CERTIFICATE OF HIGHWAY MILEAGE YEAR ENDING FEBRUARY 10, 2007

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2007 Vermont Agency of Transportation, Policy and Planning Division, Drawer 33, Montpelier, VT 05633.

Policy & Planning Division

We, the Selectmen or Aldermen or Trustees of ARLINGTON

AGENCY OF TRANSPORTATION APPROVAL:

Representative, Agency of Transportation

APPROVED:

in BENNINGTON

County

on an oath state that the mileage of highways, according to Title 19, V.S.A, Sec #305, added 1985, is as follows:

PART I - CHANGES	TOTALS - Please	fill in and calculate totals.
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Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	0.000				0.000
Class 1 Lane	0.000				1
Class 2	7.910	1		7.910	0.000
Class 3	26.800			26.800	0.000
State Highway	14.047			14.047	0.000
Class 4	1.930	1.37	0.59	2.83	0.000
Legal Trail	0.000	4.56		4.56	-0-
Total	48.757	5.93	0:59.47	56.147	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. Adjustment by
1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening" CL 4 error corr 5. Mon Hon 4/4/ CL 4 error corr
2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting
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
F THERE ARE NO CHANGES IN MILEAGE: Check box and sign below. []
Selectmen/ Aldermen/ Trustees Signatures: 9 leth Steen 18 Achard U. Kang Signatures: 9 leth Steen 18 Achard U. Kang Signatures: 9 leth Steen 18 Achard U. Kang Signature: Pobliws: Willy Date Filed: 2/16/07
Place sign OPICINAL and return it for Transportation signature

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

4/30/2007

To:

File &th From: Sara Moulton Date: 24 May 2007

Subject: Arlington Error Corrections - Certificate of Highway Mileage

The following is a table summarizing the changes submitted with the 2007 Certificate. The items in **bold/italics** are error corrections.

	Class 4 Addition	Class 4 Subtraction	Legal Trail Addition		Total
TH-66	+1.37 CL4			* ,	1.37
LT-1	×		+0.28 LT		0.28
TH-31 / LT-2		-0.14 TH-31 CL4 to LT	+1.19 LT		1.33
LT-3				± 0.00, wasn't a Legal Trail, had been Discontinued	0.00
LT-4			+0.95 LT		0.95
LT-5		,	+0.41 LT		0.41
TH-27 / LT-6	7	-0.45 CL4	+0.47 LT		0.45/0.47
LT-1a -> LT-7			+1.01 LT		1.12
LT-1a -> LT-7			+0.11 LT		

The following table summarizes the changes into modified Certificate format with the newly calculated totals for each class.

Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total
Class 4	1.930	1.37 (TH-66, 1.37)	0.59 (<i>TH-31</i> , 0.14 <i>TH-27</i> , 0.45)	2.71
Legal Trail	0.00	4.56 (LT-1, 0.28 LT-2, 1.33 LT-3, disc. LT-4, 0.95 LT-5, 0.41 LT-6, 0.47 LT-7, 1.12)		4.56

As part of Arlington's 2007 Certificate of Highway Mileage, a portion of highway that had been recorded as Class 4 TH-27 for 0.45 miles was reclassified as Legal Trail LT-6 for 0.47 miles.

Since 1973, this portion of highway had been recorded as 0.45 miles. I recorded Arlington's change of mileage as a subtraction of 0.45 miles of CL4. The mileage of 0.47 for LT-6 was considered a remeasurement because the new figure was closer to the GIS ARCMILES of 0.50 miles.

Vermont Agency of Transportation

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 200 Vermont Agency of Transportation, Policy and Planning Division, Drawer 33, Montpelier, VT 05633.

Policy & Planning Division

We, the Selectmen or Aldermen or Trustees of ARLINGTON

in BENNINGTON

County

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

PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures: 5

T/C/V Clerk Signature:

Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED:

Representative, Agency of Transportation

TOWN OF ARLINGTON Selectboard P.O. Box 268 Arlington, Vermont 05250 Telephone 802-375-6474 Fax 802-375-6474

February 16, 2007

TO: Vermont Agency of Transportation Policy & Planning Division Drawer 33 Montpelier, Vt. 05633

The following is a summary of what the Town of Arlington believes to be the actual mileage for Town Trails and Class IV highways:

As shown on Map dated November 2006:

LT-1: Made up of a portion of TH#29 that was made a trail:

A portion of an existing roadway on School Lot # 14 that is

still owned by the school:

A roadway laid out in 1794 and classified a Trail Sept. 5, 1989

Total Length = 1.40 miles

LT-2: So called "Stage Coach Road" laid out in 1787 and classified

a Trail June 1989 Length = 1.33 miles

LT-3: TH#26 "Murray Hollow" Discontinued Dept. 1989

Length 0.53 miles

LT-4: Buck Road – now known as "Hawley Mt. Road"

Road laid out 1785, Classified a Trail July 1989

Length = 0.95 miles

LT-5: Butternut Gutter to Sunderland Town Line laid out 1798

Classified a Trail Nov. 1989

Length = 0.41 miles

To be designated a "Legal Trail" in 2007:

- 1. TH#27 "Bates Road" shown on Highway Map as a class IV Highway Classified a Trail Sept. 1989
- 2. "School Lot Road" Highway laid out 1794
 Classified a Trail Sept. 5, 1989
 Located within School Lot #14 and Westerly of the
 West boundary of Glebe Lot #19
 Length = 0.11 miles

To be designated a "Class IV Highway" in 2007:

"Glebe Lot Road" I
Laid out May 1817
Recorded Nov. 1817 BK 6, Pg 204
Permits have been issued in the past that treat this road as
A Class IV road. The road has been used by ATVs and
for logging and is visible on the ground.
Length = 1.37

Keith Squires, Chairman Arlington Selectboard

State of Vermont

Agency of Transportation

Policy and Planning Division - Mapping Unit

1 National Life Drive, Drawer 33 Montpelier, VT 05633-5001 http://www.aot.state.vt.us

Chairperson, Board of Selectmen Arlington, c/o Town Clerk PO Box 304 Arlington, VT 05250 Telephone: 802-828-2109 Fax: 802-828-2334

Email: sara.moulton@state.vt.us

January 5, 2007

Below is a table summarizing the information on Legal Trails that is on file in the Mapping Unit. Act 178 of 2006 requires the measurement of trails be included on the sworn statement, the Mileage Certificate. To assist in this, we are providing a summary of the information we have on the trails that are shown on the Town Highway Maps, including mileage and former town highway number. 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 is included in the FORMER_RTNAME column, and the former town highway mileage is 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 contains the mileage as generated by the geometry of the trail, as digitized in the Geographic Information System (GIS). The mileages included in this table should be used as approximate mileages and the municipality should measure or verify the mileage of these trails.

A map showing the Legal Trail numbers and mileage has been included with this packet to further assist in this project. Any additional trails that exist should be added to the Mileage Certificate, as defined in the provided guidelines. Please feel free to contact us with any questions or comments regarding the above information, or the Mileage Certificates in general.

	HIGHWAY / LEGAL TRAIL IDENTIFIER (RTNAME)	AOTMILES	ARCMILES	FORMER TOWN HIGHWAY NUMBER (FORMER_RTNAME)	2007 milks
-	LT-1	1.15	0.62	TH-29	1 41
_	LT-2	0.00	1.15	non-transmission and a security and a security and for pulsarity trains to make a made a stransmission and a security and a se	1, 3,3
	LT-3	0.53	0.40	TH-26	DISCONTINUED
	LT-4	0.00	1.10		0.95
-	LT-5	0.00	0.25		

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

Sara Moulton Mapping and GIS Specialist



State of Vermont Policy & Planning Division-Mapping Unit 1 National Life Drive, Drawer 33

Montpelier, VT 05633-5001 http://www.aot.state.vt.us

 $Agency\ of\ Transportation$

Telephone: 802-828-2109 Fax: 802-828-2334

Email: sara.moulton@state.vt.us

April 23, 2007

Chairperson, Board of Selectmen Arlington, c/o Town Clerk PO Box 304 Arlington, VT 05250

Dear Town Clerk and Selectboard:

Thank you for submitting your 2007 Certificate of Highway Mileage. The numbers submitted by Arlington on its 2007 Certificate of Highway mileage have been forwarded to our Finance and Administration Division for processing.

I think there might be an error with one of the Class 4 figures, but since the town is not reimbursed for Class 4 highways, I did not hold up processing of the Certificate because of it. However, I would like to work with the town to determine if there is an error with my interpretation of the material submitted with the Certificate. Also, I need to ask for assistance in trying to map one of the added Legal Trails.

CLASS 4 ERROR

It appears that the reclassification of 0.14 miles of TH-31 from Class 4 to Legal Trail was not included in the Subtracted Mileage column on the Certificate. This would have brought the total Subtracted Mileage to 0.61, and the total Class 4 mileage to 2.69 miles. On the next page, I've included two tables summarizing my interpretation of the material submitted with the 2007 Certificate and showing where the 0.14 figure fits in the calculations. Please let me know if my interpretation is correct and I will incorporate an error correction with the 2007 Town Highway Map and will update the figures for next year's Certificate.

LEGAL TRAIL, LT-1

There was an error with the mileage of LT-1 on the Legal Trails Verification map generated in November 2006 by the Agency of Transportation. It was listed as 1.15 miles, but should have been 0.28.

It looks like the town would like to add a Legal Trail associated with LT-1. I've temporarily labeled the new trail section "LT-1a", which consists of two segments (0.11 and 1.01 miles each). I am having difficulty determining the location of these segments. Would the town be able to provide some assistance in helping me determine where these segments are? At a minimum, it would be helpful to know where the location of "School Lot #14 and Glebe Lot #19" is.

I've enclosed a copy of Arlington's description of this new trail section. I've also enclosed a summary map showing our new alignment of the original section of LT-1 (0.28 miles).



The following is a table summarizing the changes submitted with the 2007 Certificate. The item in **bold/italics** appears to have not been included in the Class 4 Subtracted Mileage column on the Certificate.

	Class 4 Addition	Class 4 Subtraction	Legal Trail Addition		Total
TH-66	+1.37 CL4				1.37
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LT-1a			+1.01 LT		,
LT-1a			+0.11 LT		
TH-31 / LT-2		-0.14 TH-31 CL4 to LT	+1.19 LT		1.33
LT-3				± 0.00, wasn't a Legal Trail, had been Discontinued	0.00
LT-4			+0.95 LT		0.95
LT-5			+0.41 LT		0.41
TH-27 / LT-6		-0.47 CL4	+0.47 LT		0.47

The following table summarizes the changes into modified Certificate format with the newly calculated totals for each class.

Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total
Class 4	1.930	1.37 (TH-66, 1.37)	0.61 (<i>TH-31, 0.14</i> TH-27, 0.47)	2.69
Legal Trail	0.00	4.56 (LT-1, 1.40 LT-2, 1.33 LT-3, disc. LT-4, 0.95 LT-5, 0.41 LT-6, 0.47		4.56

Please confirm if my interpretation of the Class 4 subtraction is correct, and forward clarification of the LT-1a Legal Trail addition. We need this information to be able to complete the update to the 2007 Arlington Town Highway Map.

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

Thank you.

Sincerely,

Sara Moulton

Mapping & GIS Specialist

Sara Moulton

Vermont Agency of Transportation

CERTIFICATE OF HIGHWAY MILEAGE YEAR ENDING FEBRUARY 10, 2007

FEB 2 0 2007

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2007 to: Vermont Agency of Transportation, Policy and Planning Division, Drawer 33, Montpelier, VT 05633.

Policy & Planning Division

We, the Selectmen or Aldermen or Trustees of ARLINGTON

in BENNINGTON

County

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Total	48.757	5.93	4.7	_	0.000
* Mileage for Cla TII - INFORMATIO NEW HIGHWAYS: I	N AND DESCR Please attach Selec	and Legal Trail co	ANGES SHOW	NABOVE. Adams of the state of t	tal. 48.75.
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TII - INFORMATIO NEW HIGHWAYS: I DISCONTINUED: P	Please attach Selected Selecte	and Legal Trail control of CH2 tmen's "Certificate of the Copy of proceed as attach SIGNEL copy of order designate." E: Check box and	assifications is N ANGES SHOW. c of Completion a dings (minutes of copy of proceed	OT included in to NABOVE. Add and Opening" f meeting lings (minutes of n	meeting

APPROVED: Representative, Agency of Transportation

AGENCY OF TRANSPORTATION APPROVAL:

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

DATE:

NOTICE OF HEARING ON RECLASSIFICATION OF A HIGHWAY BOARD OF SELECTMEN, ARLINGTON, VERMONT

THE SELECTMEN OF THE TOWN OF ARLINGTON HEREBY GIVE NOTICE TO THE PERSONS NAMED BELOW AS OWNERS OR PERSONS INTERESTED IN LAND AND RIGHTS THAT MAY BE AFFECTED BY A DECISION OF SAID SELECTMEN, ACTING ON A MOTION OF THE BOARD OF SELECTMEN TO CHANGE THE CLASSIFICATION OF A TOWN HIGHWAY.

THE MOTION ASKS THAT A PORTION OF TOWN HIGHWAY AS LAID OUT BY THE SELECTMEN OF THE TOWN OF ARLINGTON IN APRIL 1794 AND RECORDED ON MARCH 25, 1807, IN BOOK 5, PAGE 68, OF THE ARLINGTON LAND RECORDS BE CLASSIFIED AS A TRAIL.

THE SELECTMEN WILL MEET ON 09/02, 1989, AT 9:00 A.M. IN THE ARLINGTON TOWN HALL TO CONDUCT A SITE INSPECTION OF THE HIGHWAY, AND THEN MET AT THE SELECTMEN'S OFFICE AT 1:30 P.M., ,1989, TO CONDUCT A HEARING ON THE CLASSIFICATION OF SAID HIGHWAY.

AS REQUIRED BY LAW, NOTICE OF THIS SITE INSPECTION AND HEARING IS BEING PROVIDED BY CERTIFIED MAIL TO EACH PERSON OWNING OR HAVING AN INTEREST IN LANDS THROUGH WHICH THE HIGHWAY PASSES, AS LISTED BELOW. AS WELL AS THE ARLINGTON PLANNING COMMISSION. A COPY IS TO BE POSTED IN THE OFFICE OF THE ARLINGTON TOWN CLERK, AND PUBLISHED IN A LOCAL NEWSPAPER OF GENERAL CIRCULATION IN THE AREA, NAMELY, THE BENNNINGTON BANNER, NOT LESS THAN 10 DAYS BEFORE THE DATE SET FOR THE HEARING.

THE MOTION AND OTHER PERTINENT INFORMATION RELATIVE TO THE PROPOSED RECLASSIFICATION OF THE HIGHWAY IS AVAILABLE FOR PUBLIC INSPECTION AND COPYING IN THE OFFICE OF THE ARLINGTON TOWN CLERK DURING REGULAR BUSINESS HOURS.

THE PORTION OF THE HIGHWAY PROPOSED FOR RECLASSIFICATION TO A TRAIL COMMENCES AT THE BOUNDARY LINE OF SCHOOL LOT #14 AND GLEBE LOT #19 AND EXTENDS WESTERLY .11 MILES AND THENCE NORTHERLY FOR 1.01 MILES.

THE FOLLOWING PERSONS ARE HEREBY NOTIFIED OF THE PUBLIC HEARING: ARLINGTON PLANNING JOSEPHINE BRYCE COMMISSION GRAEME PARRISH

J. SEVERSON J. BLOOM W.C. COWEE, INC.

SCHOOL LOT RUAD TO A TRAIL LENGTH O. 11 MILKS

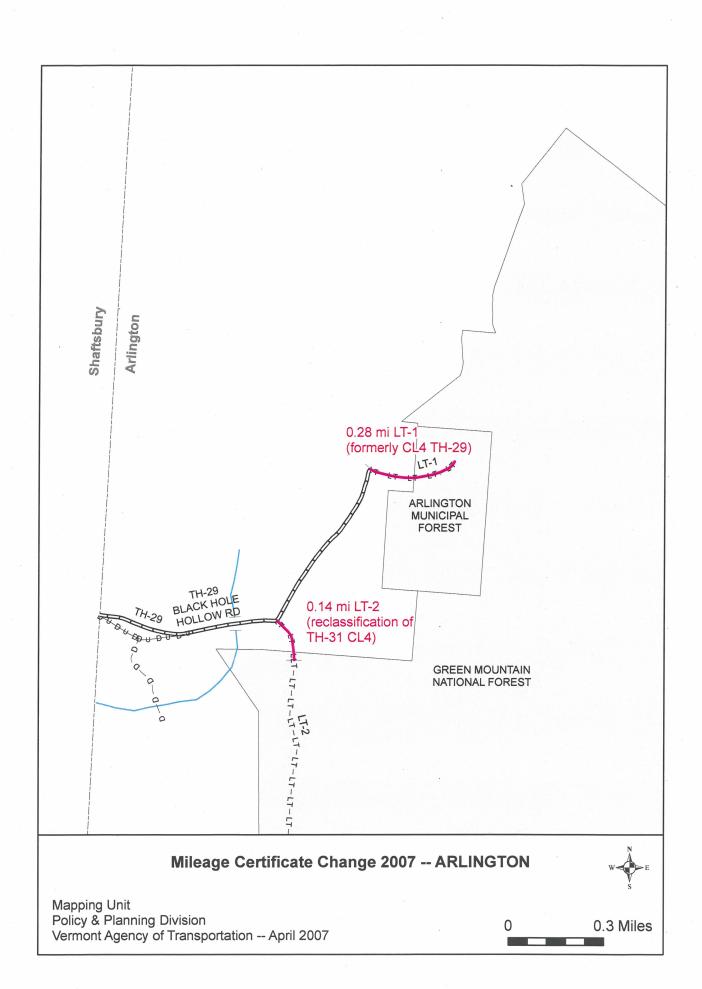
ARLINGTON BOARD OF SELECTMEN

CLARENCE S. CURTIS, CHAIRMAN

KEITH SQUIRES

Parmere Molla

(LT-1a 5. Moulton 4/23/07) 0,11 + 1,01 = 1.12 miles



TOWN OF ARLINGTON Selectboard P.O. Box 268 Arlington, Vermont 05250 Telephone 802-375-6474 Fax 802-375-6474

Email: arladmin@comcast.net

MAY 2 1 2007
Policy & Planning Division

May 14, 2007

TO: Sara Moulton, Mapping & GIS Specialist Vt. Policy & Planning Division-Mapping Unit 1 National Life Drive, Drawer 33 Montpelier, VT 05633-5001

RE: Letter of April 23, 2007

Thank you for your time spent on our changes.

I agree with your corrections to Class 4 mileage. The final number should be 2.69 miles.

Attached please find a copy of your map and a tax map to indicate lot# 14 and lot# 19 and the location of the two (2) segments that make up LT-1a.

I hope that this helps. If you have any further questions or inquiries please let me know.

Keith Squires, Chairman Arlington Selectboard

KS/mh cc: files

enc.



State of Vermont
Policy & Planning Division-Mapping Unit
1 National Life Drive, Drawer 33
Montpelier, VT 05633-5001

http://www.aot.state.vt.us

Agency of Transportation

Telephone: 802-828-2109 Fax: 802-828-2334

Email: sara.moulton@state.vt.us

April 23, 2007



Chairperson, Board of Selectmen Arlington, c/o Town Clerk PO Box 304 Arlington, VT 05250

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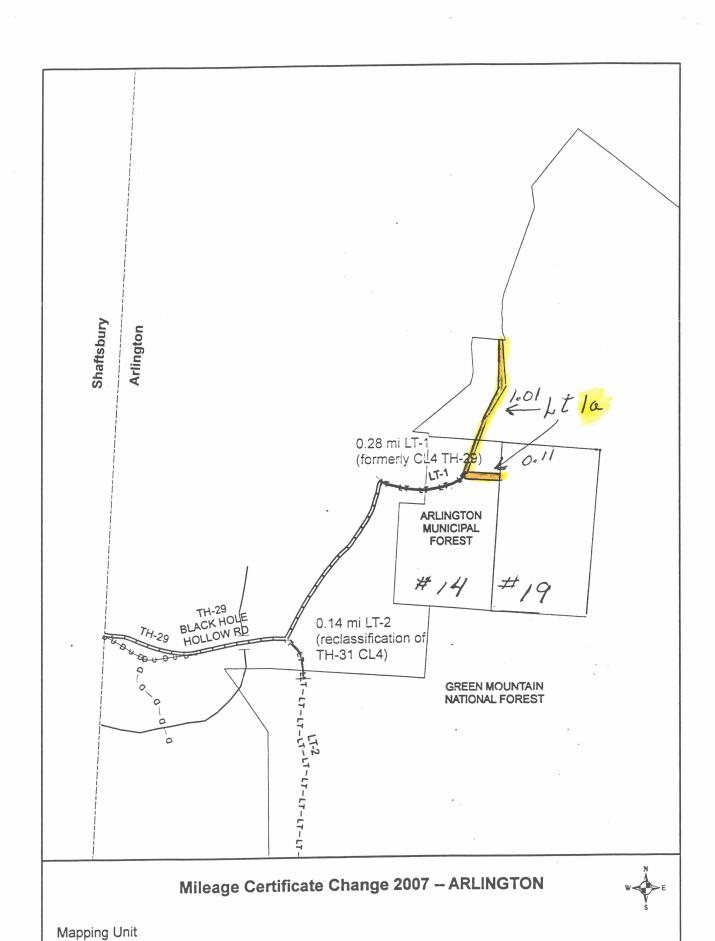
Thank you.

Sincerely,

Sara Moulton

Mapping & GIS Specialist

Sara Moulton



0.3 Miles

Policy & Planning Division

Vermont Agency of Transportation -- April 2007

CERTIFICATE OF HIGHWAY MILEAGE

Vermont **Agency of Transportation**

YEAR ENDING FEBRUARY 10, 2007

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2007 to: Vermont Agency of Transportation, Policy and Planning Division, Drawer 33, Montpelier, VT 05633.

Policy & Planning Division.

We, the Selectmen or Aldermen or Trustees of ARLINGTON

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County

ARI	TI - CHANGES _TO		I	I	ı	1
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	Total	48.757	5.93	.47	56.147	0.000
1. /	* Mileage for Class II - INFORMATION NEW HIGHWAYS: PROPERTY OF THE PROPERTY OF	N AND DESCRI	PTION OF CHA	ANGES SHOW e of Completion a	NABOVE. Adand Opening"	justrent L
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1. /	II - INFORMATION NEW HIGHWAYS: PR	N AND DESCRI lease attach Select ease attach SIGNI EASURED: Please Please attach a constant	TPTION OF CHA	ANGES SHOW e of Completion a dings (minutes o) copy of proceed	NABOVE. Adams of name	meeting

APPROVED: Representative Agency of Transportation

Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL:

DATE:

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

NOTICE OF HEARING ON RECLASSIFICATION OF A HIGHWAY BOARD OF SELECTMEN, ARLINGTON, VERMONT

THE SELECTMEN OF THE TOWN OF ARLINGTON HEREBY GIVE NOTICE TO THE PERSONS NAMED BELOW AS OWNERS OR PERSONS INTERESTED IN LAND AND RIGH THAT MAY BE AFFECTED BY A DECISION OF SAID SELECTMEN. ACTING ON A MOTION OF THE BOARD OF SELECTMEN TO CHANGE THE CLASSIFICATION OF A TOWN HIGHWAY.

THE MOTION ASKS THAT A PORTION OF TOWN HIGHWAY AS LAID OUT BY THE SELECTMEN OF THE TOWN OF ARLINGTON IN APRIL 1794 AND RECORDED ON MAI 25, 1807, IN BOOK 5, PAGE 68, OF THE ARLINGTON LAND RECORDS BE CLASSIFIED AS A TRAIL.

THE SELECTMEN WILL MEET ON 09/02 ,1989, AT 9:00 A.M. IN THE ARLINGTON TOWN HALL TO CONDUCT A SITE INSPECTION OF THE HIGHWAY. AND THEN MET AT THE SELECTMEN'S OFFICE AT 1:30 P.M., , 1989, TO CONDUCT A HEARING ON THE CLASSIFICATION OF SAID HIGHWAY.

AS REQUIRED BY LAW, NOTICE OF THIS SITE INSPECTION AND HEARING IS BEING PROVIDED BY CERTIFIED MAIL TO EACH PERSON OWNING OR HAVING AN INTEREST IN LANDS THROUGH WHICH THE HIGHWAY PASSES, AS LISTED BELOW. AS WELL AS THE ARLINGTON PLANNING COMMISSION. A COPY IS TO BE POSTE IN THE OFFICE OF THE ARLINGTON TOWN CLERK. AND PUBLISHED IN A LOCAL NEWSPAPER OF GENERAL CIRCULATION IN THE AREA, NAMELY, THE BENNNINGTO BANNER, NOT LESS THAN 10 DAYS BEFORE THE DATE SET FOR THE HEARING.

THE MOTION AND OTHER PERTINENT INFORMATION RELATIVE TO THE PROPOSED RECLASSIFICATION OF THE HIGHWAY IS AVAILABLE FOR PUBLIC INSPECTION 2 COPYING IN THE OFFICE OF THE ARLINGTON TOWN CLERK DURING REGULAR BUSINESS HOURS.

THE PORTION OF THE HIGHWAY PROPOSED FOR RECLASSIFICATION TO A TRAIL COMMENCES AT THE BOUNDARY LINE OF SCHOOL LOT #14 AND GLEBE LOT #19 3 EXTENDS WESTERLY .11 MILES AND THENCE NORTHERLY FOR 1.01 MILES.

THE FOLLOWING PERSONS ARE HEREBY NOTIFIED OF THE PUBLIC HEARING: ARLINGTON PLANNING JOSEPHINE BRYCE COMMISSION

GRAEME PARRISH

J. SEVERSON

W.C. COWEE, INC.

SCHOOL NOT ROAD J. SEVERS J. BLOOM W.C. COWE LENGTH O-11 MILKS ARI

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ARLINGTON BOARD OF SELECTMEN

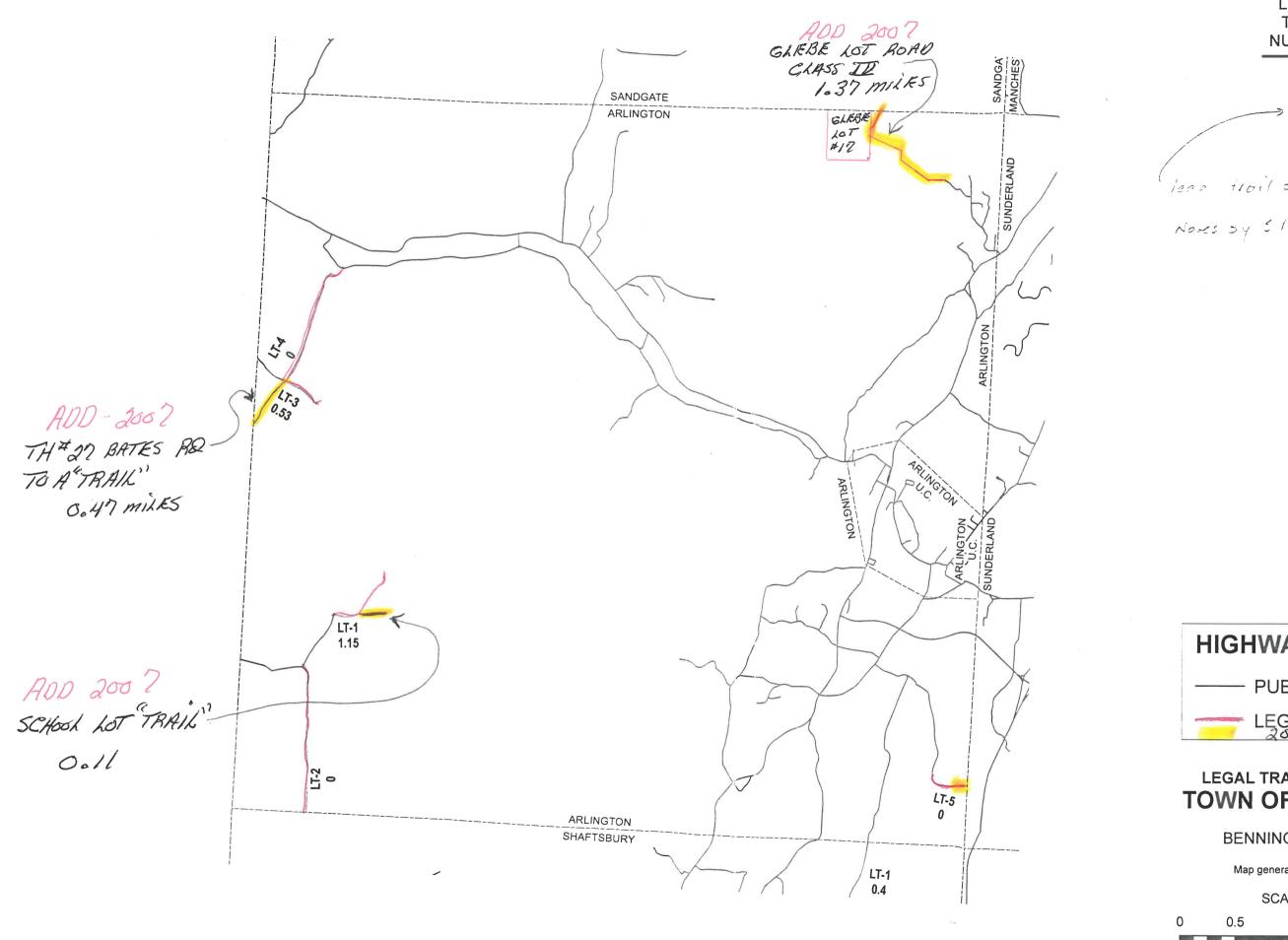
CLARENCE/S. CURTIS, CHAIRMAN

KEITH SQUIRES

LAWRENCE MOLLO DANJEL HARVEY

RICHARD KING

(LT-19 3.1900 ton 4/23/07) 0,11 + 1,01 = 1.12 miles



LENGTH IN LEGAL TRAIL MILES MILES **NUMBER** 1.15 - ? 1.40 LT-1 0 /.33 0.53DISCONTINUED 0 0.95 0 0.41 LT-2 LT-4 LT-5

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Noves by & Montton (22 Dec 2006)

HIGHWAYS

PUBLIC HIGHWAYS



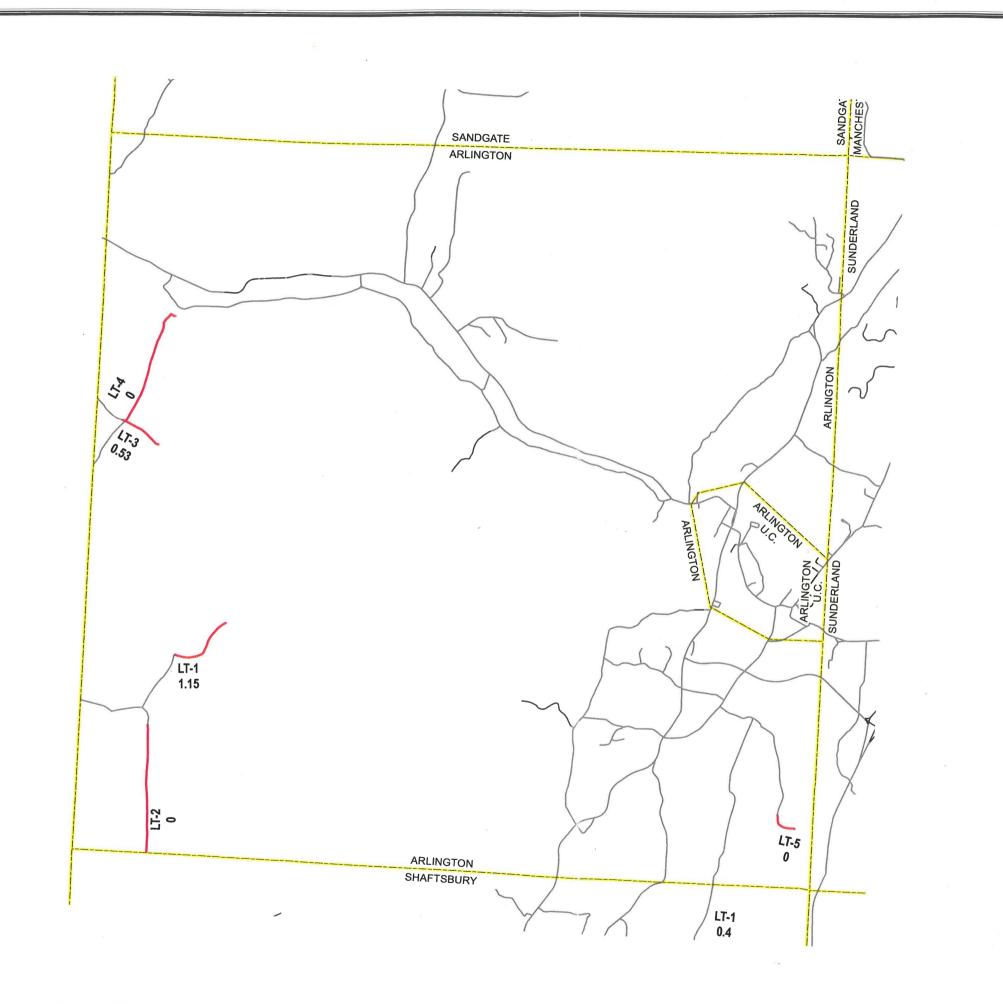
LEGAL TRAIL VERIFICATION TOWN OF ARLINGTON

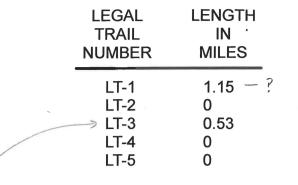
BENNINGTON COUNTY

Map generated: November, 2006

SCALE: 1:52334

Miles





legal trail or discontinued?

Notes by 5. Moulton (22 Dec 2006)

HIGHWAYS

--- PUBLIC HIGHWAYS

LEGAL TRAILS

LEGAL TRAIL VERIFICATION TOWN OF ARLINGTON

BENNINGTON COUNTY

Map generated: November, 2006

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Miles

NOTICE OF HEARING ON RECLASSIFICATION OF A HIGHWAY BOARD OF SELECTMEN, ARLINGTON, VERMONT

THE SELECTMEN OF THE TOWN OF ARLINGTON HEREBY GIVE NOTICE TO THE PERSONS NAMED BELOW AS OWNERS OR PERSONS INTERESTED IN LAND AND RIGHTS THAT MAY BE AFFECTED BY A DECISION OF SAID SELECTMEN, ACTING ON A MOTION OF THE BOARD OF SELECTMEN TO CHANGE THE CLASSIFICATION OF A TOWN HIGHWAY.

THE MOTION ASKS THAT A PORTION OF TOWN HIGHWAY AS LAID OUT BY THE SELECTMEN OF THE TOWN OF ARLINGTON IN APRIL 1794 AND RECORDED ON MARCH 25. 1807, IN BOOK 5, PAGE 68, OF THE ARLINGTON LAND RECORDS BE CLASSIFIED AS A TRAIL.

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THE PORTION OF THE HIGHWAY PROPOSED FOR RECLASSIFICATION TO A TRAIL COMMENCES AT THE BOUNDARY LINE OF SCHOOL LOT #14 AND GLEBE LOT #19 AND EXTENDS WESTERLY .11 MILES AND THENCE NORTHERLY FOR 1.01 MILES.

THE FOLLOWING PERSONS ARE HEREBY NOTIFIED OF THE PUBLIC HEARING: ARLINGTON PLANNING JOSEPHINE BRYCE COMMISSION

GRAEME PARRISH

J. SEVERSON

J. BLOOM

W.C. COWEE, INC.

17-1

ARLINGTON BOARD OF SELECTMEN

CLARENCE/S. CURTIS; CHAIRMAN 1011 XCun

KEITH SQUIRES

Molla Maurence LAWRENCE MOLLOY

DANJEL HARVEY

whard U.

RICHARD KING

DATED THIS JULY24 ,1989 A DT TMCTOM TIEDU

AGENDA FOR BOARD OF SELECTMEN'S MEETING

Office of Selectmen
September 5, 1989
7:00 P.M.

- I. Meeting called to order.
- II. Minutes of the August 21, 1989 meeting read and adopted. (Pq. 1-4)
- III. Highway report.

IV. Old business:

- 1. Discussion in regard to Hale Co. and the CDOP grant.
- 2. Progress report on the right-of-way for Raven Rock Road.
- 3. Discussion with Roy Crofut regarding the Green in West Arlington. (Pg. 5)
- 4. Reminder of the National Register of Historic Places meeting, September 7, 1989, at the Community House, 7:30 P.M.
- 5. Decision on change of retirement system for employees.
- 6. Update on the above ground storage tanks for fuel.
- 7. Update on the possible purchase of a dump truck for the town.
- 8. Other business.

V. New business:

- Decisison to be made on the reclassification of some town highways (Site inspection and public hearing held on September 2, 1989).
 - B) What other town highways will be warned for reclassification?
- 2. Other Business.
- VI. Adjournment.

MINUTES FOR BOARD OF SELECTMEN'S MEETING

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planence Curtis asked about the promised sidewalks and Gene explained that the sidewalks are a part of the deal. The drainage needs to be corrected first, this followed by the sidewalk. Whitcomb has been asked to give a price for paving the section prepared last year, Beaudoin will be asked, as will Pike and when the three bids are in the paving job will be let. The portion prepared this year or at least a part of that prepared this year will be paved next year, depending upon the amount of money available, said Keith Squires.

Old_Business:

for such events.

Discussion_with_Roy_Coofut_Regarding_the_Green_in_West_Arlington: Roy Crofut was present at the request of the Board of Selectmen to give his version of happenings on the "Green". (The other side was presented last week by Mrs. Anne Weber and Mrs. Tom Wiliamm.) Clarence Curtis asked of Roy "who owns the property?" Roy explained that the Grange owns the property, not all the way to the River but in back of the Grange Hall and in back of the Church all the way up to River Road. The Church owns in front of that and the Church owns the section down by the River. Clarence asked how the Church and Grange get along? Roy asked to explain first that the Grange has several obligations. He says that the Grange keeps the lawn mowed, pay for weekly garbage removal, likes to keep it looking nest, paid \$2,600.00 this summer to reroof the pavillion and now owe \$300.00 in taxes. He said that about \$60.00 per week comes in from Bingo and that it is necessary to rent out the pavillion in order to get monies to pay for these things, but at the same time he would like to get along with the neighbors. He said that he rents to parties and wedding parties of reputable people. But once this summer he rented to a wedding reception of about 200 people, one of the biggest ever rented to and that was no Sunday school picnic. Unfortunately the people working Bingo that night did not turn the lights off at eleven o'clock, as is the custom, and apparently the reception continued on. Roy said that he apologized to the neighbors and the lights are not likely to be left on again. He said that the State police have been called a couple of times because of a couple of scuffles. The State police suggested to Roy that on behalf of the Grange there be some curfew signs put up stating that everyone should be out of there by ten o'clock at night. Roy has had some of these signs printed up and will put them up next spring when the rental season for the platform begins. He expects that there are only a couple more activities scheduled for this fall. Roy also recommended that those who complain call Charlie Farrell, 2nd Constable, and he lives just over the bridge. Roy says that when the platform is rented out there are bathroom facilities in the Grange Hall. The Grange is not responsible for any Sunday activities at the platform. Clarence Curtis asked if the Grange does anything about policing? Roy said "No". He does not think that policing is necessary. Keith Squires suggested that if another large event of a couple of hundred or so is scheduled then maybe Roy should think about having a sheriff present

.eminder_of_the_National_Register_of_Historical_Places_Meeting.
Sectember_7. 1989_at_the_Community_House_7:30_P.M.

Decison on Change of Retirement System for Employees: After looking over a cost analysis of the difference between the cost of Plan A and Plan B, Vt. Municipal Employee Retirement System for 1990 and an anticipated salary increase for the four regularly employeed employees of the town (Gene Hoyt, Robert Thompson, Kevin Keough and Millicent Cross) a decision was made. The motion was made by Keith Squires to upgrade the Municipal Employee Retirement System from Plan A to Plan B. This was seconded by Larry Molloy and all voted in favor of the motion.

Update on the Above Ground Storage Tanks for the Euel: This was taken care of during the highway report.

Update on the Possible Purchase of a Dump Truck for the Town: This was taken care of during the earlier highway report.

George Novotox's Soad Request: At an earlier meeting Mr. Novotoy requested that the town take over a road which he has extended from town highway #34.

Keith Squires said that he and Gene Hoyt had met with George and Randy Novotny recently, looked over the road and discussed it. A portion of the road that George would like taken over has a grade measuring from 15-18 degrees in a constant 740' uphill stretch. The distance of the 18% is about 230-240'.

Keith says that George's biggest argument is that Wilcox Road, with a 15 degree slope was taken over by the town but that this does not necessarily mean that the town has to make the same mistake twice. Keith said that George wants a letter from the Selectmen stating what it is that they will require him to do to the highway in question before the Town will accept the road.

Keith said that he would suggest the following:

- 1. The turn around needs to be enlarged and flattened out to measure at least 70-75' in diameter.
- 2. To improve the drainage with at least two culverts, one culvert installed upgrade from the cul-de-sac and the other culvert about 200' below the first one.
- 3. The 18% grade needs to be cut down--probably he can't get it much below the 15% grade.

Clarence Curtis said that if George does these things and the town does take it over then the town is responsible for anything that might happen on it? Keith said that wes this would be true.

It was determined that Gene and Keith would get together and outline the contents of the letter to be written to Mr. Novotny.

Keith then asked if everyone is agreeable to leave it at the lower 15-16% grade? Clarence said that he felt that if George was willing to put the money into the project then he was willing to go along with the proposal.

Dan Harvey asked how long the present road is from River Road? It is .11 miles of Class 3 and .16 miles of class 4., about 3/4 of a mile. Larry Molloy said that his concern is that of development above the present houses and if we accept this portion of the road, how are we not going to accept that for future development? No one was able to

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. contract between the Town of Arlington and BCIC for administration only was discussed but not yet signed by the Board of Selectmen.

A motion was made by Daniel Harvey to authorize Clarence Curtis to execute the loan agreement under terms and conditions presented, subject to meeting with Joe O'Dea to put a sealing on the subordination tomorrow. The motion was seconded by Lawrence Molloy and so voted by all Selectmen.

Hale_Road: Mr. Ebbling said that he had sent a note back in July regarding Hale Road and saw no reason that the Town should not take it over. The correct procedure will have to be followed to take over this private road and to receive monies on it as a class three road.

Right of Way for Bayen Rock Road: Mr. Montaufray was present as was Jos O'Dea and who to'd Mr. Montafray that the map previously presented to him was adequate and that the legal transaction would take place. The old section will be returned to Montaufray and the new section will go to the town. The new section will be top dressed as soon as the legal procedure is completed, hopefully before the snow falls.

New-Business:

Decision to be made of the reaclassification of some town highways (Site inspection and public hearing held on September 2. 1989):

Highwax.#26: The motion was made by Lawrence Molloy to reclassify .20 miles, class 3 of this highway and .33 miles, class 4 highway (a total of .53 miles) to be <u>discontinued</u>. . The motion was secons Squires and so voted by all favoring the motion.

An_unnumbered_bighway: This highway commences at the boundary line of School lot #14 and Glebe lot #19 and extends northeasterly .37 miles to the easterly boundary of Glebe Lot #19. It is not classified on the Vermont General Highway Town of Arlington, dated 1986. The motion was made by Keith Squires and seconded by Lawrence Molley to discontinue this highway. So voted by all Selectmen.

Buck_Road: This highway is unidentified on the Vermont General Highway Map, Town of Arlington, dated 1986, but laid out by selectmen of Arlington on May 7, 1785 and recorded on March 7, 1799, in book 5, page 79 and also as laid out on May 11, 1826 and recorded on March 15, 1827, in book 8, page 64 of the Arlington Land Records.
This highway extends from the River Road in West Arlington south and southwesterly 5,120 feet or about .95 miles.
The motion was made by Keith Squires to turn 5,120 feet or about.95 miles of Buck Foad into a trail The motion was seconded by Lawrer Molloy. All Selectmen favored the motion and so carried.

ACBOLD Road: This highway is unidentifed on the Vermont General Highway Map, Town of Arlington, dated 1986, but laid out by the Selectmen of Arlington on June 26, 1841 and recorded on July 18, 1842, in book 10, page 211 of the Arlington Land Records. This highway is not classified. This highway measures 6121.5 feet in length or about 1.16 miles. The motion was made by Keith Squires and seconded by Lawrence Molloy to discontinue this highway. So voted by all Selectmen agreeing to the motion and its second.

Highway #27. Batas Road: This is classified on the 1986 Vermont General Highway Map for the Town of Arlington as a class 4, untraveled highway .47 miles in length but in 1785 was laid out as 1,680 feet (as nearly as we can tell). The motion was made by Lawrence Molloy to reclassify this highway to a trail. The motion was seconded by Keith Squires are so voted by no opposing votes.

An_unnumbered_highway: The highway is not shown on the Vermont General Highway Map, Town of Arlington, dated 1986, and is unclassified. It commences at the joundary line of School Lot #14 and Glebe Lot #17 and extends westerly .11 miles and thence northerly for 1.01 miles. It was laid out by the Selectmen of the Town of Arlington in April 1794 and recorded on March 25, 1807, in book 5, page 68 of the Arlighton Land Records.

The motion was made by Keith Squires and seconded by Daniel Harvey to turn this highway into a <u>trail</u>, and so voted by all.

Highwax_#30: This road is known as Mrs. Bryces road, is entirely within her property lines, is classified as a class 4, untraveled road on the 1986 Vermont General Highway, Town of Arlington highway map. This highway measures .32 miles. The motion was made by Lawrence Molloy to discontinue highway #30. The motion was seconded by Keith Squires and so voted by all in favor of the motion.

Are There Other Highways that We Want to Reclassify this Year? There are others (Butternut Gutter, Shaftsbury Hollow, a road off from Maple Hill Road and Benedict Hollow) but no action was taken as to whether or not to be reclassified this year.

Keith Squires asked if anyone knew as to whether or not it was a requirement that these roads that have reclassified to a trail, must they be signed indicating that they are trails? Gene knew nothing in the statutes regarding this, he thought perhaps that Alden Grout might know. Keith Said that if signs were not put up indicating that these roads are now trails and that the town no longer maintains the road, travel at your own risk etc. If these newly created trails are not signed then Keith said that he would like to see a legal notice put into the Bennington Banner stating that the Town of Arlington is no longer responsible for the maintainence of these former highways nor liable for any one traveling on them. Clarence Curtis suggested that we wait until all the roads that are to be reclassified or already have been reclassified this year before having a legal notice put into the Banner. It was determined that next meeting a decision would be made as to whether or not more highways would be reclassified this year.

3ridge_#25: A letter dated August 30, 1989, from the State of Vermont Agency of Transportation and signed by Warren Tripp was read. This bridge is scheduled to be replaced in 1990 or 1991. In effect the letter says that scuba divers have found that the abutment to this bridge is undermined as much as 1 foot below the footing and as much as A feet in under the footing. This abutment needs to be stabilized with a concrete sub-footing and the completed repair should be protected by placing stone fill or riprap against the face of this abutment. The bridge is owned by the Town and failure to follow recommendations on the necessary repairs may make the town ineligible for Federal funding on any Town bridge work. Clarence said that he had talked with Joe Talbot today and said that he got no where with Joe. He said that if there were objections to the letter that he should call Warrren Tripp and Clarence said that he would do that tomorrow. Joe Talbot did say that there were two alternative, one to close the bridge and the other is to do the recommended work on it for about \$30,000. Keith suggested a temporary structure, or limiting the bridge to

Adiquenment: This took place at 9:18 P.M.

Minutes for this meeting were taken by Millicent Cross. The meeting was also taped and the tapes are available for anyone wishing to learn Ill Selectory

greater detail of the meeting.

passenger cars only.

From Book 5, Page 68, Arlington Land Records

ARLINGTON APRIL 1794. IN THE SOUTHWEST PART OF ARLINGTON

THEN SURVEYED AND LAID OUT A HIGHWAY BEGINNING ON THE EAST LINE OF THE GLEBE ABOUT 9 RODS SOUTH OF THE NORTH EAST CORNER, THEN WEST 20°SOUTH 20 RODS, THEN WEST 15°SOUTH 64 RODS, THEN WEST 10° NORTH 34 RODS TO WEST LINE OF THE GLEBE, THEN WEST 20° NORTH 36 RODS, THEN WEST 17 RODS TO MR. WRIGHT'S HOUSE ON THE SCHOOL LOT. NOW BEGINNING 17 RODS EAST OF MR. WRIGHT'S HOUSE AT A BIRCH TREE, THEN NORTH 30° EAST 50 RODS THAN NORTH 45° EAST 26 RODS THEN NORTH 55° EAST 36 RODS, THEN NORTH 31° WEST 56 RODS, THEN NORTH 30° WEST 42 RODS, THEN NORTH 25° WEST 94 RODS, THEN NORTH 15° WEST 20 RODS TO THE OLD ROAD BETWEEN ABEL BLOWERS AND THE WIDOW BLOWERS.

RECORDED MARCH 25, 1807 LUTHER STONE, TOWN CLERK

SURVEYED AND LAID OUT BY US ROBERT BUCK, SURVEYOR

Brunder the his 178h) Thin served and and out a Highway in Arling ton 6 a heap of Atomes By Si road one not and half from his De Limsthe rod being 3 nots wide an half taken from Mit Lunards Land and on half from the Jour non Land and the other half from S. Isonards Lords. so long as it contin my buttown them. beginning at the at the aford so heep altones then many So 18 6. 51 roastoa Popoler Bush. Then S. 29 Wily roasto she storen Bush morked them 879 & 11 rods to a maple Buch marked them 8:33 6. 28 For white + Bak down mouted them 10 yob. 46 to a tohic Gat me marked then Sitt 6.86 rods to a Chemit thee marked them & Like to 126 rods to g to hite Cat her marked Mun 6.12 8.3 herods to a Stake Stones to it then 6. 36 S. 2 6 rods to a while Onthe Sump then Esth Vo 113 rous ton Black Oak the morning thing to 13 No 36 words 30 North 10 rods to a Channel Pole marked their 6.13 S. 18 rods to a White Gah The marked their No 13 Elk robs to Join front barrier a Stake and Stones than Soft to sprods to a heap of Stoins in A wares Houselys Land No of John front then 6.21 1.9.6 mon through a Corner of Esq. Fithebones Sand o the Country Surveyed By me James Hard read of this house. I Sathan Comfield Select men March 7 12 1799 Received for Record All v4. 6. Gollins J. Clark

Alington find 1794. on the southwest part of Intington. Then surveyed and lairant a thighway beginning on the east Lines of the believe about mice rods south of the Northwest bonner theme West 20 Loute he rods time west 15 South 61 rods theme west 18 North 34 rods To roust Line of the believe theme west 20 North 36 rods theme west 19 rods to M. Wight House on the School Lot. Plans beginning I Trods Cast of A Wright House at a Birch for thome North 35 650 th them N. 45 626 R Shame S: 55 6 36 to the N. 31 1056 k Man 338 12 k Minde 25 W 94 & Minu - 8 15 1640 h tothe of Road Betown Mail Aslowers and the Widow Blowns. Loweyed and Laidaut By ses Mohert Buch Liner Ruanded March 25 . 1007

Lather Stone Jour Clark

A Survey of the Highway to the Sound and the Sound General Sugar Sin of the Speciment to the trans with 36 do all Rods to a Pine I've and Stone the Est Sitt hods and 12 do a State and Stones Theor 6.36 - 8:12 A De to the bonne of the Mill Dama a maje of Stone and State then E. 12 Softe her Sally For State and Stones on the bast Side of the Do. John Song & 9 ADe and alfora State and stone the Sil 88218 in De too hop the The acrof the finer then Bird 37. 8:13 hads a State and Stanes Then they St. 21. 8 10 hors to a State on I Stone on the St. Side of the Samuel and the hood the hard one of Yours Hound Anewed for Burned

this 31. May 1798 And. 6. bolling J. Clark

NOTICE OF HEARING ON RECLASSIFICATION OF A HIGHWAY BOARD OF SELECTMEN, ARLINGTON, VERMONT

THE SELECTMEN OF THE TOWN OF ARLINGTON HEREBY GIVE NOTICE TO THE PERSONS NAMED BELOW AS OWNERS OR PERSONS INTERESTED IN LAND AND RIGHTS THAT MAY BE AFFECTED BY A DECISION OF SAID SELECTMEN, ACTING ON A MOTION OF THE BOARD OF SELECTMEN TO CHANGE THE CLASSIFICATION OF A TOWN HIGHWAY.

THE MOTION ASKS THAT THE TOWN HIGHWAY #29 AS IDENTIFIED ON THE VERMONT GENERAL HIGHWAY MAP, TOWN OF ARLINGTON, DATED 1986 AS A CLASS IV HIGHWAY, BE RECLASSIFIED TO A TRAIL.

THE SELECTMEN WILL MEET ON JUNE 17, 1989 AT 9:00 A.M. IN THE ARLINGTON TOWN HALL TO CONDUCT A SITE INSPECTION OF THE HIGHWAY, AND THEN MEET AT THE SELECTMEN'S OFFICE AT 1:30 P.M., JUNE 17, 1989 TO CONDUCT A HEARING ON THE RECLASSIFICATION OF SAID HIGHWAY.

AS REQUIRED BY LAW, NOTICE OF THIS SITE INSPECTION AND HEARING IS BEING PROVIDED BY CERTIFIED MAIL TO EACH PERSON OWNING OR HAVING AN INTEREST IN LANDS THROUGH WHICH THE HIGHWAY PASSES, AS LISTED BELOW AS WELL AS THE ARLINGTON PLANNING COMMISSION. A COPY IS TO BE POSTED IN THE OFFICE OF THE ARLINGTON TOWN CLERK, AND PUBLISHED IN A LOCAL NEWSPAPER OF GENERAL CIRCULATION IN THE AREA, NAMELY THE BENNINGTON BANNER, NOT LESS THAN 10 DAYS BEFORE THE DATE SET FOR THE HEARING.

THE MOTION AND OTHER PERTINENT INFORMATION RELATIVE TO THE PROPOSED PECLASSIFICATION OF THE HIGHWAY IS AVAILABLE FOR PUBLIC INSPECTION AND COPYING IN THE OFFICE OF THE ARLINGTON TOWN CLERK DURING REGULAR BUSINESS HOURS.

THE HIGHWAY PROPOSED FOR RECLASSIFICATION TO A TRAIL IS TOWN HIGHWAY #29, CLASS IV, EXTENDING EASTERLY 28 MILES FROM THE BLACK HOLE HOLLOW ROAD TO LAND FORMERLY BELONGING TO SCHOOL LOT #14.

THE FOLLOWING PERSONS ARE HEREBY NOTIFIED OF THE PUBLIC HEARING:

MR. AND MRS. CYRIL HOYT, JR.

TED WILLIAMS

WARREN L. GILLIS

ARLINGTON BOARD OF SELECTMEN

LT-1

CLARENCE S. CURTIS, CHAIRMAN

CLARENCE S. CURTIS, CHAIRMAN

REPH SOURCE

LAWRENCE ADLINE

DANIEL HARVEY

RICHARD KING

DATED THIS MAY 1 , 1989 ARLINGTON, VERMONT

NOTICE OF ALTERATION OF HIGHWAYS

The following steps were taken in the reclassification of town highways #29, and #31 and town highway #21 to be discontinued

- 1. Decision to reclassify highways #29,31,21, 26,30 and the Glebe Lot (Decision made on April 17, 1989, formal motion made on May 17,198
- 2. Certified mail notification to all adjoining land owners of the above mentioned highways. (May 4, 1989 mailing)
- 3. Site inspection conducted for above mentioned highways, June 17, 1989 beginning at 9:00 A.M..
- 4. Public hearing conducted on June 17, 1989 at 1:00 P.M. in the Arlington Town Hall.
- 5. Decision as to the reclassifications made on June 26, 1989 as follows:
- Highway #29 (Class IV portion, as shown on the Vermont General Highway map, Town Of Arlington dated 1986, extending easterly .28 miles from the Black Hole Road formerly belonging to Sc lot #14). The motion was made by Keith Squires to reclassify from a class IV highway as shown on the 1986 Vt. Highway Map, highway #29 to a trail. The motion was seconded by

. Daniel Harvey. So approved by all Selectmen.

- Highway #31 (Commonly called Stage Coach Road, extending southerly from Black Hole Hollow Road .14 miles and its southerly extension 1.19 miles to the Shaftsbury-Arlington Town line) The motion was made by Keith Squires to reclassify Town Highway #31 from a Class IV highway to a trail as warned. T motion was seconded by Lawrence Molloy and so voted by all Selectmen in agreement.
- Highway #21 (Extends northerly .06 miles from the private driveway leading past the house owned by George VanGemert and Malcolm Sprague and is entirely within their property lines The motion was made by Keith Squires to abandon (discontinua highway #21. This motion was seconded by Lawrence Molloy. The motion was carried by all Selectmen voting in favor of a motion.

Highways #26,30 and the Glebe Lot: After much discussion, listening to the public and so on the decision made by the Board of Selectmen was to rewarn these highways for reclassification to abandonment rather than to trails as the warning of May 1, 1989 stated. For the time being they remain classified as shown on the Vt. Highway Map of 1986.

Clarence S. Curtis, Chairman Lawrence Molloy

ARLINGTON BOARD OF SELECTMEN

BOARD OF SELECTMEN

TOWN OF ARLINGTON ARLINGTON, VERMONT 05250

TELEPHONE 375-6474

NOTIFICATION BY CERTIFIED MAIL OF THE ALTERATION (RECLASSIFICATION OF HIGHWAYS) MAILINGS MAY 4, 1989

IIGHWAY #29	Cyril & Barbara Hoyt Ted Williams Warren L. Gillis
IGHWAY #31	Mrs. John F.C. (Josephine) Bryce Michael & Patricia Pollak Shaftsbury Board of Selectmen, Chairman Shaftsbury Planning Commission, Chairman
IGHWAY #21	George VanGemert and Malcolm Sprague
IIGHWAY #26	Mr. and Mrs. Reginald Tschorn W.J. Cowee, Inc.
IGHWAY #30	Mrs. John F.C. (Josephine) Bryce

LEBE LOT

Mrs. John E. C. (Josephine) Bryce
Graeme Parrish
J. Severson
J. Bloom
W.C. Cowee, Inc.

200d Past continting

FROM BOOK 5, PAGE 71 ARLINGTON LAND RECORDS

ARLINGTON DECEMBER 18, 1789. THEN LAID OUT A HIGHWAY IN THE WEST PART OF ARLINGTON BEGINNING A LITTLE SOUTH OF HEART BLOWERS HOUSE BEGINNING ON THE EAST SIDE OF THE HIGHWAY THAT GOES TO DAVID FORSBURG'S, THEN RUNNING EAST 28° SOUTH 18 RODS TO THE SCHOOL LOT, THE SAID ROAD IS TO BE TWO RODS WIDE BY US.

WILLIAM NICHOLSON RECORDED MARCH 26, 1807 LUTHER STONE, TOWN CLERK TYRUS HURD
ZADOCK HARD
NATHAN CANFIELD
SELECTMEN

NOTICE OF HEARING OF RECLASSIFICATION OF A HIGHWAY BOARD OF SELECTMEN, ARLINGTON, VERMONT

THE SELECTMEN OF THE TOWN OF ARLINGTON HEREBY GIVE NOTICE TO THE PERSONS NAMED BELOW AS OWNERS OR PERSONS INTERESTESD IN LAND AND RIGHTS THAT MAY BE AFFECTED BY A DECISION OF SAID SELECTMEN, ACTING A MOTION OF THE BOARD OF SELECTMEN TO THE RECLASSIFICATION OF A TOWN HIGHWAY.

THIS MOTION ASKS THAT TOWN HIGHWAY #27, KNOWN AS THE BATES ROAD, AND IDENTIFIED ON THE VERMONT GENERAL HIGHWAY MAP, TOWN OF ARLINGTON, DATED 1986, AS CLASS 4-UNTRAVELLED, BE RECLASSIFIED AS A TRAIL.

THE SELECTMEN WILL MEET ON SEPTEMBER 2 , 1989 AT 9:00 A.M. IN THE ARLINGTON TOWN HALL TO CONDUCT A SITE INSPECTION OF THE HIGHWAY AT 1:30 P.M. TO CONDUCT A HEARING ON THE RECLASSIFICASTION TO A TRAIL OF SAID HIGHWAY.

AS REQUIRED BY LAW, NOTICE OF THIS SITE INSPECTION AND HEARING IS BEING PROVIDED BY CERTIFIED MAIL TO EACH PERSON OWNING OR HAVING AN INTEREST IN LANDS THROUGH WHICH THE HIGHWAY PASSES, AS LISTED BELOW IN THE OFFICE OF THE ARLINGTON TOWN CLERK, AND PUBLISHED IN A LOCAL NEWSPAPER OF GENERAL CIRCULATION IN THE AREA, NAMELY THE BENNINGTON BANNER, NOT LESS THAN 10 DAYS BEFORE THE DATE SET FOR THE HEARING.

THE MOTION AND OTHER PERTINENT INFORMATION RELATIVE TO THE PROPOSED CLASSIFICATION OF THE HIGHWAY IS AVAILABLE FOR PUBLIC INSPECTION AND COPYING IN THE OFFICE OF THE ARLINGTON TOWN CLERK DURING REGULAR BUSINESS HOURS.

THE HIGHWAY PROPOSED TO BE RECLASSIFIED AS A TRAIL COMMENCES AT THE MURRAY HOLLOW ROAD, AND EXTENDS 0.49 MILES IN A SOUTH SOUTHWESTERLY DIRECTION TO THE VERMONT-NEW YORK BOUNDARY.

THE FOLLOWING PERSONS ARE HEREBY NOTIFIED OF THE PUBLIC HEARING:
PETER & ALBERT MESSINA TOWN OF WHITE CREEK, NY.
W.J. COWEE & CO. INC. WHITE CREEK, NY PLANNING COMMISSION
ARLINGTON PLANNING COMMISSION

ARLINGTON BOARD OF SELECTMEN

CLARENCE CURTIS, CHAIRMAN

KEITH SQUIRES

LANGENCE MOLLOY

DANLEL HARVEY

RICHARD KING

DATED THIS JULY 24, ARLINGTON, VERMONT

1989

J.

MINUTES FOR BOARD OF SELECTMEN'S MEETING

Office of Selectmen September 5, 1987 7:00 P.M.

Selectmen_Present: Clarence Curtis, Keith Squires, Richard King (late), Daniel Harvey and Lawrence Molloy.

Public Present: Mr. & Mrs. F. Kostenblatt, Quenel Mauntafray, Roy Crofut, Harry Pickering, Robert Ebbling, Pat Moulton, Joe O'Dea,

Meeting_Opens: The meeting was called to order at 7:12 P.M. by Clarence Curtis.

Minutes of the August 21, 1989 Board of Selectmen's Meeting: The minutes for this meeting were read by each Selectman. The motion was made by Keith Squires to accept the minutes as printed. The motion was seconded by Dan Harvey and so voted by all favoring the motion.

Highway_Report: Gene Hoyt reported that the rope at the Covered Bridge in West Arlington has been removed, that the wire put into the bridge interior last year is still in tact and one board has been removed from the exterior of the bridge.

Gene said that he had called Montpelier today in regard to the request for a permit to put in above ground storage gasoline and diesel fuel tanks at the town garage. A decision has been make but Gene could get no answer as to what the decision is but it is expected that a letter will be forthcoming within the next few days.

Gene also called LaFayette & Sheldon regarding the guard railing for the Chippenhook Bridge. He was not able to get information as to when its installation might begin.

The grader is expected to be repaired by tomorrow afternoon, Gene is to be notified by the repair company and he will have to arrange to have it transported back to Arlington. He said that he had them put in a couple of new seals and a wheel checked, in addition to the major repair.

Gene said that he had not yet been able to talk with Ross about a bid on a new dump truck but Ross is supposed to get in touch with him within the next day or so. Keith explained that so far there are only two bids and he really wants to get a third. It was determined to sit on this until the next meeting and to make a decision at that time with or without a third bid. An order placed today probably would not be delivered prior to December.

Gene reported that the drainage project on the East Arlington Road is coming along nicely. The two sections by Buck Hill Road-are done and today the road crew put in the section by the Inez Smith house and tomorrow the plans are to pour the top between these two and toward the end of the week he expects to get to the other two on the other side.

and Road: This highway is unidentifed on the Vermont General Highway ap, Town of Arlington, dated 1986, but laid out by the Selectmen of Arlington on June 26, 1841 and recorded on July 18, 1842, in book 10, page 211 of the Arlington Land Records. This highway is not classified. This highway measures 6121.5 feet in length or about 1.16 miles. The motion was made by Keith Squires and seconded by Lawrence Molloy to discontinue this highway. So voted by all Selectmen agreeing to the motion and its second.

Highway_#27._Bates_Road: This is classified on the 1986 Vermont General Highway Map for the Town of Arlington as a class 4, untraveled highway .47 miles in length but in 1785 was laid out as 1,680 feet (as nearly as we can tell). The motion was made by Lawrence Molloy to reclassify this highway to a trail____. The motion was seconded by Keith Squires and so voted by no opposing votes.

An_unnumbered_bighway: The highway is not shown on the Vermont General Highway Map, Town of Arlington, dated 1986, and is unclassified. It commences at the boundary line of School Lot #14 and Glebe Lot #19 and extends westerly .11 miles and thence northerly for 1.01 miles. It was laid out by the Selectmen of the Town of Arlington in April 1794 and recorded on March 25, 1807, in book 5, page 68 of the Arlighton Land Records.

The motion was made by Keith Squires and seconded by Daniel Harvey to turn this highway into a trail____, and so voted by all.

Highway_#30: This road is known as Mrs. Bryces road, is entirely within her property lines, is classified as a class 4, untraveled road on the 1986 Vermont General Highway, Town of Arlington highway map. This highway measures .32 miles. The motion was made by Lawrence Molloy to discontinue highway #30. The motion was seconded by Keith Squires and so voted by all in favor of the motion.

Are There Other Highways that We Want to Reclassify this Year? There are others (Butternut Gutter, Shaftsbury Hollow, a road off from Maple Hill Road and Benedict Hollow) but no action was taken as to whether or not to be reclassified this year.

Keith Squires asked if anyone knew as to whether or not it was a requirement that these roads that have reclassified to a trail, must they be signed indicating that they are trails? Gene knew nothing in the statutes regarding this, he thought perhaps that Alden Grout might know. Keith Said that if signs were not put up indicating that these roads are now trails and that the town no longer maintains the road, travel at your own risk etc. If these newly created trails are not signed then Keith said that he would like to see a legal notice put into the Bennington Banner stating that the Town of Arlington is no longer responsible for the maintainence of these former highways nor liable for any one traveling on them. Clarence Curtis suggested that we wait until all the roads that are to be reclassified or already have been reclassified this year before having a legal notice put into the Banner. It was determined that next meeting a decision would be made as to whether or not more highways would be reclassified this year.

Reith Squires

Then surveyed and lord out a dighway in the wishorly fast of the Jour Last of the Green hiver from John -11 Races to the great Road who and down the him Botterkil rigining at his south him theme south signt diques west 178 hors to Make and Stones then South 32 West 44 to then South 8 wist 46 rows this south 36 That 3 rods then south 6 west your as to the freat road the above road isto be one rod each way from the contra or two rods will from the east line themos which is one role east of the Last Lines. Alington July bighth The 1796 Sunnyed by The above dots Lines are 1:11 and 80 12 in the first Humand Clin Lats and A3 31 fifty Cum Lot on the cast side of the Road at the north ind of I hoad Jamuel Howford Luwyor Centified by us. Runned for Ausra Abil Anssorth Whilet July the 0. 0 1796 Jonathan Baker Imin Lyrus Hurd J. Clerk alightenter the 4. The 17 18 then Laisanta Highway in Artington Bryinning at Shippets Bury north line at the road east Side laws at David pathson at a mosple true a Stones to it from theme west 2 was to a heap of Stones from Them northordly 96 - Do to Boldons lot to a heart of Stones west 2 rosts a but down with Stems to it from theme northandy bel now to Bolows north west bonner then east 2 rods to a heap of Stones from them north andy 84 north of Damiel Catmains Disching hour to a heap of Stores then west I rods to a hear of Stones from sound wist only 18 to a Highway to famint Calmans northwest borns the Thighway 1 2 rds vide all Mirway Aul Howley Daniel Catmon Telest Celen Lionard Teleg Motherson Men Simul Buch Ruarded March the 25.1807 dether Stone Town Clark Alungton Durnber 18. 1789. Then Lawant a Highway in the west hast of Artington beginning little routh of blearts Blowns Hanse beginning on the east star of the highway that you to David For bury there running bart tourty Eight Degrees south eighten rous to the Lehool Lat the 3? hoad is to be two hads, winde by us Tyrus Hund - Silut Them Nuholson Zadoch Hara - Thin Rusaled March the 26 1807 Sathan Camfield Lether Stone Town Clark

ON RECLASSIFICATION OF A HIGHWAY RD OF SELECTMENT TO THE 26 BOARD OF SELECTMEN, ARLINGTON, VERMONT discontinued

THE SELECTMEN OF THE TOWN OF ARLINGTON HEREBY GIVE NOTICE TO THE PERSONS NAMED BELOW AS OWNERS OR PERSONS INTERESTED IN LAND AND RIGHTS THAT MAY BE AFFECTED BY A DECISION OF SAID SELECTMEN. ACTING ON A MOTION OF THE BOARD OF SELECTMEN TO CHANGE THE CLASSIFICATION OF A TOWN HIGHWAY.

THE MOTION ASKS THAT TOWN HIGHWAY #26 AS IDENTIFIED ON THE VERMONT GENERAL HIGHWAY MAP, TOWN OF ARLINGTON, DATED 1986, AS A CLASS III HIGHWAY, . 20 MILES IN LENGTH, AND A CLASS IV HIGHWAY . 33 MILES IN LENGTH BE RECLASSIFIED TO BECOME DISCONTINUED.

THE SELECTMEN WILL MEET ON 09/02, 1989, AT 9:00 A.M. IN THE ARLINGTON TOWN HALL TO CONDUCT A SITE INSPECTION OF THE HIGHWAY, AND THEN MEET AT THE SELECTMEN'S OFFICE AT 1:30 P.M. ,1989 TO CONDUCT A HEARING ON THE RECLASSIFICATION OF SAID HIGHWAY.

AS REQUIRED BY LAW, NOTICE OF THIS SITE INSPECTION AND HEARING IS BEING PROVIDED BY CERTIFIED MAIL TO EACH PERSON OWNING OR HAVING AN INTEREST IN LANDS THROUGH WHICH THE HIGHWAY PASSES, AS LISTED BELOW AS WELL AS THE ARLINGTON PLANNING COMMISSION. A COPY IS TO BE POSTED IN THE OFFICE OF THE ARLINGTON TOWN CLERK, AND PUBLISHED IN A LOCAL NEWSPAPER OF GENERAL CIRCULATION IN THE AREA, NAMELY THE BENNINGTON BANNER, NOT LESS THAN 10 DAYS BEFORE THE DATE SET FOR THE HEARING.

THE MOTION AND OTHER PERTINENT INFORMATION RELATIVE TO THE PROPOSED RECLASSIFICATION OF THE HIGHWAY IS AVAILABLE FOR PUBLIC INSPECTION AND COPYING IN THE OFFICE OF THE ARLINGTON TOWN CLERK DURING REGULAR BUSINESS HOURS.

THE HIGHWAY PROPOSED TO BE DISCONTINUED IS THAT PORTION OF TOWN HIGHWAY #26, EXTENDING EASTERLY .53 MILES FROM THE INTERSECTION OF THE MURRAY HOLLOW AND BATES-BUCK ROAD.

THE FOLLOWING PERSONS ARE HEREBY NOTIFIED OF THE PUBLIC HEARING: W.J. COWEE, INC.

MR. AND MRS. REGINALD TSCHORN

Now SHOWN AS

ARLINGTON PLANNING COMMISSION

ARLINGTON BOARD OF SET

2006 MAP

ARLINGTON BOARD OF SELECTMEN

CLARENCE S. CURTIS, CHAIRMAN Telle Luies

KEITH SQUIRES

aurence Mol LAWRENCE MOLLOY

DANLEL HARVEY

Nichard U. RICHARD KING

DATED THIS JULY 24, 1989 ARLINGTON, VERMONT

SITE INSPECTION AND PUBLIC HEARING FOR THE RECLASSIFICATION OF TOWN HIGHWAYS, #26, BUCK ROAD, ARNOLD ROAD, #27, #30 AND TWO HIGHWAYS WITHIN SCHOOL LOT #14 AND GLEBE LOT #19

SITE INSPECTION: The site inspections of the above highways began at 7:00 A.M., September 2, 1989, meeting at the Town Hall with Selectmen, Lawrence Molloy, Keith Squires and Richard King in attendance. Gene Hoyt, highway foreman, was also in attendance and inspected with the Selectmen each of the sites named.

BUCK HILL ROAD: Attending this site inspection were Alfred and Elaine Kostenblatt, William Brown, Dale Brown, Roy Crofut, Larry Molloy, Richard King, Keith Squires and Gene Hoyt.
This was the only site that any of the public visited.

Lawrence Molloy, Keith Squires, Richard King and Gene Hoyt visited and walked each of the sites named at the top of this page.

PUBLIC HEARING: This hearing opened at 1:40 P.M. in the Arlington Town Hall on September 2, 1989. Those attending the hearing were: Alfred & Elaine Kostenblatt, William Brown, Dale Brown, Donald Brown, Alfred Pellicane, Francis Conroy, Reginald Tschorn, Gene Hoyt (Highway foreman) and Selectmen Clarence Curtis, Keith Squires, and Richard King.

The hearing was opened by Clarence Curtis, Chairman of the Board of Selectmen, and he explained that the purpose of the hearing is to hear public comment in regard to town highways that the town desires to reclassify. The following highways were discussed:

HIGHWAY #26: Gene Hoyt explained the location of this highway. No one had any comments to make on the proposed reclassification to reclassify .20 miles of Class 3 highway and .33 miles of class 4 highway to discontinuance of the highway.

HIGHWAY COMMENCES AT THE BOUNDARY LINE OF SCHOOL LOT #14 AND GLEBE LOT #17 AND EXTENDS NORTHEASTERLY .37 MILES TO THE EASTERLY BOUNDARY OF GLEBE LOT #19: There was no discussion and therefore no comments opposing the classification of this highway to be discontinued were heard. This highway is entirely within the property lines of Mrs. Bryce.

BUCK ROAD: Gene Hoyt explained the location of this highway and said that the deed states that it was laid out as a three rod road, laid out May 7, 1785 and May 11 1826, is unclassified and is not shown on the Vt. General Highway map for the Town of Arlington 1986, and has never received any State Aid.

Donald Brown, speaking on behalf of his brothers Dale and William, said that he felt that the landowners would be denied their rights by changing the road to a trail. He also said that changing the road would deny access to their property.

Roy Crofut explained his position, that being that his family had owned some of this property for years and some maintenance had been done after the flood of 1927, he did not say that the work had been done by the town, nor did he say who had actually done the maintenance.

Reggie Tschorn asked if the road could be turned back to the land owners? It appeared that most of those present did not feel that was really what they wanted.

Clarence Curtis explained that just because a highway becomes classified to one category, it does not mean that it must stay that way forever but can be changed wheneven proper procedures are followed.

Bill Brown asked that if this unclassified highway is classified to a trail that his taxes be lowered.

ARNOLD ROAD: There was no public comment, for or against, the classification of this road to become a discontined highway.

#27- BATES ROAD: This highway is presently classified as a class 4. untraveled highway. There was no comment for or against the reclassification of this highway to become a trail.

AT THE BOUNDARY LINE OF SCHOOL LOT #14 & GLEBE LOT #19 AND EXTENDS WESTERLY .11 MILES AND THENCE NORTHERLY FOR 1.01 MILES: There was no objection from the public that this unclassified highway become a trail.

HIGHWAY #30: This highway identified on the 1986 Vermont General Highway Map, Town of Arlington is classified as a Class 4, untraveled highway and is all within the property lines of Mrs. Josephine Bryce. There was no comment on the reclassification of this highway to become a discontinued highway.

ADJJURNMENT: The public hearing was closed by Clarence Curtis at 2:30 P.M.

AGENDA FOR BOARD OF SELECTMEN'S MEETING

Office of Selectmen September 5, 1989 7:00 P.M.

- I. Meeting called to order.
- II. Minutes of the August 21, 1989 meeting read and adopted. (Pq. 1-4)
- III. Highway report.

IV. Old business:

- 1. Discussion in regard to Hale Co. and the CDOP grant.
- 2. Progress report on the right-of-way for Raven Rock Road.
- 3. Discussion with Roy Crofut regarding the Green in West Arlington. (Pg. 5)
- 4. Reminder of the National Register of Historic Places meeting, September 7, 1989, at the Community House, 7:30 P.M.
- 5. Decision on change of retirement system for employees.
- 6. Update on the above ground storage tanks for fuel.
- 7. Update on the possible purchase of a dump truck for the town.
- 8. Other business.

V. New business:

- Decisison to be made on the reclassification of some town highways (Site inspection and public hearing held on September 2, 1989).
 - B) What other town highways will be warned for reclassification?
- 2. Other Business.
- VI. Adjournment.

MINUTES FOR BOARD OF SELECTMEN'S MEETING

Office of Selectmen September 5, 1989 7:00 P.M.

Selectmen_Present: Clarence Curtis, Keith Squires, Richard King (late). Daniel Harvey and Lawrence Molloy.

Public Present: Mr. & Mrs. F. Kostenblatt, Quenel Mauntafray, Roy
Crofut, Harry Pickering, Robert Ebbling, Pat Moulton, Joe O'Dea,

Meeting_Opens: The meeting was called to order at 7:12 P.M. by Clarence Curtis.

Minutes of the August 21, 1989 Board of Selectmen's Meeting: The minutes for this meeting were read by each Selectman. The motion was made by Keith Squires to accept the minutes as printed. The motion was seconded by Dan Harvey and so voted by all favoring the motion.

Highway Report: Gene Hoyt reported that the rope at the Covered Bridge in West Arlington has been removed, that the wire put into the bridge interior last year is still in tact and one board has been removed from the exterior of the bridge.

Gene said that he had called Montpelier today in regard to the request for a permit to put in above ground storage gasoline and diesel fuel tanks at the town garage. A decision has been make but Gene could get no answer as to what the decision is but it is expected that a letter will be forthcoming within the next few days.

Gene also called LaFayette & Sheldon regarding the guard railing for the Chippenhook Bridge. He was not able to get information as to when its installation might begin.

The grader is expected to be repaired by tomorrow afternoon, Gene is to be notified by the repair company and he will have to arrange to have it transported back to Arlington. He said that he had them put in a couple of new seals and a wheel checked, in addition to the major repair.

Gene said that he had not yet been able to talk with Ross about a bid on a new dump truck but Ross is supposed to get in touch with him within the next day or so. Keith explained that so far there are only two bids and he really wants to get a third. It was determined to sit on this until the next meeting and to make a decision at that time with or without a third bid. An order placed today probably would not be delivered prior to December.

Gene reported that the drainage project on the East Arlington Road is coming along nicely. The two sections by Buck Hill Road are done and today the road crew put in the section by the Inez Smith house and tomorrow the plans are to pour the top between these two and toward the end of the week he expects to get to the other two on the other side.

A contract between the Town of Arlington and BCIC for administration only was discussed but not yet signed by the Board of Selectmen.

A motion was made by Daniel Harvey to authorize Clarence Curtis to execute the loan agreement under terms and conditions presented, subject to meeting with Joe O'Dea to put a sealing on the subordination tomorrow. The motion was seconded by Lawrence Molloy and so voted by all Selectmen.

Hale_Road: Mr. Ebbling said that he had sent a note back in July regarding Hale Road and saw no reason that the Town should not take it over. The correct procedure will have to be followed to take over this private road and to receive monies on it as a class three road.

Right of Way for Baven Rock Road: Mr. Montaufray was present as was Joe O'Dea and who told Mr. Montafray that the map previously presented to him was adequate and that the legal transaction would take place. The old section will be returned to Montaufray and the new section will go to the town. The new section will be top dressed as soon as the legal procedure is completed, hopefully before the snow falls.

New_Business:

Decision to be made of the reaclassification of some town highways (Site inspection and public hearing held on September 2. 1989):

Highway #24: The motion was made by Lawrence Molloy to reclassify .27
miles, class 3 of this highway and .33 miles, class 4 highway (a total of .53 miles) to be discontinued.

Squires and so voted by all favoring the motion.

An_unnumbered_highway: This highway commences at the boundary line of School lot #14 and Glebe lot #19 and extends northeasterly .37 miles to the easterly boundary of Glebe Lot #19. It is not classified on the Vermont General Highway Town of Arlington, dated 1986. The motion was made by Keith Squires and seconded by Lawrence Molloy to discontinue this highway. So voted by all Selectmen.

Buck_Road: This highway is unidentified on the Vermont General Highway Map, Town of Arlington, dated 1986, but laid out by selectmen of Arlington on May 7, 1785 and recorded on March 7, 1799, in book 5, page 79 and also as laid out on May 11, 1826 and recorded on March 15, 1827, in book 8, page 64 of the Arlington Land Records.
This highway extends from the River Road in West Arlington south and southwesterly 5,120 feet or about .95 miles.
The motion was made by Keith Squires to turn 5,120 feet or about .95 miles of Buck Road into a trail The motion was seconded by Lawrence Molloy. All Selectmen favored the motion and so carried.

Accorded: This highway is unidentifed on the Vermont General Highway Map, Town of Arlington, dated 1986, but laid out by the Selectmen of Arlington on June 26, 1841 and recorded on July 18, 1842, in book 10, page 211 of the Arlington Land Records. This highway is not classified. This highway measures 6121.5 feet in length or about 1.16 miles. The motion was made by Keith Squires and seconded by Lawrence Molloy to discontinue this highway. So voted by all Selectmen agreeing to the motion and its second.

Highway #27. Bates Road: This is classified on the 1986 Vermont General Highway Map for the Town of Arlington as a class 4, untraveled highway .47 miles in length but in 1785 was laid out as 1,680 feet (as nearly as we can tell). The motion was made by Lawrence Molloy to reclassify this highway to a trail. The motion was seconded by Keith Squires are so voted by no opposing votes.

An_unnumbered_highway: The highway is not shown on the Vermont General Highway Map, Town of Arlington, dated 1986, and is unclassified. It commences at the boundary line of School Lot #14 and Glebe Lot #19 and extends westerly .11 miles and thence northerly for 1.01 miles. It was laid out by the Selectmen of the Town of Arlington in April 1794 and recorded on March 25, 1807, in book 5, page 68 of the Arlighton Land Records.

The motion was made by Keith Squires and seconded by Daniel Harvey to turn this highway into a <u>trail</u>, . and so voted by all.

Highway #30: This road is known as Mrs. Bryces road, is entirely within her property lines, is classified as a class 4, untraveled road on the 1986 Vermont General Highway, Town of Arlington highway map. This highway measures .32 miles. The motion was made by Lawrence Molloy to discontinue highway #30. The motion was seconded by Keith Squires and so voted by all in favor of the motion.

Are There Other Highways that We Want to Reclassify this Year? There are others (Butternut Gutter, Shaftsbury Hollow, a road off from Maple Hill Road and Benedict Hollow) but no action was taken as to whether or not to be reclassified this year.

Keith Squires asked if anyone knew as to whether or not it was a requirement that these roads that have reclassified to a trail, must they be signed indicating that they are trails? Gene knew nothing in the statutes regarding this, he thought perhaps that Alden Grout might know. Keith Said that if signs were not put up indicating that these roads are now trails and that the town no longer maintains the road, travel at your own risk etc. If these newly created trails are not signed then Keith said that he would like to see a legal notice put into the Bennington Banner stating that the Town of Arlington is no longer responsible for the maintainence of these former highways nor liable for any one traveling on them. Clarence Curtis suggested that we wait until all the roads that are to be reclassified or already have been reclassified this year before having a legal notice put into the Banner. It was determined that next meeting a decision would be made as to whether or not more highways would be reclassified this year.

Acidge_#25: A letter dated August 30, 1989, from the State of Vermont Agency of Transportation and signed by Warren Tripp was read. This bridge is scheduled to be replaced in 1990 or 1991. In effect the letter says that scuba divers have found that the abutment to this bridge is undermined as much as 1 foot below the footing and as much as 6 feet in under the footing. This abutment needs to be stabilized with a concrete sub-footing and the completed repair should be protected by placing stone fill or riprap against the face of this abutment. The bridge is owned by the Town and failure to follow recommendations on the necessary repairs may make the town ineligible for Federal funding on any Town bridge work.
Clarence said that he had talked with Joe Talbot today and said that he got no where with Joe. He said that if there were objections to the letter that he should call Warrren Tripp and Clarence said that he

Netter that he should call Warren Iripp and Clarence said that he would do that tomorrow. Joe Talbot did say that there were two alternative, one to close the bridge and the other is to do the recommended work on it for about \$30,000. Keith suggested a temporary structure, or limiting the bridge to passenger cars only.

Adioucoment: This took place at 9:18 P.M.

Minutes for this meeting were taken by Millicent Cross. The meeting was also taped and the tapes are available for anyone wishing to learn greater detail of the meeting.

Reith Squires

BOARD OF SELECTMEN

TOWN OF ARLINGTON **ARLINGTON. VERMONT 05250**

TELEPHONE 375-6474

September 25, 1989

TO: Persons owning or interested in lands through which the highways listed below pass.

RE: Reclassifications of some Town Highways.

At our Selectmen's meeting of September 18 1989 the minutes for the Site Inspection and Public Hearing, held on September 2, 1989 for the reclassification of the following highways for the good, necessity and convenience of the inhabitants of the town of Arlington were accepted. These are highways reclassified:

HIGHWAY

CLASSIFICATION AS OF SEPTEMBER 5, 1

#26

From .20 miles of Class 3 and .33 miles of class 4 to .53 miles as a discontinued highway.

Not numbered but commencing at As a discontinued highway the boundary line of School Lot #14 and Glebe Lot #19 and extending northeasterly .37 miles to the easterly boundary of Glebe Lot #19.

Buck Road

As a trail.

Arnold Road

As a discontinued highway.

Bates Road, #27

As a trail.

#30

As a discontinued highway

This unnumbered highway begins at the boundary line of School Lot #14 and Glebe Lot #19 and extends westerly .11 miles and thence northerly for 1.01 miles.

As a trail.

Clarene S. Cuin

Clarence S. Curtis, Chairman Board of Selectmen

NOTICE OF HEARING ON RECLASSIFICATION OF A HIGHWAY BOARD OF SELECTMEN. ARLINGTON, VERMONT

THE SELECTMEN OF THE TOWN OF ARLINGTON HEREBY GIVE NOTICE TO THE PERSONS NAMED BELOW AS OWNERS OR PERSONS INTERESTED IN LAND AND RIGHTS THAT MAY BE AFFECTED BY A DECISION OF SAID SELECTMEN, ACTING ON A MOTION OF THE BOARD OF SELECTMEN TO CHANGE THE CLASSIFICATION OF A TOWN HIGHWAY.

THE MOTION ASKS THAT A PORTION OF TOWN HIGHWAY AS LAID OUT BY THE SELECTMEN OF THE TOWN OF ARLINGTON IN APRIL 1794 AND RECORDED ON MARCH 25, 1807, IN BOOK 5, PAGE 68, OF THE ARLINGTON LAND RECORDS BE CLASSIFIED AS A TRAIL.

THE SELECTMEN WILL MEET ON 09/02 , 1989, AT 9:00 A.M. IN THE ARLINGTON TOWN HALL TO CONDUCT A SITE INSPECTION OF THE HIGHWAY, AND THEN MET AT THE SELECTMEN'S OFFICE AT 1:30 P.M., , 1989, TO CONDUCT A HEARING ON THE CLASSIFICATION OF SAID HIGHWAY.

AS REQUIRED BY LAW, NOTICE OF THIS SITE INSPECTION AND HEARING IS BEING PROVIDED BY CERTIFIED MAIL TO EACH PERSON OWNING OR HAVING AN INTEREST IN LANDS THROUGH WHICH THE HIGHWAY PASSES, AS LISTED BELOW. AS WELL AS THE ARLINGTON PLANNING COMMISSION. A COPY IS TO BE POSTED IN THE OFFICE OF THE ARLINGTON TOWN CLERK, AND PUBLISHED IN A LOCAL NEWSPAPER OF GENERAL CIRCULATION IN THE AREA. NAMELY. THE BENNNINGTON BANNER, NOT LESS THAN 10 DAYS BEFORE THE DATE SET FOR THE HEARING.

THE MOTION AND OTHER PERTINENT INFORMATION RELATIVE TO THE PROPOSED RECLASSIFICATION OF THE HIGHWAY IS AVAILABLE FOR PUBLIC INSPECTION AND COPYING IN THE OFFICE OF THE ARLINGTON TOWN CLERK DURING REGULAR BUSINESS HOURS.

THE PORTION OF THE HIGHWAY PROPOSED FOR RECLASSIFICATION TO A TRAIL COMMENCES AT THE BOUNDARY LINE OF SCHOOL LOT #14 AND GLEBE LOT #19 AND EXTENDS WESTERLY .11 MILES AND THENCE NORTHERLY FOR 1.01 MILES.

THE FOLLOWING PERSONS ARE HEREBY NOTIFIED OF THE PUBLIC HEARING: JOSEPHINE BRYCE

ARLINGTON PLANNING COMMISSION

GRAEME PARRISH

J. SEVERSON

W.C. COWEE, INC.

SCHOOL NOT RUAD J. SEVERS J. BLOOM W.C. COWE ARE LENGTH ON MILKS ARE

CLARENCE/S. CURTIS; CHAIRMAN

ARLINGTON BOARD OF SELECTMEN

TOUR Downes

KEITH SQUIRES

Younence Molla LAWRENCE MOLLOY

DANJEL HARVEY

RICHARD KING

DATED THIS JULY24 ,1989 ARLINGTON. VERMONT

(LT-1a 5.19 outton 4/23/07) 0,11 + 1,01 = 1.12 miles

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Narence Curtis asked about the promised sidewalks and Gene explained that the sidewalks are a part of the deal. The drainage needs to be corrected first, this followed by the sidewalk. Whitcomb has been asked to give a price for paving the section prepared last year, Beaudoin will be asked, as will Pike and when the three bids are in the paving job will be let. The portion prepared this year or at least a part of that prepared this year will be paved next year, depending upon the amount of money available, said Keith Squires.

Old_Business:

Discussion_with_Rry_Coofut_Regarding_the_Green_in_West_Arlington: Rov Crofut was present at the request of the Board of Selectmen to give his version of happenings on the "Green". (The other side was presented last week by Mrs. Anne Weber and Mrs. Tom Wiliamm.) Clarence Curtis asked of Roy "who owns the property?" Roy explained that the Grange cwns the property, not all the way to the River but is back of the Grange Hall and in back of the Church all the way up to River Road. The Church owns in front of that and the Church owns the section down by the River. Clarence asked how the Church and Grange get along? Roy asked to explain first that the Grange has several obligations. He says that the Grange keeps the lawn mowed, pay for weekly garbage removal, like: to keep it looking nest, paid \$2,400.00 this summer to reroof the pavillion and now owe \$300.00 in taxes. He said that about \$60.00 peweek comes in from Bingo and that it is necessary to rent out the pavillion in order to get monies to pay for these things, but at the same time he would like to get along with the neighbors. He said that he rents to parties and wedding parties of reputable people. But onthe this summer he rented to a wedding reception of about 200 people, one of the biggest ever rented to and that was no Sunday school picnic. Unfortunately the people working Bingo that night did not turn the lights off at eleven o'clock, as is the custom, and apparently the reception continued on. Roy said that he apologized to the neighbors and the lights are not likely to be left on again. He said that the State police have been called a couple of times because of a couple of scuffles. The State police suggested to Roy that on behalf of the Grange there be some curfew signs put up stating that everyone should be out of there by ten o'clock at night. Roy has had some of these signs printed up and will put them up next spring when the rental season for the platform begins. He expects that there are only a couple more activities scheduled for this fall. Roy also recommended that those who complain call Charlie Farrell, Constable, and he lives just over the bridge. Roy says that when the platform is rented out there are bathroom facilities in the Grange Hall. The Grange is not responsible for any Sunday activities at the platform. Clarence Curtis asked if the Grange does anything about policing? Rov said "No". He does not think that policing is necessary. Keith Squire: suggested that if another large event of a couple of hundred or so is scheduled then maybe Roy should think about having a sheriff present for such events.

_eminder_of_the_Wetional_Register_of_Historical_Places_Meeting.
Sectember_7._1939_at_the_Community_House_7.30_P.M.

Dacison on Change of Retirement System for Employees: After looking over a cost analysis of the difference between the cost of Plan A and Plan B. Vt. Municipal Employee Retirement System for 1990 and an anticipated salary increase for the four regularly employeed employees of the town (Gene Hoyt, Robert Thompson, Kevin Keough and Millicent Choss) a decision was made. The motion was made by Keith Squires to upgrade the Municipal Employee Retirement System from Plan A to Plan B. This was seconded by Larry Molloy and all voted in favor of the motion.

<u>Update_on_the_Above_Ground_Storage_Tanks_for_the_Euel:</u> This was taken care of during the highway report.

Vadate on the Essible Purchase of a Dump Truck for the Town: This was taken care of during the earlier highway report.

George_Novoinyis_Boad_Request: At an earlier meeting Mr. Novotny requested that the town take over a road which he has extended from town highway #34.

Keith Squires said that he and Gene Hoyt had met with George and Rard-Novotny recently, looked over the road and discussed it. A portion of the road that Searge would like taken over has a grade measuring from 15-18 degrees in a constant 740' uphill stretch. The distance of the 18% is about 230-240'.

Keith says that George's biggest argument is that Wilcox Road, with a 15 degree slope was taken over by the town but that this does not necessarily mean that the town has to make the same mistake twice. Keith said that George wants a letter from the Selectmen stating what it is that they will require him to do to the highway in question before the Town will accept the road. Keith said that he would suggest the following:

1. The turn around needs to be enlarged and flattened out to measure at least 70-75′ in diameter.

2. To improve the drainage with at least two culverts, one culvert installed upgrade from the cul-de-sac and the other culvert about 200' below the first one.

3. The 18% grade needs to be cut down--probably he can't get it much below the 15% grade.

Clarence Curtis said that if George does these things and the town does take it over then the town is responsible for anything that might happen on it? Keith said that yes this would be true. It was determined that Gene and Keith would get together and outline the contents of the letter to be written to Mr. Novotny. Keith then asked if everyone is agreeable to leave it at the lower 15-16% grade? Clarence said that he felt that if George was willing to put the money into the project then he was willing to go along with the proposal.

Dan Harvey asked how long the present road is from River Road? It is .11 miles of Class 3 and .16 miles of class 4., about 3/4 of a mile. Larry Molloy said that his concern is that of development above the present houses and if we accept this portion of the road, how are we not going to accept that for future development? No one was able to

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contract between the Town of Arlington and BCIC for administration only was discussed but not yet signed by the Board of Selectmen.

A motion was made by Daniel Harvey to authorize Clarence Curtis to execute the loan agreement under terms and conditions presented, subject to meeting with Joe O'Dea to put a sealing on the subordinat tomorrow. The motion was seconded by Lawrence Molloy and so voted by all Selectmen.

Hale_Road: Mr. Ebbling said that he had sent a note back in July regarding Hale Road and saw no reason that the Town should not take over. The correct procedure will have to be followed to take over the private road and to receive monies on it as a class three road.

Rightlof Way for Paven Rock Road: Mr. Montaufray was present as was O'Dea and who to'd Mr. Montafray that the map previously presented thim was adequate and that the legal transaction would take place. To cld section will be returned to Montaufray and the new section will to the town. The new section will be top dressed as soon as the legal procedure is completed, hopefully before the snow falls.

New_Business:

Decision to be made of the reaclassification of some town highways (Sitaline section and public hearing held on Sectember 2, 1989):

Highwax_#26: The motion was made by Lawrence Molloy to reclassify .2 miles, class 3 of this highway and .33 miles, class 4 highway (a total of .53 miles) to be discontinued. . The motion was as Squires and so voted by all favoring the motion.

An unnumbered highway: This highway commences at the boundary line of School lot #14 and Glebe lot #19 and extends northeasterly .37 miles the easterly boundary of Glebe Lot #19. It is not classified on the Vermont General Highway Town of Arlington, dated 1986. The motion was made by Keith Squires and seconded by Lawrence Molley discontinue this highway. So voted by all Selectmen.

Buck_Road: This highway is unidentified on the Vermont General Highes Map, Town of Arlington, dated 1986, but laid out by selectmen of Arlington on May 7, 1785 and recorded on March 7, 1799, in book 5, as 79 and also as laid out on May 11, 1826 and recorded on March 15, 181 in book 8, page 34 of the Arlington Land Records.
This highway extends from the River Road in West Arlington south and southwesterly 5,120 feet or about .95 miles.
The motion was made by Keith Squires to turn 5,120 feet or about .95 miles of Buck Road into a trail The motion was seconded by Landon Molloy. All Selectmen favored the motion and so carried.

accord Road: This highway is unidentifed on the Vermont General Highway Map, Town of Arlington, dated 1986, but laid out by the Selectmen of Arlington on June 26, 1841 and recorded on July 18, 1842, in book 10, page 211 of the Arlington Land Records. This highway is not classified. This highway measures 6121.5 feet in length or about 1.16 miles. The motion was made by Keith Squires and seconded by Lawrence Molloy to discontinue this highway. So voted by all Selectmen agreeing to the motion and its second.

Highway #27. Balas Road: This is classified on the 1986 Vermont General Highway Map for the Town of Arlington as a class 4, untraveled highway 1,47 miles in length but in 1785 was laid out as 1,680 feet (as nearly as we can tell). The motion was made by Lawrence Molloy to reclassify this highway to a trail. The motion was seconded by Keith Squires so voted by no opposing votes.

An unnumbered biggreay: The highway is not shown on the Vermont General Highway Map, Town of Arlington, dated 1986, and is unclassified. It commences at the poundary line of School Lot #14 and Glebe Lot #10 and extends pesterly in miles and thence northerly for 1.01 miles. It was laid out by the Balactmen of the Town of Arlington in April 1794 and recorded on March 25, 1807, in book 5, page 68 of the Arlighton Land Records.

The motion was made by Keith Squires and seconded by Daniel Harvey to turn this highway into a trail, . and so voted by all.

Highway #30: This road is known as Mrs. Bryces road, is entirely within her property lines. is classified as a class 4, untraveled road on the 1986 Vermont General Highway, Town of Arlington highway map. This highway measures .32 miles. The motion was made by Lawrence Molloy to discocious highway #30. The motion was seconded by Keith Squires and so voted by all in favor of the motion.

And There Other Highways that We Want to Reclassify this Year? There are others (Butternut Gutter, Shaftsbury Hollow, a road off from Maria Hill Road and Beredict Hollow) but no action was taken as to whether cont to be reclassified this year.

Keith Squires asked if anyone knew as to whether or not it was a requirement that these roads that have reclassified to a trail, must they be signed indicating that they are trails? Gene knew nothing in the statutes regarding this, he thought perhaps that Alden Grout misht know. Keith Said that if signs were not put up indicating that these roads are now trails and that the town no longer maintains the road, roads are now trails and that the town no longer maintains are not travel at your own risk etc. If these newly created trails are not signed then Keith said that he would like to see a legal notice put into the Bennington Banner stating that the Town of Arlington is no longer responsible for the maintainence of these former highways nor liable for any one traveling on them. Clarence Curtis suggested that we wait until all the roads that are to be reclassified or already have wait until all the roads that are to be reclassified or already have maintainence. It was determined that next meeting a decision would be made as to whether or not more highways would be reclassified this year.

Bridge_#25: A letter dated August 30, 1989, from the State of Vermont Agency of Transportation and signed by Warren Tripp was read. bridge is scheduled to be replaced in 1990 or 1991. In effect the letter says that scuba divers have found that the abutment to this bridge is undermined as much as 1 foot below the footing and as much as 6 feet in under the footing. This abutment needs to be stabilized with a concrete sub-footing and the completed repair should be protected by placing stone fill or riprap against the face of this abutment. The bridge is owned by the Town and failure to follow recommendations on the necessary repairs may make the town ineligible for Federal funding Clarence said that he had talked with Joe Talbot today and said that he got no where with Joe. He said that if there were objections to the letter that he should call Warrren Tripp and Clarence said that he would do that toporrow. Joe Talbot did say that there were two alternative, one to close the bridge and the other is to do the recommended work on it for about \$30,000. Keith suggested a temporary structure, or limiting the bridge to passenger cars only.

Adjournment: This took place at 9:18 P.M.

Minutes for this meeting were taken by Millicent Cross. The meeting was also taped and the tapes are available for anyone wishing to learn le qui es greater detail of the meeting.

From Book 5, Page 68, Arlington Land Records ARLINGTON APRIL 1794. IN THE SOUTHWEST PART OF ARLINGTON

THEN SURVEYED AND LAID OUT A HIGHWAY BEGINNING ON THE EAST LINE OF THE GLEBE ABOUT 9 RODS SOUTH OF THE NORTH EAST CORNER THEN WEST 20°SOUTH 20 RODS, THEN WEST 15°SOUTH 64 RODS, THEN WEST 10° NORTH 34 RODS TO WEST LINE OF THE GLEBE, THEN WEST 20° NORTH 36 RODS, THEN WEST 17 RODS TO MR. WRIGHT'S HOUSE ON THE SCHOOL LOT. NOW BEGINNING 17 RODS EAST OF MR. WRIGHT'S HOUSE AT A BIRCH TREE, THEN NORTH 30° EAST 50 RODS THAN NORTE 45° EAST 26 RODS THEN NORTH 55° EAST 36 RODS, THEN NORTH 31° WEST 56 RODS, THEN NORTH 3° WEST 42 RODS, THEN NORTH 25° WEST 94 RODS, THEN NORTH 15° WEST 20 RODS TO THE OLD ROAD BETWEEN ABEL BLOWERS AND THE WIDOW BLOWERS.

RECORDED MARCH 25, 1807 RECORDED MARCH 25, 1807

LUTHER STONE, TOWN CLERK

ROBERT BUCK, SURVEYOR

SURVEYED AND LAID OUT BY US

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this 31. May 1790

And. 6. bolling J. blake

THE SELECTMEN OF THE TOWN OF ARLINGTON HEREBY GIVE NOTICE TO THE PERSONS NAMED BELOW AS OWNERS OR PERSONS INTERESTED IN LAND AND RIGHT THAT MAY BE AFFECTED BY A DECISION OF SAID SELECTMEN, ACTING ON A MOTION OF THE BOARD OF SELECTMEN TO THE CLASSIFICATION OF A TOWN HIGHWAY.

THIS MOTION ASKS THAT THE TOWN HIGHWAY, KNOWN AS BUCK ROAD, UNIDENTIFI ON THE VERMONT GENERAL HIGHWAY MAP, TOWN OF ARLINGTON, DATED 1986, BUT LAID OUT BY THE SELECTMEN OF ARLINGTON ON MAY 7, -1785 AND RECORDED ON MARCH 7, 1799, IN BOOK 5, PAGE 79 AND ALSO AS LAID OUT ON MAY 11,1826 AND RECORDED ON MARCH 15, 1827, IN BOOK 8, PAGE 64 OF THE ARLINGTON LAND RECORDS. BE CLASSIFIED AS A TRAIL.

THE SELECTMEN WILL MEET ON SEPTEMBER 2 , 1989 AT 9:00 A.AM. IN THE ARLINGTON TOWN HALL TO CONDUCT A SITE INSPECTION OF THE HIGHWAY. AND AT 1:30 P.M. TO CONDUCT A HEARING ON THE CLASSIFICATION TO A TRAIL OF SAID HIGHWAY.

AS REQUIRED BY LAW, NOTICE OF THIS SITE INSPECTION AND HEARING IS BEI PROVIDED BY CERTIFIED MAIL TO EACH PERSON OWNING OR HAVING AN INTEREST IN LANDS THROUGH WHICH THE HIGHWAY PASSES, AS LISTED BELOW, IN THE OFFICE OF THE ARLINGTON TOWN CLERK, AND PUBLISHED IN A LOCAL NEWSPAPET OF GENERAL CIRCULATION IN THE AREA, NAMELY THE BENNINGTON BANNER, NOT LESS THAN 10 DAYS BEFORE THE DATE SET FOR THE HEARING.

THE MOTION AND OTHER PERTINENT INFORMATION RELATIVE TO THE PROPOSED CLASSIFICATION OF THE HIGHWAY IS AVAILABLE FOR PUBLIC INSPECTION AND COPYING IN THE OFFICE OF THE ARLINGTON TOWN CLERK DURING REGULAR BUSINESS HOURS.

THE HIGHWAY PROPOSED TO BE CLASSIFIED AS A TRAIL COMMENCES AT THE RIVE ROAD IN WEST ARLINGTON, AND THEN EXTENDS 0.95 MILES IN SOUTH SOUTHWESTERLY DIRECTION TO THE MURRAY HOLLOW ROAD.

THE FOLLOWING PERSONS ARE HEREBY NOTIFIED OF THE PUBLIC HEARING: ROY CROFUT URI & MARIE LAVY W.J. COWEE, INC. ALFRED & ELAINE KOSTENBLATT CHARLES BUZZELL FRANCIS & CELIA CONRO ALFRED & SUSAN PELLICANE WM. & DALE BROWN
PECINALD & JEAN TSHOPN DONALD & PRIDGET REGINALD & JEAN TSHORN DONALD & BRIDGET PIERCE RUTH O'HARA & DOROTHEA, ALBERT & WILLIAM WALSH ARLINGTON PLANNING COMMISSION

ARLINGTON BOARD OF SELECTMEN Bulk Louises LAWRENCE MOLLOY DATED THIS July 24 1989 ARLINGTON, VERMONT

LT-4 ON NOVEMBER 2006 MAP

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MINUTES FOR BOARD OF SELECTMEN'S MEETING

Office of Selectmen September 5, 1989 7:00 P.M.

Selectmen_Present: Clarence Curtis, Keith Squires, Richard King (late), Daniel Harvey and Lawrence Molloy.

Public Present: Mr. & Mrs. F. Kostenblatt, Quenel Mauntafray, Roy Crofut, Harry Pickering, Robert Ebbling, Pat Moulton, Joe O'Dea,

Meeting_Opens: The meeting was called to order at 7:12 P.M. by Clarence Curtis.

Minutes of the August 21. 1989 Board of Selectmen's Meeting: The minutes for this meeting were read by each Selectman. The motion was made by Keith Squires to accept the minutes as printed. The motion was seconded by Dan Harvey and so voted by all favoring the motion.

Highway Report: Gene Hoyt reported that the rope at the Covered Bridge in West Arlington has been removed, that the wire put into the bridge interior last year is still in tact and one board has been removed from the exterior of the bridge.

Gene said that he had called Montpelier today in regard to the request for a permit to put in above ground storage gasoline and diesel fuel tanks at the town garage. A decision has been make but Gene could get no answer as to what the decision is but it is expected that a letter will be forthcoming within the next few days.

Gene also called LaFayette & Sheldon regarding the guard railing for the Chippenhook Bridge. He was not able to get information as to when its installation might begin.

The grader is expected to be repaired by tomorrow afternoon, Gene is to be notified by the repair company and he will have to arrange to have it transported back to Arlington. He said that he had them put in a couple of new seals and a wheel checked, in addition to the major repair.

Gene said that he had not yet been able to talk with Ross about a bid on a new dump truck but Ross is supposed to get in touch with him within the next day or so. Keith explained that so far there are only two bids and he really wants to get a third. It was determined to sit on this until the next meeting and to make a decision at that time with or without a third bid. An order placed today probably would not be delivered prior to December.

Gene reported that the drainage project on the East Arlington Road is coming along nicely. The two sections by Buck Hill Road are done and today the road crew put in the section by the Inez Smith house and tomorrow the plans are to pour the top between these two and toward the end of the week he expects to get to the other two on the other side.

A contract between the Town of Arlington and BCIC for administration only was discussed but not yet signed by the Board of Selectmen.

A motion was made by Daniel Harvey to authorize Clarence Curtis to execute the loan agreement under terms and conditions presented, subject to meeting with Joe O'Dea to put a sealing on the subordination tomorrow. The motion was seconded by Lawrence Molloy and so voted by all Selectmen.

Hale_Road: Mr. Ebbling said that he had sent a note back in July regarding Hale Road and saw no reason that the Town should not take it over. The correct procedure will have to be followed to take over this private road and to receive monies on it as a class three road.

Right_of_Way_for_Rayen_Rock_Road: Mr. Montaufray was present as was Joe O'Dea and who told Mr. Montafray that the map previously presented to him was adequate and that the legal transaction would take place. The old section will be returned to Montaufray and the new section will go to the town. The new section will be top dressed as soon as the legal procedure is completed, hopefully before the snow falls.

New_Business:

Decision to be made of the reaclassification of some town highways (Site inspection and public hearing held on September 2. 1989):

Highway_#26: The motion was made by Lawrence Molloy to reclassify .20 miles, class 3 of this highway and .33 miles, class 4 highway (a total of .53 miles) to be discontinued______. The motion was seconds Squires and so voted by all favoring the motion.

An_unnumbered_highway: This highway commences at the boundary line of School lot #14 and Glebe lot #19 and extends northeasterly .37 miles to the easterly boundary of Glebe Lot #19. It is not classified on the Vermont General Highway Town of Arlington, dated 1986. The motion was made by Keith Squires and seconded by Lawrence Molloy to discontinue this highway. So voted by all Selectmen.

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HIGHWAY SITE INSPECTION AND PUBLIC HEARING FOR HIGHWAYS: BUTTERNUT GUTTER (TO BOTH THE SHAFTSBURY & SUNDERLAND TOWN LINES), SHAFTSBURY HOLLOW ROAD, MULLIGAN'S ROAD (OFF MAPLE HILL), HOLTZMAN ROAD (OFF FROM RED MT. ROAD), AND THE HIGHWAY FROM THE SANDGATE LINE TO GLEBE EAST, TO THE RED MOUNTAIN ROAD.

November 4, 1989

Selectmen Lawrence Molloy, Keith Squires and Daniel Harvey met at the Arlington Town Hall to begin the Site Inspection. Going with them were Gene Hoyt, former highway foreman and present highway foreman, Robert Thompson. Their first stop was to Butternut Gutter where observations of the two roads were made. Freeman Grout, his two sons and Mr. Jerry Krome (Beaver Valley) were present and all seemed in favor of making a trail of that portion of the highway described in the notice of reclassification.

The second spot to be walked was the road leading off from Maple Hill to the Dorothy Mulligan property. No one present at this site inspection seemed to object to the discontinuance of this highway.

Following the visit to the Mulligan property the group went to that portion of the Shaftsbury Hollow Road that is in Arlington. This is a long drive from the center of town and a long walk .94 miles when one gets to that portion of the road that is in Arlington. There was no one present at the site inspection who seemed to object to the written proposal made by the Board of Selectmen for the discontinuance of the .94 miles of this road that is in Arlington.

Highway #17 (The Holtzman Road on Red Mountain): This was walked by the Selectmen and highway crew members present. There were none at the site inspection who contested the proposal of discontinuance but it appeared that the length of discontinuance may require this highway to be rewarned for another hearing as there appears that difficulty in turning equipment around at the end of the road may exist.

Sandgate Line to Glebe East Line to Red Mt. Road: This was the final site inspected and the meeting was ajourned until this afternoon at 2:30 in the Town Hall when the Public Hearing will take place.

LT-5 NOV. 2006 MAP TRAIL 0.41 MILES

PUBLIC HEARING

November 4, 1989 2:30 P.M.

SELECTMEN PRESENT: Clarence Curtis, Keith Squires, Daniel Harvey

PUBLIC PRESENT: Gene Hoyt, Dorothy Mulligan, Traci Mulligan, Charles Kieweg for W.J. Cowee, Inc., Freeman Grout, Grace Hitchcock, Phyllis Towne, Marie & Frank Finch, Virginia and John Calnan, Qwenal Montaufray.

This hearing was called to order by Clarence Curtis, Chairman of the Board of Selectmen. He said that the purpose of this hearing is to determine whether or not various highways are to be discontinued, made into trails or left as they now exist. He said that Lawrence Molloy, Keith Squires and Daniel Harvey, Selectmen, had walked the highways under discussion this morning.

The first highway reclassification to be discussed is:

A Portion of a highway known as the <u>Shaftsbury Hollow Road</u>, is not identified on the State Highway General Highway Map for the Town of Arlington. 1986, but is recorded in book 5 page 73 and recorded on May 28, 1801. This road is in Shaftsbury Hollow and is located entirely on the Rybka property. The notice for reclassification said "To be classified as a discontinued highway". There were no objections from any of those in attendance to this being carried out.

The next highway under discussion is unidentified on the State Highway General Highway Map for the Town of Arlington, dated 1986 but is recorded in Book 1, page 165 in the Arlington Town Records. There are two roads here that will be discussed. One commences at the southerly terminus of Butternut Gutter and extends in a south south easterly direction .10 mies and then in an easterly direction approximately .31 miles to the Sunderland Town Line. The warning indicates that this portion of Butternut Gutter become a Trail. The other portion of the road commences at a point approximately .175 miles northeasterly of the southerly terminus of Butternut Gutter, and extends in a general southerly direction .817 miles to the Shaftsbury Town Line. It is also proposed that this portion of the highway become a trail. This portion of the highway is recorded in Arlington town Records, book 5 page 80, and recorded on August 25, 1798.

It was asked what the alternatives were to it becoming a trail? Keith Squires said that they could become discontinued highways. A letter from Gerald Kron, President of Beaver Valley Inc., dated Nov. 3, 1989. was made available. The letter stated that Beaver Valley" does not currently expect or request any change to the service provided it by the Town through this ROW, nor does it wish to alter its current presence in

the area."

It appears that no one present felt that there was a real objection to either of the portions of Butternut Gutter, under study, becoming trails as indicated in the warning notice of the hearing on the reclassification of this highway.

The next highway to be discussed was that commonly known as the road leading to Mrs. Dorothy Mulligans, off from Maple Hill road. This was laid out on November 24, 1789, and recorded on December 10, 1789, in Book 5 page 74 of the town land records. The notice of the hearing proposes that this highway become a discontinued highway. No one seemed to voice any objection to this.

The highway next discussed was that one unidentifed on the Vt. General Highway Map, town of Arlington, dated 1986, but laid out by the Selectmen on May 24, 1817 and recorded on November 25, 1817, in book 6 page 204 of the Arlington Land records. Todays selectmen recommend that this highway be discontinued. The highway proposed to be discontinued commences at the Arlington-Sandgate town line, runs southwesterly .15 miles to the easterly boundary of Glebe Lot #17, and thence in a general southerly and easterly direction for 1.22 miles to Red Mountain Road. Keith Squires explained that basically it is a road that has been used only for logging over the years and now portions of it it can barely be seen on the ground. A spokesman for Cowee Lumber Company was present and said that he was opposed to this becoming a discontinued highway unless there was access to Cowee Lumber Company property. It appears there is other access. It was determined that this question will be settled later. Cowee Company will be writing the Town of Arlington a letter stating what they want as far as a road goes. Keith Squires suggested that the other residents of this road, get together and write to the Board of Selectmen saying what they want done to the road described in the notice of the hearing.

Highway #17, Class 4, .30 miles in length, and identified on the 1986 Vermont General Highway map, Town of Arlington is listed in the hearing of today to become a discontinued highway. Keith Squires said that from a town's point of view it appears best to drop it for today and redue it for reclassification another day. It now appears that it would be an advantage to the town for the road to end a bit differently than described in this notice for a public hearing. It would be difficult for town equipment to turn around in the limits as proposed in this hearing notice.

The minutes for the Site Inspection and Public Hearing were written up, by Millicent Cross, from tapes reccording the site insection and the hearing. These are available for those wishing greater detail of the site inspection and hearing.

MINUTES FOR BOARD OF SELECTMEN'S MEETING

Office of Selectmen November 13, 1989 7:00 P.M.

<u>Selectmen Present</u>: Clarence Curtis, Keith Squires, Lawrence Molloy and Daniel Harvey.

<u>Public Present</u>: David Leland, Grace Hitchcock, Phyllis Towne, Donald Towne, Philip Webb, Jerry & Jim Kroan, Peter & Chris Woodard, Carol Mattison, Dorothy and Traci Mulligan, Richard Lacy and Robert Thompson.

Meeting Called to Order: This was done by Clarence Curtis at 7:09 P.M.

Minutes for the Board of Selectmen's Meeting, October 30, 1989: The minutes for this meeting were read by each Selectman present. The motion was made by Lawrence Molloy to accept the minutes as printed. This motion was seconded by Daniel Harvey. All Selectmen voted approval of the motion.

Minutes for the Public Hearing on the Reclassification of some Highways, Held November 4, 1989: The minutes for this meeting were read by each Selectman. The motion was made by Keith Squires to accept these minutes as printed. This motion was seconded by Daniel Harvey and approval of the motion was given by all Selectmen.

<u>Highway Report</u>: Robert Thompson, highway foreman was present and reported that since the last meeting regular highway maintenance has been carried out by scraping the roads, preparing for the winter road care, drawing in some gravel, etc.

Robert is on vacation this week but he assured the Board that there was plenty for the remaining two workers to keep them selves busy with the continued scraping of the road, brush cutting, equipment maintenance, etc.

Larry reported that residents of Tory Lane said that they were happy with the maintenance of that town highway.

It was reported by Keith that the accidental spill of a small amount of fuel oil, at the town garage was reported to the Hazardous Waste Department, the correct procedures used in its clean up and assistance was provided by Mack Molding.

OLD BUSINESS:

Reclassification of some Town Highways: Notification by Certified Mail to property owners, site inspection and public hearing for the reclassification of the following highways were carried out and tonight decisions were made for the reclassification of the following highways:

Shaftsbury Hollow Road: (A portion of) This highway was laid out by the Selectmen of Arlington and Recorded on May 28, 1801 in the Arlington Town Records, Book 5, page 73. The motion was made by Keith Squires to discontinue that portion of said highway that commences at a point just westerly of where Little White Creek intersects the Arlington-Shaftsbury boundary, and then runs in a northerly direction 0.94 miles. He said, this portion of the highway is all within the property lines of that owned by Boris Rybka. The motion was seconded by Lawrence Molloy. All Selectmen voted in favor of the motion.

Butternut Gutter to Sunderland Line: The motion was made by Keith Squires to classify as a transference-width. The motion was made by Keith Squires to classify as a transference-width. The selectmen of Arlington on June 15, 1798 and recorded on August 25, 1798 in the Arlington Town Records, Book 5, page 80, commencing at the southerly terminus of Butternut Gutter and extending in a south south easterly direction 0.10 miles and then in an easterly direction approximately 0.31 miles to the Sunderland town line. This motion was seconded by Daniel Harvey. All selectmen approved the motion.

Butternut Gutter to Shaftsbury Line: This highway proposed to become a trail commences at a point apporoximately 0.75 miles northeasterly of the southerly terminus of Butternut Gutter, and extends in a general southerly direction 0.817 miles to the Shaftsbury town line. This highway was laid out by the Selectmen of Arlington and recorded on June 3, 1784, in the town land records, book 1, page 165.

David Leland, Dorothy Mulligan and Chris Woodard, all land owners along this highway, verbally expressed their preferance to see this unclassified highway classified to a discontinued highway rather than to a trail. The public notice for a site inspection, public hearing and certified mail sent to landowners involved, stated that the classification would be to a trail. It was the determined by the Selectmen that, for now, this highway remain unclassified as is and at a later date the procedure for changing the classification of a highway would be repeated, this next time classifying this particular highway for a discontinued highway rather than a trail.

Dorothy Mulligan's Driveway (off from Maple Hill Road): This highway was laid out by the Selectmen of Arlington on November 24, 1789, and recorded on December 10, 1789, in the Arlington Town records, Book 5, page 74. The motion was made by Keith Squires to discontinue this highway that commences at a point about 0.4 miles northerly of the intersection of Maple Hill Road and the Arlington-Shaftsbury Town line, and runs in an easterly direction 0.26 miles. The motion was seconded by Lawrence Molloy and approved by all of the Selectmem.

Sandgate Line to Glebe East Line to Red Mountain Road: This highway was laid out by the Selectmen of Arlington on May 24, 1817, and recorded on November 25, 1817 in Book 6 Page 204 in the Arlington Land Records. The notice of hearing for the reclassification of this highway asked that it be classified as a discontinuted highway. Letters from Arlington Industry and Cowee Lumber Co. indicated that they did not want the highway to be discontinued but preferred that this highway be classified as a trail. Letters from Virginia and John Calnan and from Frank and Marie Finch favored the discontinuance of

No decision was made as to whether or not this highway would be classified as being a discontinued highway. It appears that if it is to be classified the process for classification will need to be repeated.

The Holtzman Road, T.H. #17: This highway shown on the Vermont General Highway Map, town of Arlington, dated 1986 shows this to be a class 4 highway, 0.30 miles in length. It was warned to be discontinued but upon closer observation during the site inspection and the discussion that followed at the public hearing held on November 4, 1989 it was the general opinion of the Board of Selectmen that this highway be reconsidered, remeasured and rewarned for the change in classification. As a result no action for reclassification of this highway was taken tonight.

Auditors for the Vt. Day Care Planning Grant: Two bids were received for the audit of the financial statement of the Town of Arlington, Vermont Day Care Planning Grant #24/87PG(1). One bid was submitted by Joseph Pieciak & Company in the amount of \$850.00. The other bid submitted was from Sullivan & Powers & Co., and they will do the work for \$1.000.00. Clarence Curtis said that he would prefer that the audit be conducted by Sullivan & Powers because they have done work for the town before, are a known and are comfortable to work with. It was agreed, by Roberts Rule, by all of the Selectmen that the bid would go to Sullivan & Powers.

A Possible Third Auditor for the Town: Lawrence Molloy suggested that perhaps retired banker, Dorothy Rutkin might be interested in being appointed as the third auditor for the Town. Larry agreed to contacting Mrs. Rutkin and getting back to the board with her answer.

NEW BUSINESS:

Request for a "Hidden Drive" sign: It was reported that Rose Conduit, living on a private drive leading to route 313 has requested a "Hidden Drive" sign to be installed at the point of entry and exit to route 313 from the private drive. Mr. Curtis explained that route 313 is a State maintained highway and that requests concerning it have to be made through the District Administrator of the Vt. Highway Department, Joseph Talbot. Clarence said that he would write the necessary letter to Mr. Talbot requesting the sign and that it be installed by the State of Vermont Highway Department.

Discussion on the Sunderland Transfer Station Tipping Fees, and the Ratification of a Proposal: A communication, dated November 3, 1989 from Nathan R. Williams of the Bennington County Regional Commission and regarding the Sunderland Transfer Station Tipping Fees was read by each Selectman. One part of the letter states, "Therefore, it is imperative that the towns ratify the following proposal in the most timely manner possible. This proposal will become effective immediately upon the ratification by four or more towns. Implementation of the proposal later than Monday,, November 13th will result in a cash deficit greater than the estimated \$25,000.00."

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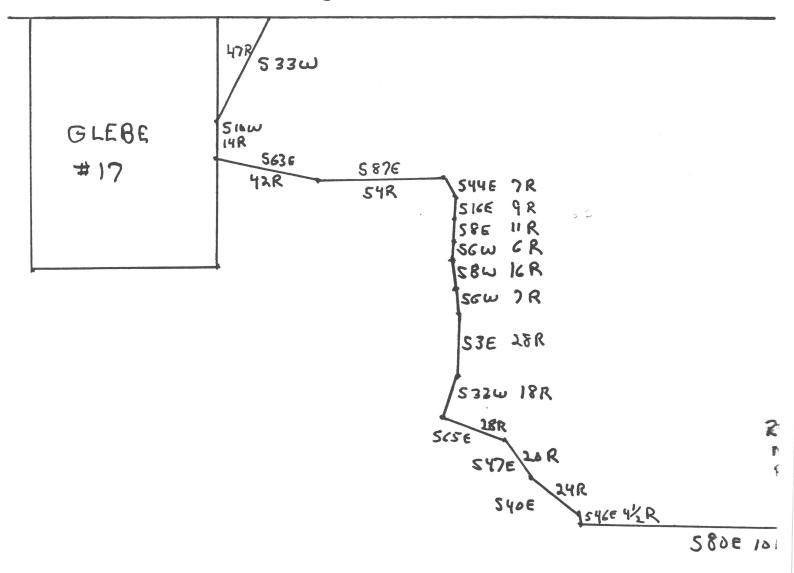
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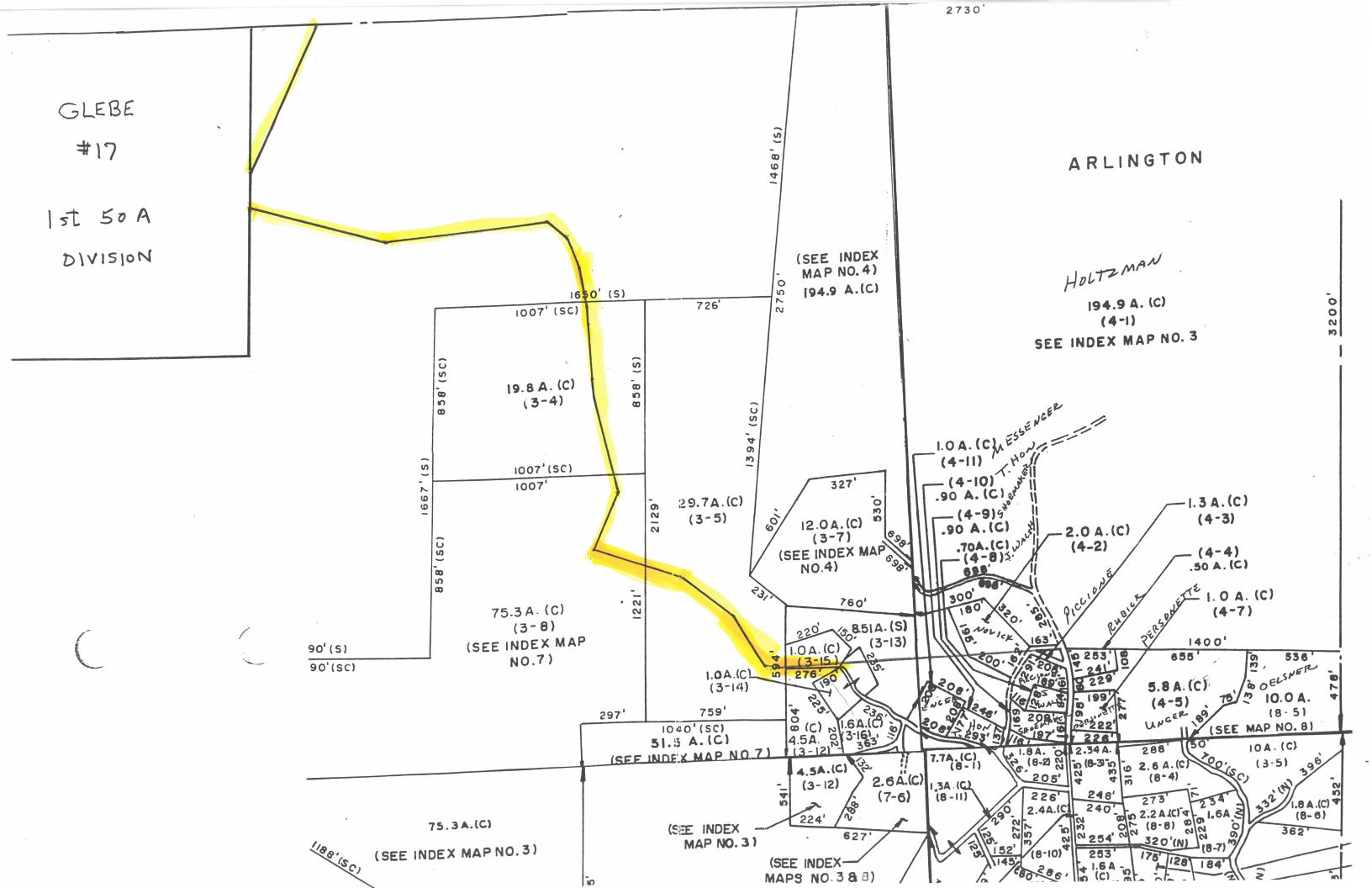
ADD AS CLASS IV ROAD,

I Survey of a Highway Laid out by the Select men of the town of Arlington from Sandgate South line to a Highway beading for John Holden's to ball Andrew's and begins and runs as follows (Viz) beginning at a State and stones in the South line of Sandgate and duminisfrom theme South BB Meft 47 hods to the baff line of The Slube from There South 10 West 14 Rods to a State and Stones from theme South 69 both 42 Rods from theme South 87 batt 54 Rods from theme South 44 both 17 Rods from theme South 8 both 11 dods from theme South 16 batt 9 Rods from theme South 8 both 11 dods of from theme South 6 Mit 6 Books from theme South 8 Mith 16 hods from theme South 6 West I Rods from theme South I baft 28 hods from Them & BB Mitt 18 hods from theme South 65 batt 28 dods from Theme South -Ly both 20 hads from theme South 40 & 94 dods from them South 46 batt 44 draws from theme South 40 Eatt 10 Latt 101 drods to the West line of the Highway Leading from Holden's to paradrews afforesaid Said Highway is Laid.
Three drads wide one half to the dright and the other to the left of Said line Surveyed under the sirection of the Select men of the town of Arlington by -Aufus Chadwick Ja Ansen Canfield Select men Simeon Cole and Chain man

BOOK 6, Pg 204

SANDGATE





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October 16, 2006

REGENTED NOV 0 1 2003 SELECTRORES

PERMIT

The Selectboard received a request for permission to improve a Class IV Town Road off Glebe Lot Road, off Raven Rock Road on Red Mountain. The request came by written petition dated October 10, 2006 and was presented by and behalf of Dan Thompson of Vermont Forestry Associates, Inc. whose address is P.O. Box 229, Fairlee, Vermont 05045.

The Arlington Selectboard hereby grants permission for improvements of this Class IV road as requested in Mr. Thompson/Vermont Forestry Associates, Inc.'s petition, a copy of which is annexed hereto and incorporated herein by reference.

It is understood by the parties, and in issuing this permit, the Selectboard has relied upon the fact that the petitioner, Dan Thompson/Vermont Forestry Associates, Inc., shall pay all costs and expenses associated with the improvements he/they intend to make and the work shall be done by him/them and the Town accepts and incurs no responsibility and/or liability for the improvements nor their maintenance.

It is further understood the Town has not represented the actual boundaries of the Class IV road and makes no representation nor warranty the portions of land to be improved are contained within the public right-of-way of the Class IV road in question.

By acceptance of this permit, petitioner, Dan Thompson/Vermont Forestry Associates, Inc., and his/their successors and assigns, shall assume full responsibility for all the costs associated with the improvements and for all future maintenance of the improvements and the improved area, and shall indemnify and save the Town of Arlington harmless from any and all claims arising out of the improved area.

Upon the full execution of this Permit, the Permittee shall cause a copy of the Permit to be recorded in the Arlington Land Records and indexed to the Permittee and the Town of Arlington.

ARLINGTON SELECTBOARD

JOHN SQUILLS

Name M. Horry

Downer E. Brown

Sanger E. Molley

Witness Witness

Dan Thompson,

Vermont Forestry Associates, Inc.

STATE OF VERMONT COUNTY OF BENNINGTON, ss.

At Arlington, in said county, this $\frac{}{}$ day of $\frac{}{}$ day of $\frac{}{}$ 2006 personally appeared Dan Thompson/Vermont Forestry Associates, Inc. and he acknowledged this instrument by him sealed and subscribed to be his free act and deed.

Before me,

Notary Public

My commission expires on:

JOSEPH J. O'DEA, P. C.

ATTORNEY AT LAW
ROUTE 7A SOUTH
P.O. BOX 286
MANCHESTER, VERMONT
05254-0286

TELEPHONE 802-362-2240

FACSIMILE 802-362-5369

May 14, 1997

Keith Squires, Chair Town of Arlington Selectboard Arlington, VT 05250

Re: <u>Petition of Stephen D. Price</u>

Dear Keith:

Enclosed is the permit you requested to cover Mr. Price's proposed work to what is alleged to be a Class IV Town Road off Raven Rock Road on Red Mountain.

Should you have any questions, please do not hesitate to contact me.

Sincerely yours,

JJO'D/ewo Enc.

PERMIT

The Selectboard received a request for permission to improve a Class IV Town Road off Glebe Lot Road, off Raven Rock Road on Red Mountain. The request came by written petition dated May 2, 1997 and was presented by and behalf of Stephen D. Price whose address is 6 Sagamore Road, Apt. A-5, Bronxville, NY 10708.

The Arlington Selectboard hereby grants permission for improvements of this Class IV road as requested in Mr. Price's petition, a copy of which is annexed hereto and incorporated herein by reference.

It is understood by the parties and in issuing this permit, the Selectboard has relied upon the fact that the petitioner, Stephen D. Price, shall pay all costs and expenses associated with the improvements he intends to make and the work shall be done by him and the Town accepts and incurs no responsibility and/or liability for the improvements nor their maintenance.

It is further understood the Town has not represented the actual boundaries of this Class IV road and makes no representation nor warranty the portions of land to be improved are contained within the public right-of-way of the Class IV road in question.

By acceptance of this permit, petitioner, Stephen D. Price, and his successors and assigns, shall assume full responsibility for all the costs associated with the improvements and for all future maintenance of the improvements and the improved area and shall indemnify and save the Town of Arlington harmless from any and all claims arising out of the improved area.

Upon the full execution of this Permit, the Permittee shall cause a copy of the Permit to be recorded in the Arlington Land Records and indexed to the Permittee and the Town of Arlington.

	ARLINGTON SELECTBOARD	
I hereby accept this contained herein on this	Permit and the terms and condi	tions
Lisa B Yardono Od.	Stephen D. Price	
STATE OF VERMONT		
COUNTY OF DENNINGTON, SS.	28 am 6 M	Υ
personally appeared Steph	d county, this $\frac{99}{2}$ day of $\frac{69}{2}$ en D. Price and he acknowledged and subscribed to be his free a	this
Before	e me, Jisa B. Sacdonald	

My commission expires on:

Manual Land of Hora Verk

Manual Land of Hora Verk

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AONE NUMBERS
or Conterence Center
(2121 848-8496)
d Floor Communications
(212) 848-7179
(212) 848-7180
(212) 848-7181
(212) 848-7182
Please use 3rd floor
Fax phone numbers for

Faxes over 20 pages.

SHEARMAN & STERLING

CONFERENCE CENTER

599 Lexington Avenue, 2nd Floor New York, New York 10022 Telephone: (212) 848-8888

FAX COVER SHEET

Réference No.		
Date: 5/08/97		
Name: Office, of the Scledmen Firm: Arlington Town Hall CC: Keith Squice Location: FAX Phone: 602-375-6474		
FAX Phone: () Control		
802-375-6874		
From: Stephen Price Sender's Phone: 3/2 821-3367		
Room:		
Document Page Count (Including Cover Sheet):		
Comments:		
I will Fed Ex the original to the		
town hall for tomorrow.		
Thanks,		
Stock		

Confidentiality Note: The information transmitted in this facsimile message is sent by an attorney or his/her agent, is intended to be confidential and for the up of only the individual or entity named above. If the recipient is a client, this message may also be for the purpose of rendering legal advice and thereby privileged. If the reader or this message is not the intended recipient, you are hereby notified that any retention, distintuition or copy of this telecopy is street prohibited. If you have received this facsimile in error, please immediately notify us by telephone and return the original message to us at the address above with mail service (we will reimburse postage). Thank you.