

District 3
Certcode 0114-0

**CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2018**

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2018 to:
Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section
One National Life Drive, Montpelier, VT 05633.

We, the members of the legislative body of ORWELL 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 2	14.500			"	0.000
Class 3	49.46			"	0.000
State Highway	11.415			"	0.000
Total	75.375			"	0.000
* Class 1 Lane	0.000			"	
* Class 4	3.99		-1.91	2.08	0.000
* Legal Trail	1.23			"	

* 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. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".
2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).
 CL4 TH-22 Griswold Ln -1.10mi
 CL4 TH-23 Griswold Ln / TH-23 -0.81mi } -1.91mi total
3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).
4. 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:

Paula Barnes *Roland Simmons*
James E. Carter
David...

T/C/V Clerk Signature:

Elizabeth Walker

Date Filed:

1/8/18

Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL:

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

APPROVED:

Representative, Agency of Transportation

DATE:

4/18/2018

Vermont Statutes Annotated

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

Received

JAN 12 2018

Policy, Planning & Intermodal
Development 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.

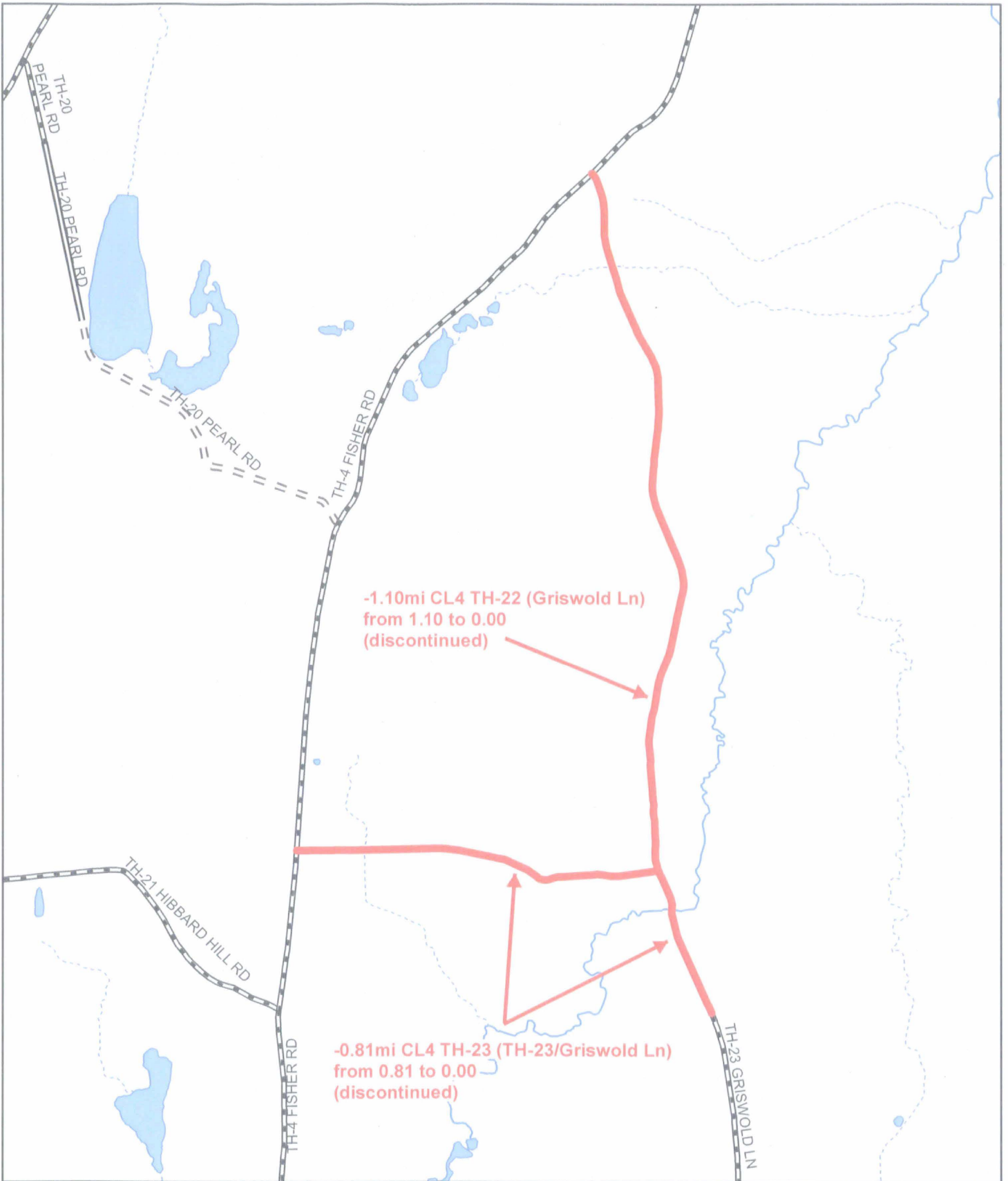
(d) At least 45 days prior to first including a town highway or trail that is not clearly observable by physical evidence of its use as a highway or trail and that is legally established prior to February 10, 2006 in the sworn statement required under subsection (b) of this section, the legislative body 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 – <https://legislature.vermont.gov/statutes/section/19/003/00305>



Mileage Certificate Change 2018

ORWELL
(CTUA: 0114-0)

Mapping Section
Division of Policy, Planning, and Intermodal Development
Vermont Agency of Transportation - January 2018



Grimaldi, Kevan

From: Town of Orwell <tckorwel@sover.net>
Sent: Friday, January 26, 2018 4:49 PM
To: Grimaldi, Kevan
Subject: RE: Town of Orwell's 2018 Highway Mileage Certificate

Good Afternoon Kevan,

Let me start out by saying your interpretation of the total mileage being 1.91 is correct. The two surveys I sent you from 1794 and 1795 show that Griswold Lane, which you have on your map as TH #22 & TH #23 was originally surveyed from Fisher Road, at the very northerly end of Griswold Lane, running south until it meets Route 73. Then what you have listed as TH #23 (east and west at .55 miles) was surveyed at a different time. You have TH #23 as running northerly then turning and running westerly until it meets Fisher Road. I believe all of Griswold Lane should be listed a TH #23 from Fisher Road to Route 73 running North & South, as surveyed, and the East West road should be TH #22, as surveyed.

The discontinuance covers all of what you are calling TH #23 (at .55 miles) and the class 4 section of what you are calling TH #22 (1.1 miles) to a little south of the intersection where the water runs under the road/bridge (which got totally washed out last July 1st) as indicated, and also including the .26 mile.

Sorry, I don't mean to make this confusing, but I kind of knew it would be. We just seem to have different interpretations of what road is what. In any case the total amount of the discontinuance totals 1.91 miles in length and I guess if they are being discontinued then it really doesn't matter what they are called anymore as long as we both agree on what is being discontinued.

If you have any more questions please don't hesitate to contact me. Have a nice weekend.

Sincerely,

Betty

*30/01/2018: checked historical town highway maps for Orwell; hwy's first #ed in '49, VT's hwy # config is as it has been since. Not sure about source of the hwy # discrepancy.
- K.G.*

From: Grimaldi, Kevan [mailto:Kevan.Grimaldi@vermont.gov]
Sent: Wednesday, January 24, 2018 10:59 AM
To: tckorwel@sover.net
Subject: Re: Town of Orwell's 2018 Highway Mileage Certificate

Dear Ms Walker,

We are in receipt of the Certificate of Highway Mileage for the Town of Orwell for 2018, and are looking into the desired discontinuances for addition to the 2018 Town Highway Map for Orwell. I am writing to request clarification on a minor discrepancy concerning the description of the portions of TH-22 and TH-23 to be discontinued. The description, taken from the relevant meeting minutes and submitted with the mileage certificate, reads as follows:

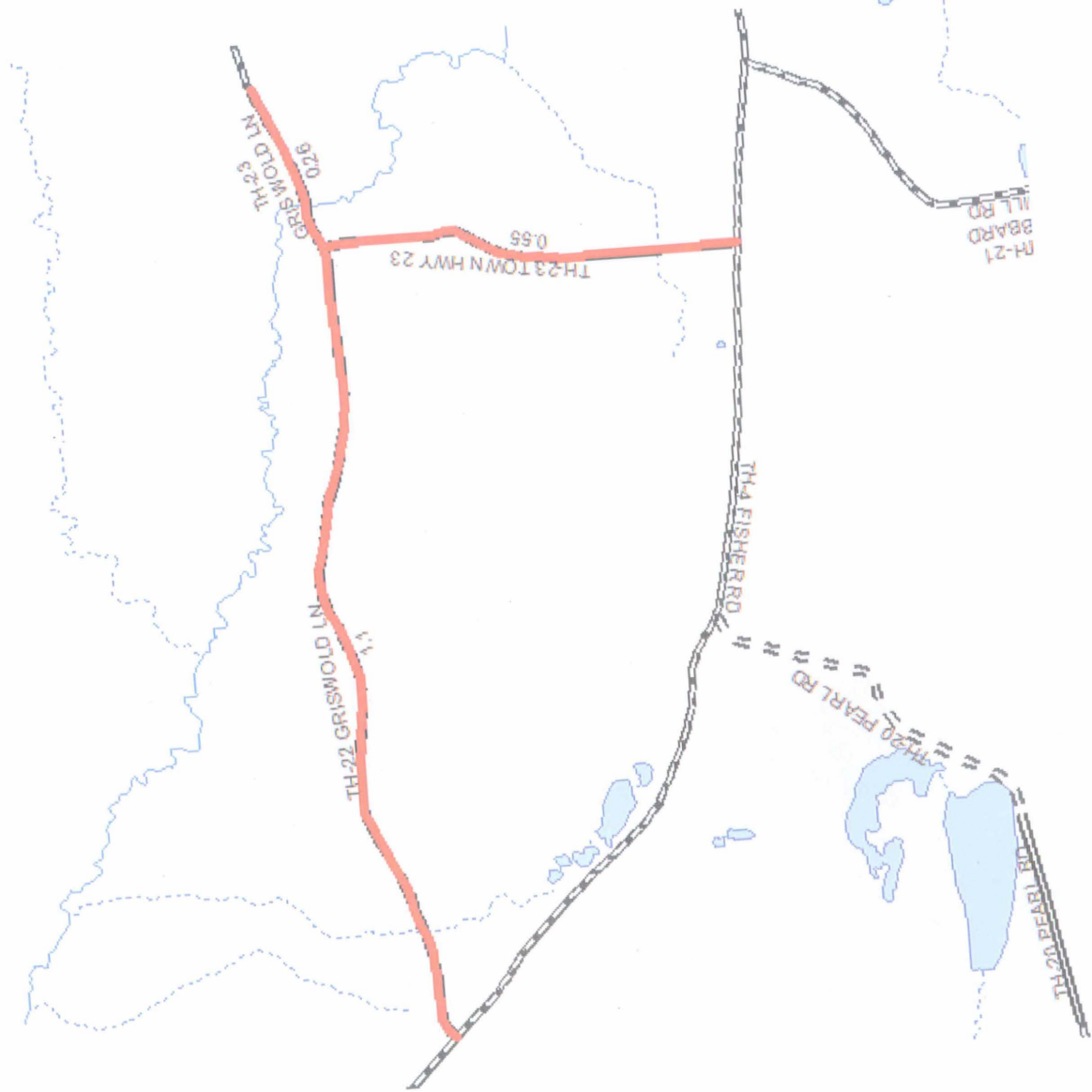
'On August 30, 2017, in the town of Orwell, VT, the Select Board met to consider the discontinuance of Class 4 TH #22, from the intersection of Griswold Lane and TH #22, running westerly on TH #22 to Fisher Road a distance of 0.55 miles, and the Class 4 section of TH #23, from the intersection of Griswold Lane and TH #22 running northerly on Griswold Lane's Class 4 section, to Fisher Road a distance of 1.36 miles in length, both being three (3) rods wide.'

[Along with this description, it is noted that the total mileage to be considered for discontinuance from said description is 1.91mi.]

Because the road names and town highway numbers don't match up so tidily in our records (see attached screencap for details), I need some clarification on the precise extents of these highways that are to be discontinued. TH-22 is not the 0.55mi-long east-west road as described above but actually the 1.1mi-long northern portion of Griswold Ln between Fisher Rd to the north and the intersection to the south with the so-named TH-23 coming in from the west; Griswold Ln itself then carries the TH-23 identifier from that same intersection along the southerly remainder of its lie, including both of its Class 4 and Class 3 portions along this route. Additionally, the total mileage quoted for discontinuance (1.91mi) represents *all* portions of TH-22 and TH-23 with current class 4 status, but the description above implies that *only* the two sections running 1.10 mi to the north (Griswold Ln; CL4 TH-22) and 0.55mi to the west (Town Highway 23; CL4 TH-23) from the intersection of these two highways are to be discontinued, and does not seem to include the 0.26mi portion of Griswold Ln (CL4 TH-23) to the south of this intersection. With this in mind, I ask whether it is correct to interpret the desired discontinuance as covering all Class 4 portions of TH-22 and TH-23 (1.91mi total), or only those that run to the north and west of the intersection of these highways (1.65mi total). (The maps included with the submitted highway mileage certificate would seem to support the former interpretation, but I wanted to double-check.)

Thank you in advance for your input.

- Kevan Grimaldi
GIS Specialist – VTrans Mapping Section



Town Highway/Legal Trails Addition/Reclassification/Discontinuance Checklist

The following includes a checklist of the documentation to be supplied to the Vermont Agency of Transportation (VTrans) when adding / reclassifying / discontinuing highways and trails. The documentation is subject to verification by VTrans.

Check the box if the information is included as part of the documentation submitted.

- A description of the affected highway or trail
Vt. Stat. Ann. tit. 19, § 305(e)
- A current town highway map with the requested deletions and additions sketched on it
Vt. Stat. Ann. tit. 19, § 305(e)
- Minutes of meetings at which the legislative body took action with respect to the changes (include copies of the meeting minutes) Vt. Stat. Ann. tit. 19, § 305(e)
- Evidence of written notice to adjoining landowners (include a copy of the newspaper notice and a copy of the letter sent to adjoining landowners)
Vt. Stat. Ann. tit. 19, § 709
- A copy of any surveys of the affected highway or trail
Vt. Stat. Ann. tit. 19, § 305(e) Vt. Stat. Ann. tit. 19, § 704
Original Road Surveys for TH#22 & TH#23
- For Class 3 or Class 4 town highway additions
A Certificate of Completion and Opening
While not required by statute, a Certificate of Completion and Opening form is a helpful document for the record.

All records filed with the agency are subject to verification in accordance with 19 V.S.A. § 305 (a) and 19 V.S.A. § 305 (e).

Vermont Agency of Transportation
Division of Policy, Planning and Intermodal Development, Mapping Section
1 National Life Drive, Montpelier, VT 05633-5001

MINUTES OF THE
FINDINGS OF FACT OF
ROAD DISCONTINUANCE HEARING
ORWELL SELECT BOARD

August 30, 2017
Town Office
7:45 P.M.

ORWELL TOWN CLERK'S OFFICE
Present for hearing Sept 5, 2017 AD
at 11:00 clock 11 minutes P.M.
Held in book 916 Page 158
Signed: [Signature] 9/1/17
Betty Walker

Select Board: Thomas Audet
Dave Larsen
Ted Simmons, Chair

Present: Paul A. Stone

Betty Walker, Clerk

The Findings of Fact was called to order at 7:45 p.m. by Ted Simmons, Select Board Chair.

Description

On August 30, 2017, in the Town of Orwell, VT, the Select Board met to consider the discontinuance of Class 4 TH #22, from the intersection of Griswold Lane and TH #22, running westerly on TH #22 to Fisher Road a distance of .55 miles, and the Class 4 section of TH #23, from the intersection of Griswold Lane and TH #22 running northerly on Griswold Lane's Class 4 section, to Fisher Road a distance of 1.36 miles in length, both being three (3) rods wide.

TOTAL MILES = 1.91

After making the site visit and hearing the witnesses, the Select Board came to the following conclusion:

Ted Simmons stated that these Class 4 roads are in poor repair. To meet the Town's legal responsibility by State Law of maintaining Class 4 Roads would be a major expense for the Town. By turning the roads over to the property owners, by discontinuing the highways, the only repairs that would be done would be what the property owners want. The North end of Griswold Lane would have nothing done with it. Freeman Corey doesn't seem to be interested in using that road at all. Procedures we've used in the past have resulted in water contamination, which allows the property owner to get Federal Assistance to fix it properly. The town is not eligible to get funding to fix this where the individual property owners are eligible, especially the Stone's who have already initiated the contacts for Federal monies.

There are no houses or buildings on these roads.

Of the property owners present, none of them expressed a negative response.

The neighbors are all in agreement, everyone was in favor of it.

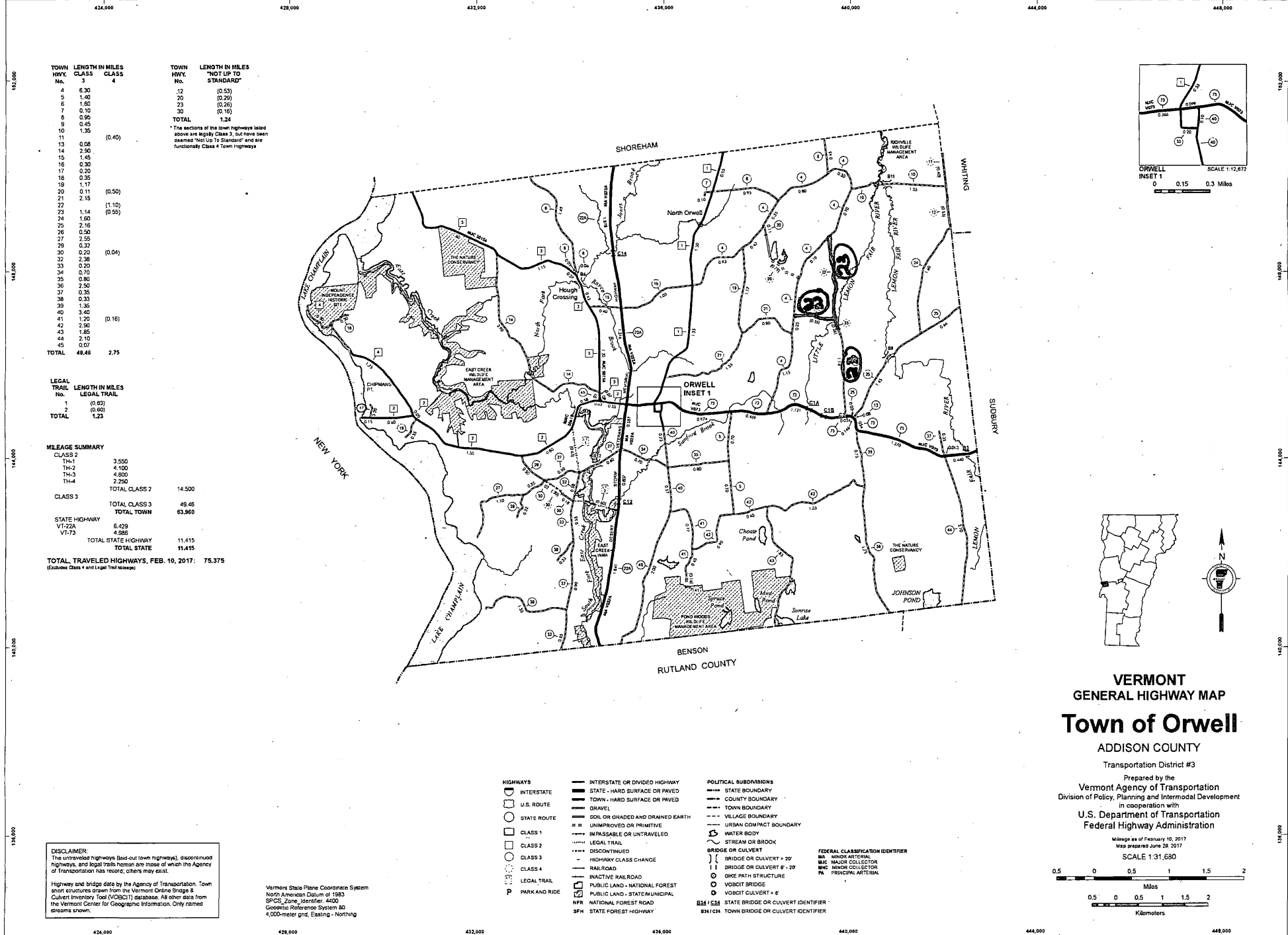
All properties have access from a town road.

There is no landlocked property.

Tim D'Avignon can put in a right-of-way across his own property or get an access driveway from Stonewood Farm or Mark Bigelow to access his back 16.1 acres.

Stonewood Farm can get Federal Assistance for the road and culvert repairs for a more permanent fix.

Freeman Corey and Mark Bigelow have no problem as long as they can have access of its use.



TOWN HWY. No.	LENGTH IN MILES CLASS 3	CLASS 4
4	6.30	
5	1.40	
6	1.60	
7	0.10	
8	0.95	
9	0.45	
10	1.35	
11		(0.40)
13	0.06	
14	2.90	
15	1.45	
16	0.30	
17	0.20	
18	0.35	
19	1.17	
20	0.11	(0.50)
21	2.15	
22		(1.10)
23	1.14	(0.55)
24	1.60	
25	2.18	
26	0.50	
27	2.55	
29	0.37	
30	0.20	(0.04)
32	2.38	
33	0.20	
34	0.70	
35	0.80	
36	2.50	
37	0.35	
38	0.33	
39	1.35	
40	3.40	
41	1.20	(0.16)
42	2.90	
43	1.85	
44	2.10	
45	0.07	
TOTAL	48.46	2.75

TOWN HWY. No. LENGTH IN MILES "NOT UP TO STANDARD"

12	(0.53)
20	(0.29)
23	(0.26)
30	(0.16)
TOTAL	1.24

*The sections of the town highways listed above are legally Class 3, but have been deemed "Not Up To Standard" and are functionally Class 4 Town highways

LEGAL TRAIL No.	LENGTH IN MILES LEGAL TRAIL
1	(0.83)
2	(0.02)
TOTAL	1.23

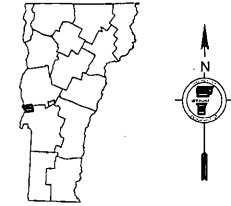
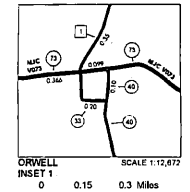
MILEAGE SUMMARY	
CLASS 2	
TH-1	3,550
TH-2	4,100
TH-3	4,800
TH-4	2,250
TOTAL CLASS 2	14,500
CLASS 3	
TOTAL CLASS 3	48.46
TOTAL TOWN	63,860
STATE HIGHWAY	
VT-22A	6,429
VI-73	4,986
TOTAL STATE HIGHWAY	11,415
TOTAL STATE	11,415

TOTAL TRAVELED HIGHWAYS, FEB. 10, 2017: 75,375
(Class 2 and Legal Trail Mileage)

- | | | |
|-----------------|--------------------------------------|---|
| HIGHWAYS | INTERSTATE OR DIVIDED HIGHWAY | POLITICAL SUBDIVISIONS |
| INTERSTATE | STATE - HARD SURFACE OR PAVED | STATE BOUNDARY |
| U.S. ROUTE | TOWN - HARD SURFACE OR PAVED | COUNTY BOUNDARY |
| STATE ROUTE | GRAVEL | TOWN BOUNDARY |
| CLASS 1 | SOIL OR GRADED AND DRAINED EARTH | VILLAGE BOUNDARY |
| CLASS 2 | UNIMPROVED OR PRIMITIVE | URBAN CONDUIT BOUNDARY |
| CLASS 3 | IMPASSABLE OR UNTRAVELED | WATER BODY |
| CLASS 4 | LEGAL TRAIL | STREAM OR BROOK |
| LEGAL TRAIL | DISCONTINUED | BRIDGE OR CULVERT |
| PARK AND RIDE | HIGHWAY CLASS CHANGE | BRIDGE OR CULVERT > 20' |
| | RAILROAD | BRIDGE OR CULVERT 6' - 20' |
| | INACTIVE RAILROAD | DIKE PATH STRUCTURE |
| | PUBLIC LAND - NATIONAL FOREST | VORCIB BRIDGE |
| | PUBLIC LAND - STATE/MUNICIPAL | VORCIB CULVERT > 6' |
| | NFR NATIONAL FOREST ROAD | FEDERAL CLASSIFICATION IDENTIFIER |
| | SFH STATE FOREST HIGHWAY | BB - MINOR ARTERIAL |
| | | MC - MAJOR COLLECTOR |
| | | MC - MAJOR COLLECTOR |
| | | PA - PRINCIPAL ARTERIAL |
| | | STATE BRIDGE OR CULVERT IDENTIFIER |
| | | BB1/C14 - TOWN BRIDGE OR CULVERT IDENTIFIER |

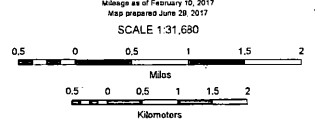
DISCLAIMER:
The untraveled highways (dashed town highways), discontinued highways, and legal trails herein are those of which the Agency of Transportation has records; others may exist.
Highway and bridge data by the Agency of Transportation. Town short structures drawn from the Vermont Online Bridge & Culvert Inventory Tool (VOCBIT) database. All other data from the Vermont Center for Geographic Information. Only named streams shown.

Vermont State Plane Coordinate System
North American Datum of 1983
SPCS_Zone_Identifier: 4400
Geographic Reference System: 83
4,000-meter grid, Easting - Nothing



VERMONT
GENERAL HIGHWAY MAP
Town of Orwell
ADDISON COUNTY
Transportation District #3

Prepared by the
Vermont Agency of Transportation
Division of Policy, Planning and Intermodal Development
in cooperation with
U.S. Department of Transportation
Federal Highway Administration



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SPECIAL MEETING NOTICE

TOWN OF ORWELL

SELECT BOARD

The Select Board will hold a
Special Meeting on
Wednesday, August 30, 2017, at 6:30 PM,
to view the damages and the roads
at the site of the washout on Griswold Lane.
Immediately following the onsite examination,
the Road Discontinuance Hearing
will convene at the Town Office.

And any other business that may come before the Board.

Regular Meetings will continue to be the second and the fourth Mondays of the month.

Letter to adjoining landowners:

TOWN OF ORWELL
VERMONT

Office of the Select Board

Thomas Audet

Paula Barnes

Walker E. James

Dave Larsen

Roland Simmons, Chair

P.O. Box 32

Orwell, Vermont 05760

802-948-2221

The Selectmen of the Town of Orwell and all interested parties are meeting at the site of the washout on Griswold Lane at 6:30 PM on Wednesday, August 30, 2017, to view the damages and the roads.

Following the onsite examination, the hearing will convene at the Town Office for the purpose of hearing persons interested in the discontinuance of the Class 4 section of Highway #23 to Fisher Road and Class 4 Road #22 to Fisher Road, per motion of the Select Board.

Dated this 17th day of July, 2017, at Orwell, Vermont
Orwell Select Board

Notice in Addison Independent

**TOWN OF ORWELL
SELECT BOARD HEARING NOTICE**

The Orwell Select Board will meet on Wednesday August 30, 2017 at 6:30 PM, at the site of the washout on Griswold Lane, to view the damages and the roads.

Following the onsite examination, the hearing will convene at the Town Office for the purpose of hearing persons interested in the discontinuance of the Class 4 section of Highway #23 to Fisher Road and Class 4 Road #22 to Fisher Road, per motion of the Select Board.

Orwell Select Board

Several men cited for also speeding over 100 mph

ADDISON COUNTY — Gregory West was screened by Addison County Sheriff's Office. West wasn't the only person in under the influence of alcohol. Chantrelle shared by transported to the New Haven Regional Correctional Facility for lack of \$1,000 bail. Information showed that DUI. Marszalkowski, officer reported 4:14 a.m. state police responded to a crash that had also cited him for DUI and le

please go to www.noy.nenpa.com or email info@nenpa.com

- Farmall Super A Model: FAA
- Farmall BN
- Ford 8N
- '11 Honda Cross Tour
- '10 Dodge Callber
- '09 Chevy Impala
- '09 Dodge Caliber
- '08 Subaru Outback
- '07 Chevy Equinox
- & MORE!
- Partial List, Subject to

Public Notice

can be found on Pages 8B

gress and underground ing from the easterly edge he southerly boundary of he Survey to other lands of gress and underground nding from the easement orner of Lot 2A, as shown to the easterly boundary shown on the Survey. nt setback easementsfor udng but not limited to ed lot, or any adjacent lot W-3-0797. Meaning and uch wastewater system nents of applicable local the benefit of a setback o comply with setback

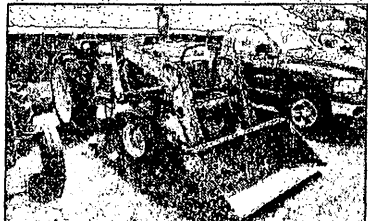
ETHAN ALLEN HIGHWAY STORAGE NOTICE OF SALE
 Here is notification of sale property of Courtney Forrest in storage unit 188 at Ethan Allen Highway Storage at 229 Ethan Allen Highway in New Haven, VT 05472. To be sold at public auction on July 29, 2017 at 9:00 am to the highest cash bidder. All sales are final. Unit must be broomed cleaned.
 7120, 24, 27, 31

SMART MIDDLETOWN NOTICE
 Here is notification of a public auction of the property of Sue Hutting in at Move Storage M-7 North, Middletown, VT 05751. To be sold at public auction on August 28, 2017 at 10:00 am to the highest cash bidder. All sales are final. Unit must be broomed cleaned.
 7120, 24, 27, 31

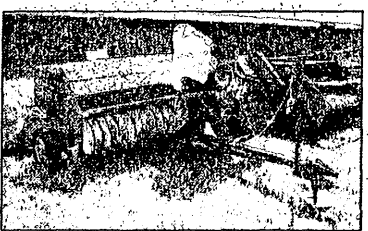
TOWN OF ORWELL SELECT BOARD HEARING NOTICE
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 Orwell Select Board
 7127.

To publish in The Addison Independent
 email to legals@addisonindependent.com or fax it to [redacted]
 Deadline for [redacted] is the previous [redacted]
 Deadline for [redacted] is the previous [redacted]

Kenneth Pillsbury Estate: JD Tractor, Farm & Horse Equipment, Household, Tools
 Tuesday, August 8 @ 10AM
 5395 Main Road, Huntington, VT



- John Deere 2440 Tractor
- Ferguson Tractor
- John Deere 14T Baler
- New Holland S-69 Baler
- New Holland Mower Conditioner
- John Deere Disc Harrows
- Side Delivery Rake
- McCormick - Deering Horse Drawn Sickle Bar Mower
- Dunham Culti-Packer
- Several Hay Wagons
- Spike Harrows
- Hay Elevator
- Melroe Skidsteer Loader
- '05 Dodge 4X4 Pick Up
- New Idea 4210 Tedder
- Agway Lawn Tractor
- Assortment of Tack
- Anvil
- Hand Tools
- Cement Mixer
- Household Items
- & MORE!
- List Subject to Change



Thomas Hirschak Co. • THCAuction.com • 800-634-765

MINUTES OF THE
FINDINGS OF FACT OF
ROAD DISCONTINUANCE HEARING
ORWELL SELECT BOARD

August 30, 2017
Town Office
7:45 P.M.

ORWELL TOWN CLERK'S OFFICE
Pages for Record Sept 5, 2017 AD
at 1:00'clock 11 minutes P.M.
Recorded in book 916 Page 158
Aunt Spots & Yeck
BEST TOWN CLERK

Select Board: Thomas Audet
Dave Larsen
Ted Simmons, Chair

Present: Paul A. Stone

Betty Walker, Clerk

The Findings of Fact was called to order at 7:45 p.m. by Ted Simmons, Select Board Chair.

On August 30, 2017, in the Town of Orwell, VT, the Select Board met to consider the discontinuance of Class 4 TH #22, from the intersection of Griswold Lane and TH #22, running westerly on TH #22 to Fisher Road a distance of .55 miles, and the Class 4 section of TH #23, from the intersection of Griswold Lane and TH #22 running northerly on Griswold Lane's Class 4 section, to Fisher Road a distance of 1.36 miles in length, both being three (3) rods wide.

After making the site visit and hearing the witnesses, the Select Board came to the following conclusion:

Ted Simmons stated that these Class 4 roads are in poor repair. To meet the Town's legal responsibility by State Law of maintaining Class 4 Roads would be a major expense for the Town. By turning the roads over to the property owners, by discontinuing the highways, the only repairs that would be done would be what the property owners want. The North end of Griswold Lane would have nothing done with it. Freeman Corey doesn't seem to be interested in using that road at all. Procedures we've used in the past have resulted in water contamination, which allows the property owner to get Federal Assistance to fix it properly. The town is not eligible to get funding to fix this where the individual property owners are eligible, **especially the Stone's who have already initiated the contacts for Federal monies.**

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Tim D'Avignon can put in a right-of-way across his own property or get an access driveway from Stonewood Farm or Mark Bigelow to access his back 16.1 acres.

Stonewood Farm can get Federal Assistance for the road and culvert repairs for a more permanent fix.

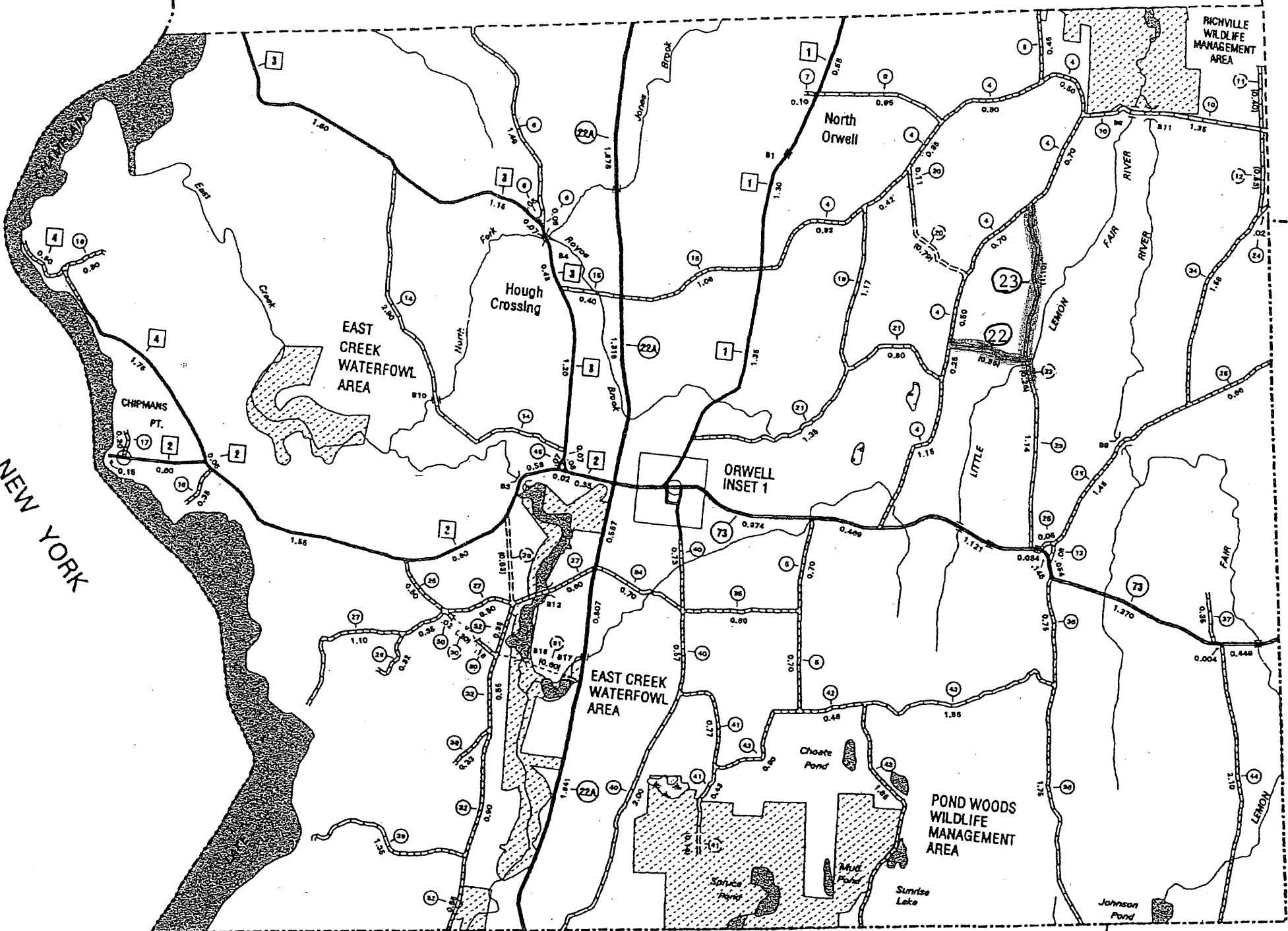
Freeman Corey and Mark Bigelow have no problem as long as they can have access of its use.

SHOREHAM

WHITING

SUDBURY

NEW YORK



BENSON

The Select Board's position is:

For the Good of the taxpayers of Orwell, this resolves a problem we've been working with for a long time. The taking away the access with these roads is not as detrimental to the town as having to spend the money maintaining them for a lot of land that is under development protection.


Dave Larsen moved to vote in favor of the discontinuing of Class 4 TH #22 and the Class 4 section of TH #23 (Griswold Lane). Thomas Audet seconded the motion. The motion passed 3 Yes 0 No.

September 6th 2017, will start the 30 day Appeal period.

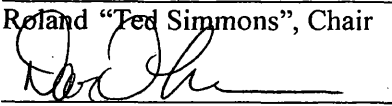
Ted Simmons moved to adjourn the meeting at 8:05 PM. Thomas Audet seconded the motion. The motion passed 3 Yes 0 No.

Dated at Orwell in the County of Addison and State of Vermont, this 5 day of September, 2017 AD.

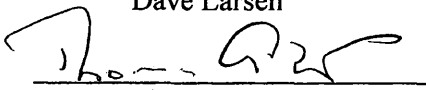
Select Board of Orwell



Roland "Ted Simmons", Chair



Dave Larsen



Thomas Audet

Respectfully submitted,
Betty Walker
Clerk of the Board

Approved:

Date

[Signature]
9/11/17

Date

[Signature]
9-11-17

Date

Date

[Signature]
9/11/17

Date

**MINUTES OF THE
2017 ROAD DISCONTINUANCE HEARING
ORWELL SELECT BOARD**

**August 30, 2017
Town Office
7:00 P.M.**

**Select Board: Thomas Audet
Dave Larsen
Ted Simmons, Chair**

At 6:30 PM on August 30, 2017, a Special Meeting was held to observe the damages and the roads at the site of the washout on Griswold Lane. Present for the site visit were: Ted Simmons, Dave Larsen, Thomas Audet, Paul Stone, Peter Stone, Patrick Stone, Freeman Corey, Mark Bigelow, Nichole Duquette, Wyatt Bigelow, Betty Walker and Sharon Macedo.

The Special Road Discontinuance Hearing, as warned, was called to order at 7:00 p.m., at the Town Office, by Ted Simmons, Select Board Chair. Present for this hearing were: Ted Simmons, Dave Larsen, Thomas Audet, Paul Stone, Peter Stone, Freeman Corey, Mark Bigelow, Nichole Duquette, Tim D'Avignon, Allen R. Alger and Betty Walker. (Patrick Stone & Wyatt Bigelow observing only).

The purpose of this hearing was to receive testimony and to hear all persons interested in the matter of whether the Class 4 section on Griswold Lane and Class 4 TH #22 should be discontinued by the Town of Orwell.

All in attendance were sworn in by the Clerk.

Paul Stone began by handing out written testimony of how many times Stonewood Farm has fixed the culvert washout on the Class 4 section of Griswold Lane, using their own money, machinery and men to be able to access the rest of their farm. This area has washed out six (6) times since they purchased the property. Paul Stone wanted this submitted as evidence along with the pictures he provided of the washout.

Paul Stone began his testimony by saying that the Griswold Lane washout area is vital to Stonewood Farm to be able to access the rest of his farmland. There is access, but we have to drive all the way around. Discontinuing these roads will not be landlocking any parcels. The Select Board failed to come up with funds to fix this problem. According to Vermont State Statutes, the town is obligated to fix it. It keeps washing out and hasn't been fixed properly. After the washout of 2011, the Town installed a 30" pipe. Stonewood Farm offered to pay the difference to fix it right, but the Select Board did not go for it. Paul Stone stated by the next storm the 30" pipe washed out. Ted Simmons responded in defense by saying that they wanted to get the State to do a hydraulic study first, which was done in October of 2013, which resulted in needing a 12' wide, 5' high three-sided concrete structure to handle this problem adequately. Paul Stone believes a 6' diameter culvert would have been adequate. Dave Larsen stated that they calculated this out and it would have taken two 6' culverts.

Paul Stone stated that Stonewood Farm would like the road thrown up and they will maintain it. They can get help from NRCS (Natural Resource Conservation Service). Not sure at this time how much. This is Federal Funding made available for property owners and is not available for towns. Paul Stone's guesstimation for the repairs are around \$50,000 to \$60,000. If the Select Board throws it up and it reverts back to the landowners, we will maintain our section. It is vital to our farm.

Peter Stone stated that it didn't make sense for the town to sink that kind of money into a road that only a few land owners use. We've been maintaining it basically anyway. The town could have better use for this money somewhere else.

Ted Simmons asked Paul Stone if he had any land that could be developed. Paul Stone said he has two (2) lots near Bob Park's property and he understands that if the road gets thrown up they would have to make their own road for those two (2) lots.

Mark Bigelow and Freeman Corey both stated that they have fixed washouts numerous times. Freeman Corey has no desire to see traffic through there or to see it become a trail. He said the town would probably be looking at another \$50,000 to \$60,000 to fix the washouts on his end.

Tim D'Avignon stated that if Road #23 gets discontinued he will not be able to access his 16.1 acres at the back part of his property. Dave Larsen clarified that Tim D'Avignon can access his entire property from Fisher Road, it's not that any part of your parcel is isolated, you just don't have access to the back side of it. Paul Stone stated that Tim D'Avignon could put in a right-of-way across his own property to get to it or the Stones or Mark Bigelow can also grant Tim D'Avignon a right of way. Dave Larsen stated that Tim D'Avignon could provide an easement for a driveway to his remaining property.

Tim D'Avignon asked would this or how would this affect the taxes? Thomas Audet stated that a comment made by one of the Lister's stated that it would not change the taxes.

Tim D'Avignon asked what's the first concern about turning these roads back to the landowners?

Ted Simmons said it relieves the town of whatever it costs to make the Class 4 roads passable and the ongoing maintenance thereafter of the bridges and culverts, which is what the town is responsible for, not the road itself.

Tim D'Avignon then stated he believes his questions were answered and asked Mark Bigelow what his feeling was on this. Mark Bigelow does not want the road blocked off.

Paul Stone has no intention of closing off the road after it is fixed and turned over to him.

Tim D'Avignon's only concern is that he doesn't want to be restricted access to his own property.

Tim D'Avignon stated that he understood that the town did not want to spend all that money so that Paul and Peter Stone can access their property north of the farm. Dave Larsen corrected Tim D'Avignon by stating so that Paul and Peter Stone can access their property north of the farm without having to drive all the way around to get to it.

Ted Simmons added that all traffic from their farm hauling crops back and forth is extra wear on the roads.

Peter Stone doesn't think it's a good resource for the town to fix the road just for them. If you own it and fix it it's yours. If you fix it now and it belongs to the town then you can't stop anyone from using it.

Dave Larsen said there are other aspects to this. As a privately held piece of property, there are Federal funds available that are not available to the towns. If we fix it this time, funds are therefore not available for private owners. It is possible that Mark Bigelow and Freeman Corey would also be able to access this Federal funding. They could consult with the Stone's and get the information from them on the process.

Thomas Audet stated that this is what started this decision about discontinuing the road in the first place. The town can't get Federal assistance but a private land owner can.

Paul Stone stated that he believes that Class 4 roads don't qualify for FEMA either.

Mark Bigelow would like to see it passable whether the town fixes it or it is privately fixed.

Dave Larsen said if the town fixes it, it will be done at an unsatisfactory level.

Paul Stone then stated that they won't put up with that anymore.

Ted Simmons asked if there was anyone who had any feeling that this is not the way to go.

Freeman Corey said he feels very comfortable with not having traffic and having to pull people out in the middle of the night when they got their vehicle stuck. Freeman Corey agrees with discontinuing the road and not making it a trail.

It was suggested that, with the only concern of the landowners is being able to use these roads themselves, that the landowners should all get together to write up a right-of-way agreement amongst themselves, as this will have nothing to do with the town if the decision is to discontinue the road.

Ted Simmons stated that a decision on this needs to be made within ten (10) days. There being no further questions on the road discontinuance, Ted Simmons closed the hearing at 7:42 p.m.

Respectfully submitted,
Betty Walker
Clerk of the Board

December 18, 1995

"T.H. # 22" (Griswold to Fisher)
(Class 4 Road)

Book 2

Page 193 (a)

.45 miles (105 Rods)

2 Rods wide

On the highway that leads from
David Warren's (Lot # 68 & # 75) to
Ozel Abels (Lot # 29) (which is Griswold Lane)
a few rods north of the bridge over the
brook then going in a NW direction
& coming to the highway (Fisher Rd.)

— Road From Griswold to Fisher Road by Rob Parks

Book 2
Page 1936

above said to warrant and defend the above granted and
Bargained Premises (against) to the said Tabish Warren his
heirs and assigns against all Claimers Whosoever —
In witness Whereof I have here unto set my hand and
Seal this 3 Day of 1795. Signed Sealed and Delivered in
Presence of

Wm Fuller Collector of
Eben Wilson
Pliney Smith - State of Vermont Nulston County

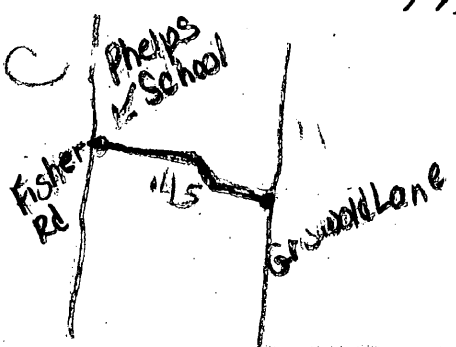
Personally Appeared Wm Fuller Collector Signor and
Seal of the above Written Instrument and acknowledged
the same to be his Voluntary act and Deed this 3rd
Day of April 1795. Eben Wilson Justice

Recorded Decemb-17-1795. Tabish Warren Register

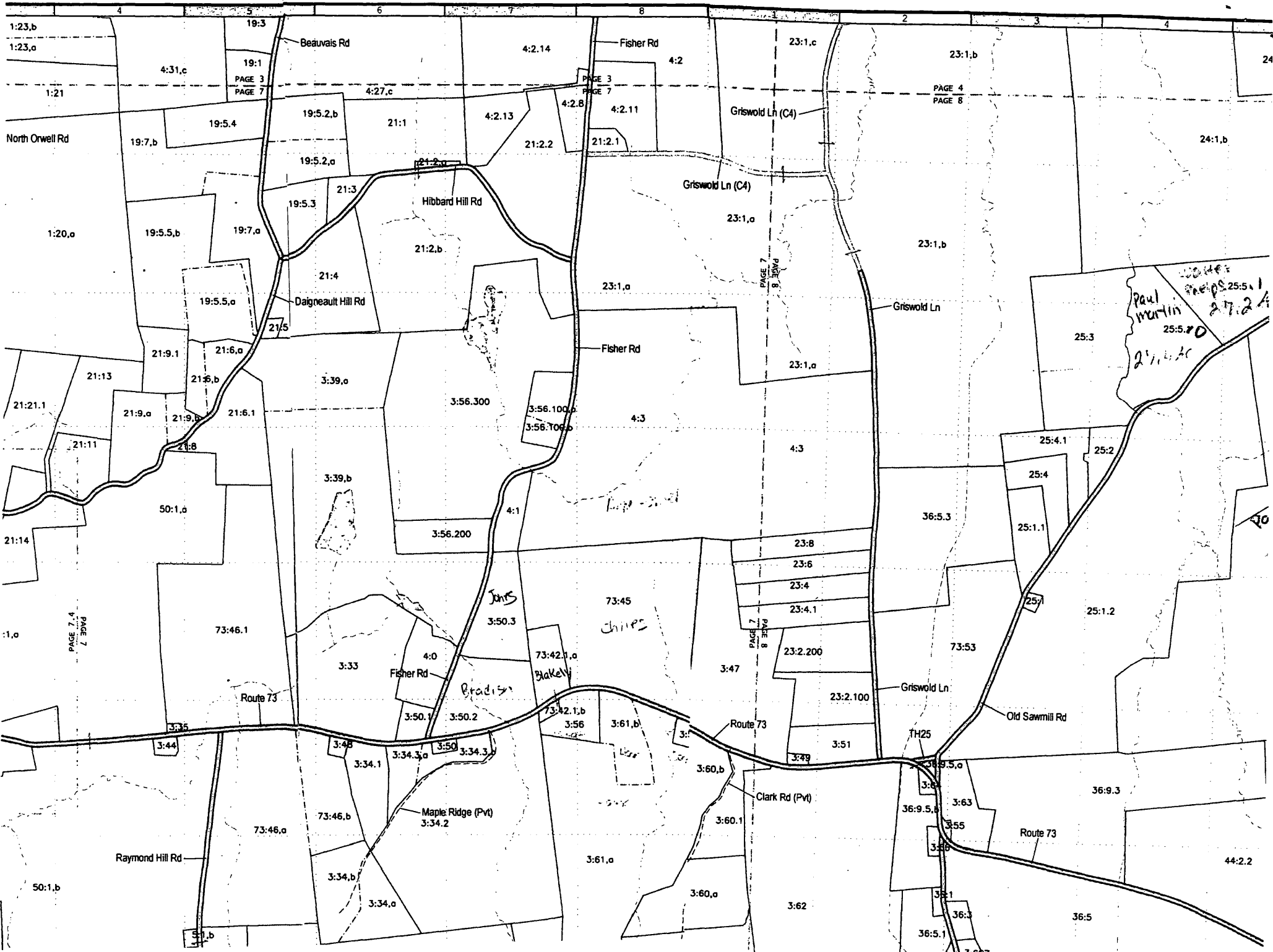
* A Road Laid out December 10-1795 Road # 22
Beginning at the highway leading from David Warrens
to azel Abels a few rods north of the Bridge over
the Brook - then West ^{NW 89° 50' 00"} North 50 Rods - then ^{NW 41° 23'} W 41° 23'
Rods then West in the Line between Uriah and
Timothy Stobard 92 Rods to the highway - the
Line Run is in the Centre of said Road - being two
Rods wide - Surveyed by
Tabish Warren
Eben Wilson
Pliney Smith
Jonas Rice } Selectmen

(45)

Recorded 10 Decem^r 6 1795 by Tabish Warren Regr



Discussed to Fisher
at Parks School house



1:23,b
1:23,o

North Orwell Rd

1:20,o

21:21.1

21:14

1:1,o

50:1,b

19:3

19:1

19:5.4

19:7,a

19:5.5,a

21:9.1

21:9,a

50:1,o

73:46.1

3:44

73:46,a

5:1,b

Beauvais Rd

19:5.2,b

19:5.2,a

19:5.3

21:4

21:5

21:9.1

21:9,b

21:6.1

21:6

3:39,b

3:33

3:34.1

73:46,b

3:34,b

3:34,o

4:27,c

21:1

21:3

21:4

3:39,o

3:39,b

3:33

3:34.1

73:46,b

3:34,b

3:34,o

4:2.14

4:2.13

4:2.11

4:2.8

4:2.11

21:2,b

21:2

3:56.300

3:56.200

3:50.3

3:50.1

3:50.2

3:50

3:34.3

3:34.3

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4:2

4:2.13

4:2.8

4:2.11

4:2.8

21:2,b

21:2

3:56.300

3:56.200

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21:2,b

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May 1794

"GRISWOLD LANE" (TH #23)

Book 2

Page 94 (2)

2 miles (641 Rods)

3 Rods wide

Description:

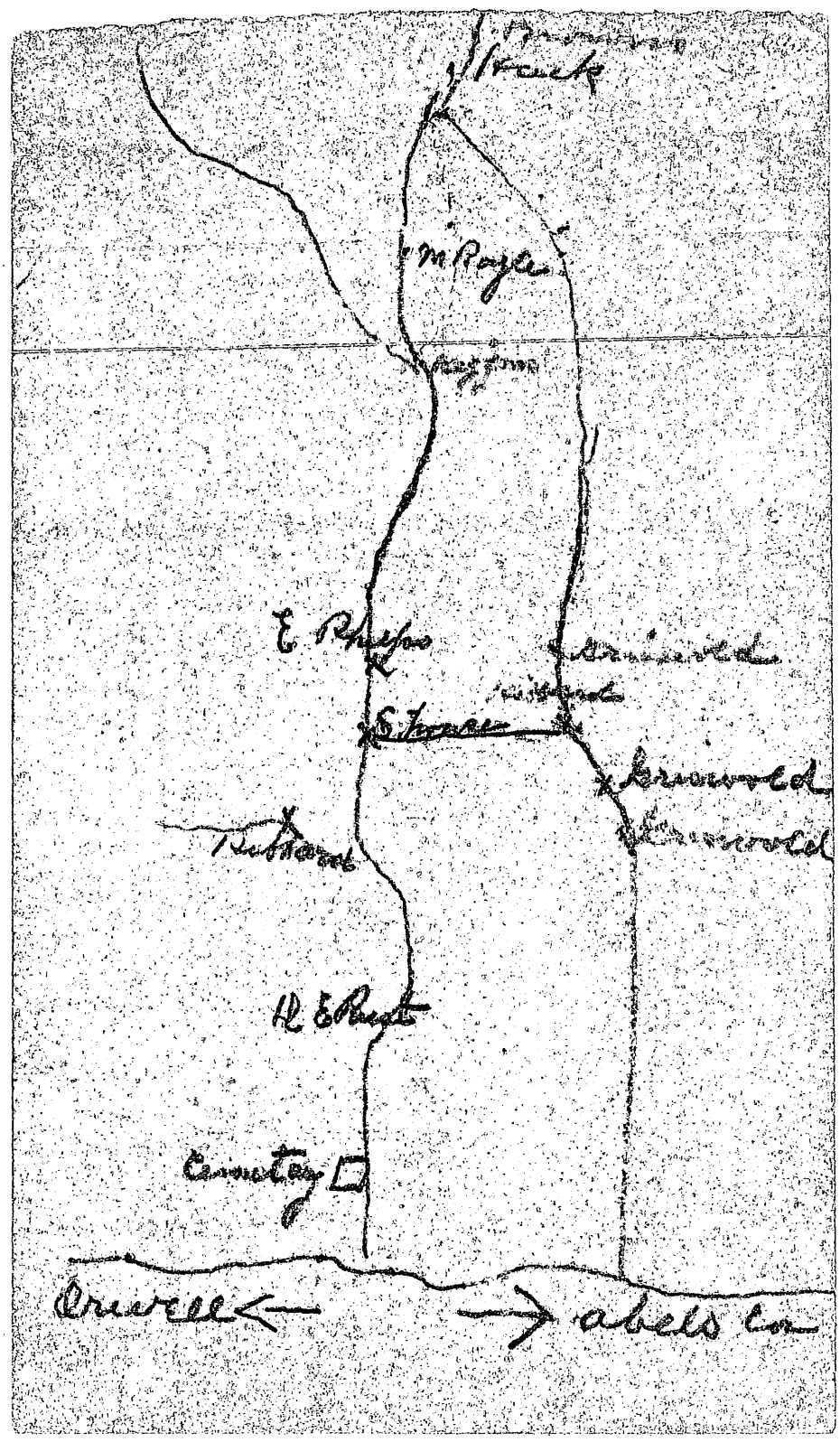
From the top of Griswold lane

@ Fisher Road South to Axel Abels

House (old Sawmill Rd @ the point where the

N/S road from Abels goes up to Murray Rd)

ORWELL, VERMONT Land Records Book 11, page 288-289 Dated 1834
Found slip pictured below.



Item 1

!

! Abstracting info.

Typ

Id

Ref May 1797

Dat Length 641 rods - 2 miles

Rec Width 3 rods wide

Frm Fisher Road

To Old Sawmill Road [Azal Abels house]

Con

Re Bk 2 pg 94 #2

Adj

Wit

!

! Metes and bounds. "Beginning at..."

Pt

Ln s40e; 24r;

Pt

Ln s32e; 20;

Pt

Ln s10w; 40r;

Pt

Ln s15e; 22r;

Pt

Ln s20e; 50r;

Pt

Ln s25w; 50r;

Pt

Ln s25w; 40r;

Pt

Ln s19e; 68r;

Pt

Ln s21e; 70r;

Pt

Ln s6e; 45r;

Pt

Ln s10e; 120r;

Pt

Ln s64e; 50r;

Pt

!!Ln s40e; 42e;

end

