991 Legislature, the laws regarding Class 4 roads and trails give much more strength to towns in their ability to preserve these rights-of-way. Title 19 V.S.A. § 711 states in part:

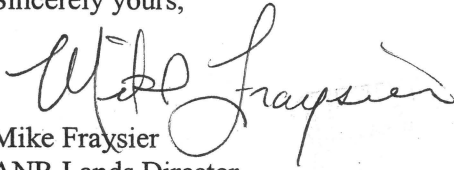
"...the selectmen may order that the petitioner bear the cost of upgrading a class 4 town highway to the class 3 town highway standards established in 19 V.S.A. § 302(a) (3)(B). Nothing in this section shall be construed to require a town to maintain a class 4 highway or to upgrade a highway from class 4 to class 3."

I am enclosing a copy of the "Town Policy on Class 4 Roads and Trails" issued by the Vermont Trails and Greenways Council. You will find a copy of the Department's policy on road discontinuance in this enclosure. You may want to consider a similar policy in New Haven. Having such a policy will help to ensure that you will not be required to maintain Class 4 roads or trails or upgrade them to Class 3. Also enclosed is a "Class 4 Highways and Trails Fact Sheet" that may help to answer some questions you might have about this issue.

This Department will not be represented at your meeting on January 25, 2001, but we ask that this letter and attachments be entered into the proceedings. We also request that local trail organizations such as snowmobile clubs be notified of the proposed discontinuance.

Thank you for contacting us on this matter. We always appreciate the opportunity to comment on these important recreation resources.

Sincerely yours,

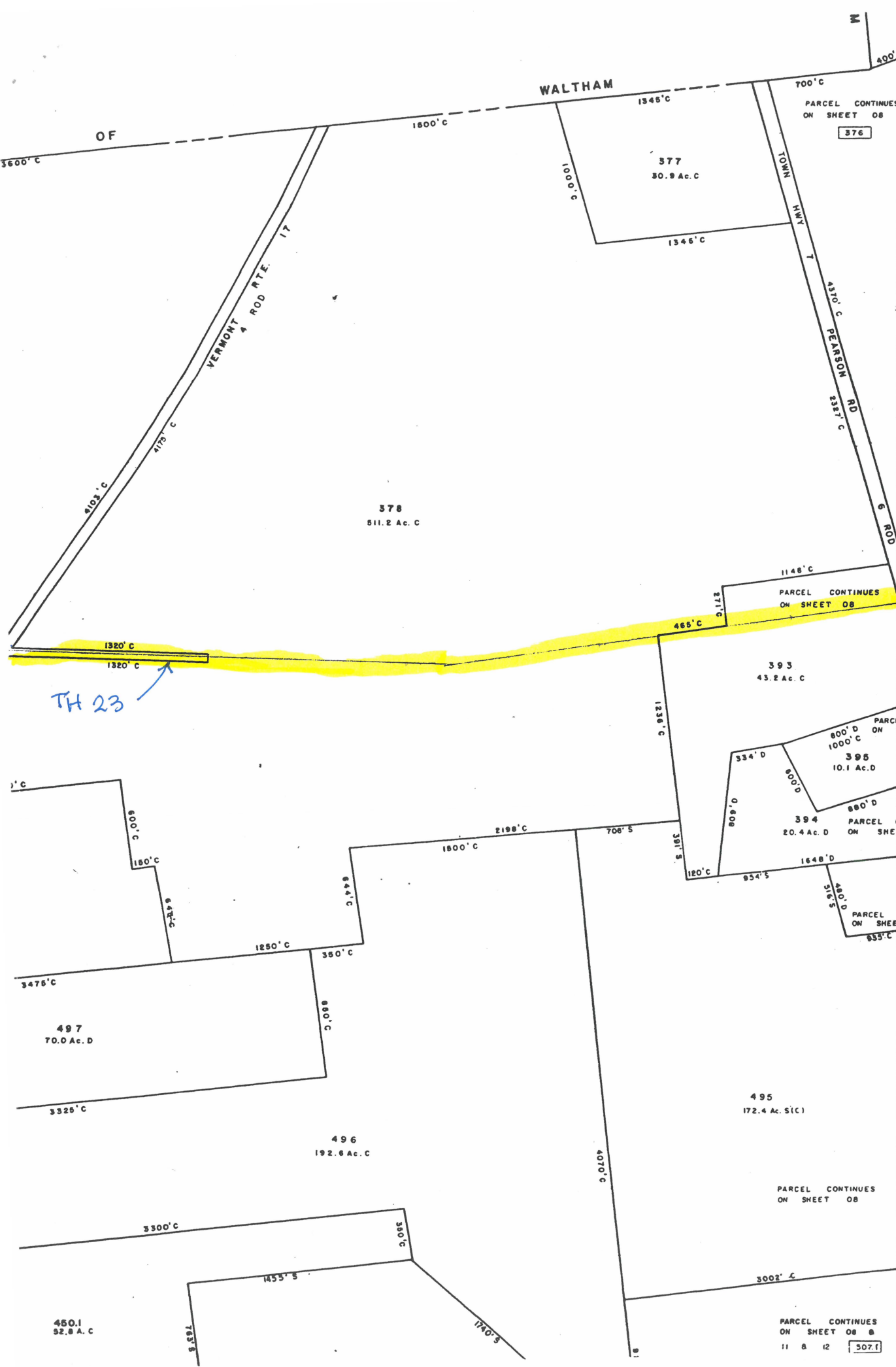


Mike Fraysier
ANR Lands Director

eh

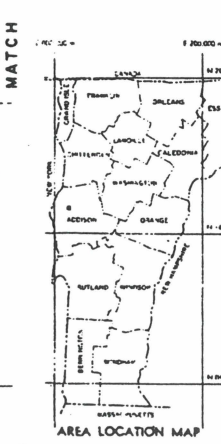
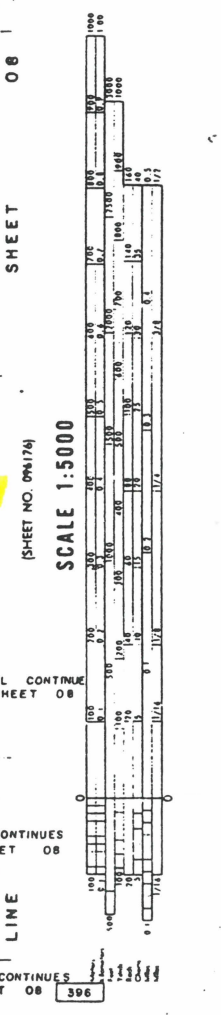
Enclosures

c Kevin Murphy, Trails Coordinator, VAST
Gary Sawyer, District Trails Coordinator
Planning Office, AOT

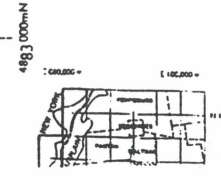


MAINTENANCE RECORD

YEAR	BY
84-85	K.G. WESTON, L.S.
86	K.G. WESTON, L.S.
87	K.G. WESTON, L.S.
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95	K.G. WESTON, L.S.
96	K.G. WESTON, L.S.



TH 23



PARCEL CONTINUES ON SHEET 08 & 11 & 12 507.1