

District 7,9
Certcode 0317-0

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

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

We, the members of the legislative body of WHEELOCK in CALEDONIA County
on an oath state that the mileage of highways, according to Vermont Statutes Annotated, Title 19, Section 305,
added 1985, is as follows:

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

Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	0.000				0.000
Class 2	6.150			6.150	0.000
Class 3	22.02			22.02	0.000
State Highway	4.397			4.397	0.000
Total	32.567			32,567	0.000
* Class 1 Lane	0.000			-	
* Class 4	18.49	0.75		19.24	0.000
* Legal Trail	7.76			7.76	

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

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

Totals by K. Alley
3/27/2018

- NEW HIGHWAYS:** Please attach Selectmen's "Certificate of Completion and Opening".
- DISCONTINUED:** Please attach SIGNED copy of proceedings (minutes of meeting).
- RECLASSIFIED/REMEASURED:** Please attach SIGNED copy of proceedings (minutes of meeting).
0.75 mi CL4 TH-42 (Chandler Pond Rd) returned to map. Town provided documents stating that 1955 actions were not sufficient to discontinue road.
- SCENIC HIGHWAYS:** Please attach a copy of order designating/discontinuing Scenic Highways.

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

PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures:

[Handwritten signatures]

T/C/V Clerk Signature:

[Handwritten signature]

Date Filed:

1-11-18

Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED:

[Handwritten signature]
Representative, Agency of Transportation

DATE:

4/18/2018

Received

JAN 16 2018

Policy, Planning & Intermodal
Development Division

Vermont Statutes Annotated

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

§ 305. Measurement and inspection

(a) After reasonable notice to the selectboard, a representative of the agency may measure and inspect the class 1, 2, and 3 town highways in each town to verify the accuracy of the records on file with the agency. Upon request, the selectboard or their designee shall be permitted to accompany the representative of the agency during the measurement and inspection. The agency shall notify the town when any highway, or portion of a highway, does not meet the standards for its assigned class. If the town fails, within one year, to restore the highway or portion of the highway to the accepted standard, or to reclassify, or to discontinue, or develop an acceptable schedule for restoring to the accepted standards, the agency for purposes of apportionment under section 306 of this title shall deduct the affected mileage from that assigned to the town for the particular class of the road in question.

(b) Annually, on or before February 10, the selectboard shall file with the town clerk a sworn statement of the description and measurements of all class 1, 2, 3, and 4 town highways and trails then in existence, including any special designation such as a throughway or scenic highway. When class 1, 2, 3, or 4 town highways, trails, or unidentified corridors are accepted, discontinued, or reclassified, a copy of the proceedings shall be filed in the town clerk's office and a copy shall be forwarded to the agency.

(c) All class 1, 2, 3, and 4 town highways and trails shall appear on the town highway maps by July 1, 2015.

(d) At least 45 days prior to first including a town highway or trail that is not clearly observable by physical evidence of its use as a highway or trail and that is legally established prior to February 10, 2006 in the sworn statement required under subsection (b) of this section, the legislative body of the municipality shall provide written notice and an opportunity to be heard at a duly warned meeting of the legislative body to persons owning lands through which a highway or trail passes or abuts.

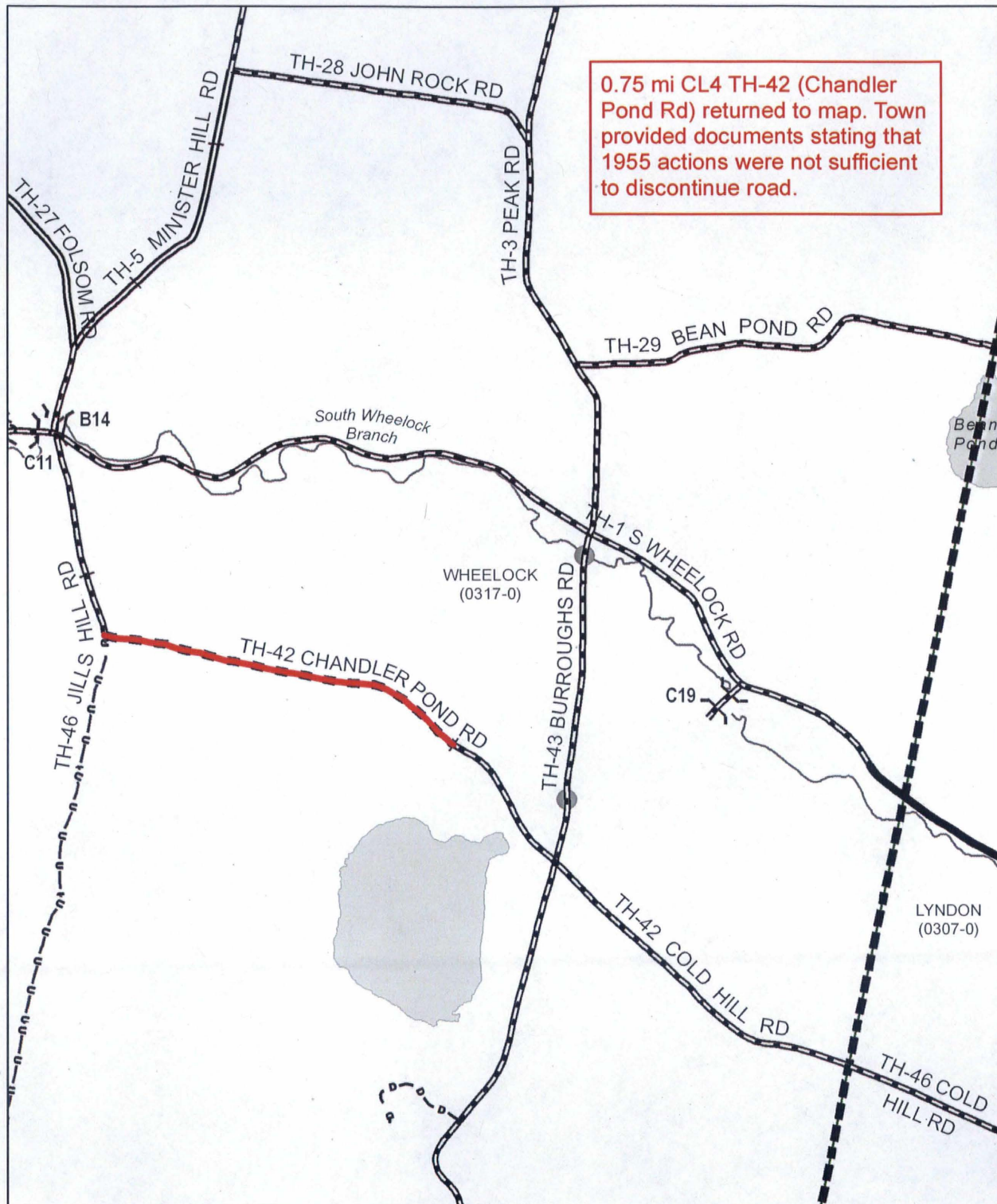
(e) The agency shall not accept any change in mileage until the records required to be filed in the town clerk's office by this section are received by the agency. A request by a municipality to the agency for a change in mileage shall include a description of the affected highway or trail, a copy of any surveys of the affected highway or trail, minutes of meetings at which the legislative body took action with respect to the changes, and a current town highway map with the requested deletions and additions sketched on it. A survey shall not be required for class 4 town highways that are legally established prior to February 10, 2006. All records filed with the agency are subject to verification in accordance with subsection (a) of this section.

(f) The selectboard of any town who are aggrieved by a finding of the agency concerning the measurement, description, or classification of a town highway may appeal to the transportation board by filing a notice of appeal with the executive secretary of the transportation board.

(g) The agency shall provide each town with a map of all of the highways in that town together with the mileage of each class 1, 2, 3, and 4 highway, as well as each trail, and such other information as the agency deems appropriate.

Excerpt of 19 V.S.A. § 305 - *Measurement and inspection* from Vermont Statutes Online located at - <https://legislature.vermont.gov/statutes/section/19/003/00305>

December 2017



0.75 mi CL4 TH-42 (Chandler Pond Rd) returned to map. Town provided documents stating that 1955 actions were not sufficient to discontinue road.

Mileage Certificate Changes 2018
WHEELOCK
 (0317-0)

Mapping Section
 Division of Policy and Planning
 Vermont Agency of Transportation -- April 3, 2018



Town of Wheelock
PO Box 1328
Lyndonville, VT 05851

Kerry Alley
Vermont Agency of Transportation
1 National Life Drive
Montpelier, Vermont 05633

September 19, 2017

Dear Kerry,

The Wheelock Selectboard would like you to know that they consider $\frac{1}{4}$ mile of Chandler Pond Rd. to be a class 3 road and $\frac{3}{4}$ mile of Chandler Pond Rd. to be a class 4 road. I am sending documents to support that determination.

Yours,


Carol Rossi

Enclosed:

August 24, 2017 summary of Clerk Carol Rossi
August 6, 2012 letter of attorney Tiffany Young
May 13, 1999 minutes of Selectboard Meeting

Received

SEP 22 2017

Policy, Planning & Intermodal
Development Division

TO: WHEELOCK SELECTBOARD
FROM: CLERK CAROL ROSSI
DATE: AUGUST 24, 2017
RE: STATUS OF CHANDLER POND ROAD

Kerry Alley, Vermont Agency of Transportation, requested determination of the status of TH-42, Chandler Pond Rd.

She sent a stack of information submitted to VTRANS in the past which indicated it had been discontinued.

I researched the records of the Town of Wheelock.

1955 Wheelock Selectboard voted to discontinue TH-42
and transfer the land to abutting property owners

2007 Wheelock Selectboard Warned a meeting for "Re-classification of Chandler Pond Road"
Information stated in the warning indicated considered the first ¼ mile from Burroughs Rd going west to be Class III and the ¾ mile beyond that going to Jills Hill Road to be Class IV
The record indicates that they voted not to re-classify any part of the Road.

2012 Attorney Peter Morrissette was engaged to address issues that had arisen.
The Selectboard "opinion" was "the action taken by the previous Selectboard of 1955 was invalid because of a conflict of interest."

Attorney Morrissette stated "The 1955 notes may indicate that the Selectmen were reducing the road to a trail, or that they were going to discontinue it and convey it back to the landowners. However, this was not ever done. Further, one of the selectmen was the petitioner, and not only did he not abstain, he hosted the meeting at his house. "

Attorney Morrissette stated "it appears that the rights were not reconveyed, therefore, Chandler Pond Road does not meet this definition [of a discontinued road].

ACTION REQUESTED: How do you want me to respond to the request for information from VTRANS?

Received

SEP 22 2017

Policy, Planning & Intermodal
Development Division

MORRISSETTE & YOUNG, LLP
ATTORNEYS AT LAW

35 Elm Street
PO Box 87
Lyndonville, VT 05851-0087
(802) 626-5200 phone
(802) 626-5260 fax

PETER J. MORRISSETTE, ESQ.
e-mail: pjm@lyndonlaw.com

TIFFANY L. YOUNG, ESQ.
e-mail: tly@lyndonlaw.com

August 6, 2012

Town of Wheelock
Michelle Trottier
PO Box 1328
Lyndonville, VT 05851

Re: ATV Question

Dear Michelle:

I am writing to address the question you raised regarding ATV use on a Class IV road on the property of Roberta Goss. I have looked over the materials you brought to my office, and some Vermont Statutes, and I do not think that the Gosses have the right to block off Chandler Pond Road. I note that this opinion is based on the materials that you brought me, and a review of current Vermont Statutes. Please let me know if there are additional materials which might affect this opinion.

I understand that Jason Boera and Theresa Weber have been served with a no trespass letter on behalf of landowner Roberta Goss, and that Ms. Goss has put a rope up at the bottom of the road. Blocking access to the road. Therefore, the question is, can Ms. Goss block off this roadway?

First, I reviewed the Warranty Deed you brought me from Dennis L. LaCourse and Cathy S. LaCourse to William R. Goss, Sr. And Roberta I. Goss dated July 26, 2002. The deed quotes the deed from Millye Baker to LaCourse, and sets forth a general metes and bounds description of the property. Then the deed states: "EVER SAVING, excepting, and reserving from the operation hereof, however, those portions of the above described parcel which lie within the right of way limits of the old town road, and any utility easements which appear of record." Therefore, while the portion of the road up to the centerline is included in the description, the portion within the right of way limits is thereafter excepted. Therefore, it does not appear that the Gosses own the road, but just to the right of way limits, and cannot block the road. Further, if they did own that land, it would only be half of the road, to the centerline, I don't know who is on the other side.

Given that the Gosses do not own the roadway, and cannot therefore block it, the question becomes who should enforce this? Obviously, the Guyer/Nelson property has a clear easement, and cannot be blocked from their property. If the road is a Town Road, the Town can enforce the same.

You also provided me with copies of Selectboard Minutes from May 13, 1999, and indicated that

Ms. Michelle Trottier, Clerk
Town of Wheelock
August 6, 2012
Page 2 of 3

there is a question as to whether or not the road is still a Town Road. The notes state "The Selectboard's opinion on the David Guyer matter regarding a right of way on the Chadler Pond Road is that the action taken by the previous Selectboard in 1955 was invalid because of a conflict of interest. One of the Selectmen at the time was also a petitioner. It does not appear that the property was ever deeded back to the abutting property owners." I note that the Town was asserting that the road was still a road in 1999, on the record, prior to the Gosses taking title to their property.

The 1955 notes may indicate that the Selectmen were reducing the road to a trail, or that they were going to discontinue it and convey it back to the landowners. However, this was not ever done. Further, one of the selectmen was the petitioner, and not only did he not abstain, he hosted the meeting at his house. You also provided me with a 1970 Judgment which indicates that at least a part of the road was to be laid out, and with the 1999 materials which indicate that the road was a road.

Pursuant to 19 VSA §302(a)(4), selectmen determine what roads are Class IV roads. 19 VSA §708-711 set forth provisions regarding discontinuance. §710 states "If they decide to discontinue a highway, the discontinuance shall be in writing setting forth a completed description of the highway." §711 states "within 60 days after the examination and hearing, the selectmen shall return the original petition with a report of their findings and of the manner of notifying the parties together with the survey or discontinuance, to the Town Clerk's Office. Their order laying out, altering, reclassifying, or discontinuing the highway, with the survey, shall be recorded by the clerk." I would need to see what the rule stated in 1955. However, it appears from what you have provided, that discontinuance procedure wasn't followed. Plus, the subsequent materials indicate that the Town maintained the classification as a road thereafter. The May 28, 1999 letter to Mr. Guyer seems to indicate that the State has the road coded as a town road.

I also note that §701(4) defines "discontinued" as "a previously designated town highway which through the process of discontinuance all public rights are reconveyed to the adjoining landowners." Based on what you have given me, it appears that the rights were not reconveyed, therefore, Chandler Pond Road does not meet this definition. Please let me know if there are other materials that might indicate something else, it appears that a lot of research has been done on this road, so I am basing my opinion on the materials provided, rather than personal research of Town records.

I do note 19 VSA §717(b): "A town or county highway that has not been kept passable for use by the general public for motorized travel at the expense of the municipality for a period of 30 or more consecutive years following a final determination to discontinue the highway shall be presumed to have been effectively discontinued. This presumption of discontinuance may be rebutted by evidence that manifests a clear intent by the municipality or county and the public to consider or use the way as a highway. The presumption of discontinuance shall not be rebutted by evidence that shows isolated acts of maintenance, unless other evidence exists that shows a clear intent by the municipality or county to consider or use the highway as if it were a public right-of-way." I do not know how the road has been maintained since 1955, so I wanted to bring this to your attention as well.

Ms. Michelle Trottier, Clerk
Town of Wheelock
August 6, 2012
Page 3 of 3

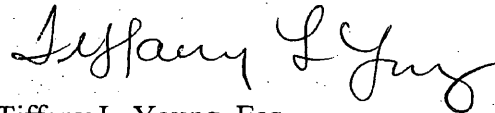
I also looked at Act 178, requiring a map be filed by July 1, 2015. I do not know if you are done with this map yet, but if this road is shown on that map, that would be further evidence that the Town has classified this as a road. It might be that, through this mapping process, you can clear the issue as to whether this is a class road or not.

Based on the materials provided, I think that the actions taken in 1955 were not sufficient to discontinue the road, especially with the subsequent assertions that it was still a road. Further, the Gosses do not own the road, and cannot block it.

Finally, I would also note that the other parties indicate they want to use the road for ATV traffic. I would note that ATVs are governed by motor vehicle laws (Title 23, Chapter 31). The ATVs must comply with these regulations, be registered, etc.

Thank you.

MORRISSETTE & YOUNG, LLP



Tiffany L. Young, Esq.

TLY/tly

SELECTBOARD MEETING

May 13, 1999

The meeting was called to order at 6:00 by Chairman John Ayers. Present were Selectboard members John Ayers, Lynn Beaudoin and Preston Smith. Doug Reid was also present.

Mark Austin of Barre Granite Quarries would like to upgrade the Stone Road to Route 16 at his own expense so they may use that road to haul from the quarry. The board felt they would be receptive to the idea providing the Sheffield board was in agreement. John Ayers will contact Mr. Austin and make him aware of the Boards feelings.

The minutes of the April 20th Selectboard meeting were approved. Also approved was the wording of the Animal Control Ordinance with minor corrections to be made.

Doug Reid will attend the Y2K meeting of Emergency Management Representatives on May 26th in Burlington. He will also attend the Y2K workshop on June 10th at the Ramada Inn in Burlington. Doug will pay the \$25 registration fee.

Under old business, Preston Smith spoke with Dennis Dubois about completing work on the cupola and roof. Dennis said he would try to complete the work in May.

Preston Smith will contact Sid Achilles regarding the removal of the dead pine trees on Route 122.

The purchase of a new Employees Handbook was tabled.

The Board authorized the Town Clerk to pay Lyndonville Office Equipment for the copier now that the thirty day trial period is over, providing she is satisfied with the new copier.

Discussion about the contract with WSI was postponed until the joint meeting with the Sheffield Board.

The request by the Caledonia County Fair for Wheelock to have a float in the parade was tabled.

The Hazardous Waste Day for Wheelock and Sheffield residents is scheduled for August 21 from 9 til noon in Lyndonville. The date will be advertised and posted in town.

The Selectboard was invited to an open house on May 14 from 2 til 6 at the temporary quarters of the Superior Court.

The town received a letter from the Economic Development Council regarding the availability of a "roving town manager". John Fitzgerald is available to assist towns with grant research, co-operative purchasing of supplies, ordinance review and preparation, capital and operating budget assistance, impact fee studies, personnel issues, as a liason with legislative representatives and in other capacities. He can be reached at 802-524-4546.

The Town Clerk was authorized to pay the bills.

Business relating to roads: The access permit request made by Wayland and Sharon Sinclair was signed.

The Town Clerk listed the overload permits that were granted as of 5/8/99.

The Town will request that the Agency of Transportation paint the center line on our tarred section of the South Wheelock Road.

Preston Smith will apply to the Better Backroads Grant for stoning ditches.

David Guyer issue. The Selectboard's opinion on the David Guyer matter regarding a right of way on the Chandler Pond Road is that the action taken by the previous Selectboard in 1955 was invalid because of a conflict of interest. One of the selectmen at the time was also a petitioner. It does not appear that the property was ever deeded back to the abutting property owners.

Preston Smith requested that the Town purchase a sign to replace the one that was stolen at the junction of Morgan Road and Verticle Mile Road. So granted.

Preston Smith also requested that the Road Crew work four ten hour days from May 21st through the last week in August. His request was granted providing no problems develop with this schedule. He also requested to attend the Law Enforcement workshop on 6/10/99 at the Lague Inn in Berlin for the amount of \$45. Granted.

It was voted to purchase the MG body with load cover and sand screen from the low bidder, Vermont Municipal in the amount of \$25,493.

Under new business: reviewed the letter of May 13th from the Town Clerk regarding referral procedures, public record law and public meetings. The Selectboard will read the brochure and be watchful that they are in compliance. The Selectboard reviewed old referrals and notified the Town Clerk to file under Selectboard Correspondence, subfolder Referrals.

The Town Clerk will check with the school to see if they have use for the old copier. Or see if Anita can sell it at the Community Club's yard sale and donate the money to the cemetery fund.

In the Auditors statements - overtime hours should be reported as regular hours for Workman's Compensation. The Treasurer has calculated and submitted the corrections.

The town will hire Wendy Bora to make a list of unlicensed dogs in the town and give the list to the Town Clerk.

It was noted that a referral was submitted regarding loose dogs in the Village creating problems.

\$500 was approved as matching funds for the eighth grade field trip to Gettysburg from the Keniston Dane fund.

Charles Delnicki requests the board consider a second CD unit since the trash has increased dramatically. He has heard accounts of pick up loads of bulky items coming from surrounding towns by Wheelock and Sheffield residents. He suggested re-issuing dump permits and having residents sign an agreement that trash will not be brought in from other towns. Action was tabled until the joint meeting with Sheffield set for July 8th at 6 PM at the Wheelock Town Hall. Charlie asked that the scrap metal pile be pushed back. Jewell Resources will be called to remove another load at the Town's expense. Charlie also requested that chloride be put down at the Transfer Station to keep the dust down. The road crew will take care of the matter on May 14.

Two documents from Citizen's Bank were signed: a letter of confirmation for the line of credit and a letter regarding the Town's non-profit status.

A thank you note was received from Northeast Kingdom Mental Health for the donation that was allocated in the Town Budget.

Three copies of the Northeast Kingdom Waste Management District's Annual Report were passed out.

A memo was noted on Mercury Litigation from the NKWMD.

The next Selectboard meeting is scheduled for June 17th at 6 PM.

The meeting was adjourned at 9:55 PM.

Approved by on 6/17/99

John B. Ayers

Preston Smith

Lynn K. Beaudoin

Alley, Kerry

From: Town Clerk <wheelocktown@gmail.com>
Sent: Thursday, September 14, 2017 2:07 PM
To: Alley, Kerry
Subject: Re: Status of Wheelock TH-42, Chandler Pond Rd

Follow Up Flag: Follow Up
Due By: Friday, September 15, 2017 9:16 AM
Flag Status: Completed

Hello Kerry, The Board met last night and gave me authorization to send you information to document that the Town of Wheelock considers 1/4 mile of Chandler Pond Rd. to be a Class III road. They consider 3/4 mile to be Class IV. Can you send me a mailing address. I do not have any scanning capabilities. Carol Rossi, Wheelock Town Clerk

Carol Rossi
Wheelock Town Clerk/Treasurer
PO Box 1328
1192 Route 122
Wheelock, VT 05851
wheelocktown@gmail.com
802-626-9094 phone
802-626-8894 fax

Hours:
Tuesday 10 am - 6 m
Wednesday 9:00 am - 3:30 pm
Thursday 9:00 am - 3:30 pm

On Fri, Aug 25, 2017 at 4:28 PM, Alley, Kerry <Kerry.Alley@vermont.gov> wrote:
Hi Carol,

Can you send scans or copies of any selectboard minutes supporting the lack of any change at that time (especially the May 13, 1999 minutes), any written summary the attorney might have provided outlining his findings, and copies of any other documents he may have referenced? If what he found convinced him, it might be enough for us. I will take a look at what you can provide when I return to the office sometime next week, and let you know if we need anything else.

Thank you for helping us to get to the bottom of this!

Kerry

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Town Clerk <wheelocktown@gmail.com>
Date: 8/23/17 1:41 PM (GMT-05:00)
To: "Alley, Kerry" <Kerry.Alley@vermont.gov>
Subject: Re: Status of Wheelock TH-42, Chandler Pond Rd

Kerry, The Town of Wheelock engaged Attorney Peter Morissette in August, 2012 to research Chandler Pond Rd. because of issues that had arisen. Attorney Morissette references minutes of a Selectboard meeting on May 13, 1999 "The Selectboard opinion... is that the action taken by the previous Selectboard in 1955 was invalid because of a conflict of interest. One of the Selectmen at the time was also a petitioner. " The property was never deeded back to the abutting property owners. Attorney Morissette also noted that not only was one of the Selectman a petitioner but he hosted the meeting at his house. Minutes from Selectboard meetings and copies of Warnings related to an effort to re-classify the road in 2007 indicated that the Selectboard at that time considered 1/4 mile to be Class 3 and 3/4 mile to be Class 4. The Board decided NOT to reclassify or discontinue any part of Chandler Pond Rd. at that time. What do you need for documentation? Carol Rossi

Carol Rossi
Wheelock Town Clerk/Treasurer
PO Box 1328
1192 Route 122
Wheelock, VT 05851
wheelocktown@gmail.com
802-626-9094 phone
802-626-8894 fax

Hours:
Tuesday 10 am - 6 m
Wednesday 9:00 am - 3:30 pm
Thursday 9:00 am - 3:30 pm

On Tue, Aug 8, 2017 at 10:54 AM, Alley, Kerry <Kerry.Alley@vermont.gov> wrote:

Hi Carol,

↙ Wheelock TH 42 - Disc. pdf

Thanks for agreeing to help determine the status of the "discontinued" portion of TH-42 (Chandler Pond Rd). I've attached the "documentation" we have regarding the removal of this segment of TH-42 from the Town Highway Map in 1978. The Town Highway Map marked up during an inventory in 1977, which precipitating the changes in 1978, can be viewed

here: http://vtransmap01.aot.state.vt.us/Maps/TownMapSeries/CALEDONIA_Co/WHEELLOCK/WHEELLOCK_INVENTOR_Y_1977.tif

↙ MileageCertificates-Wheelock-1962-1969.pdf

Scanned Mileage Certificates from 1962-1969 are also attached. Pages 22-26 (including the 1964 Certificate) suggest that the Selectboard at that time believed this section of highway to be a trail, which also implies they believed it to have been discontinued previously (legally or otherwise). In general, the language of a discontinuance at that time tended to distinguish between a discontinuance and discontinuance to a trail.

Additional scanned archived maps can be found here:

<http://vtransmaps.vermont.gov/mapsftp/default.asp>

I hope this information helps you determine if this segment of TH-42 was already legally discontinued or not. A more recent survey of this highway might describe any title searches that may have already been conducted, so the survey could be very helpful!

One other tidbit of information that might help you constrain dates when digging for documentation... The letter from ANR to Wheelock recommending that this portion of TH-42 not be fully discontinued was dated 4/24/2013

Thanks again for your help!

Kerry

Kerry Alley | GIS Professional III

Vermont Agency of Transportation

1 National Life Dr | Montpelier, VT 05633

802-828-3666 | Kerry.Alley@vermont.gov

<http://vtrans.vermont.gov/planning/maps>

January 6, 1973

Chairman, Board of Selectmen
Town of Wheelock
c/o Town Clerk
Box 577
Lyndonville, Vermont 05851

Gentlemen:

In accordance with Title 19, V.S.A., Section 15, as amended, all the traveled highways in your town were measured in 1977 by Mr. Stone, Selectman, Mr. Bickford, Road Foreman and Mr. Chabot of this office.

The resulting changes in highway mileage and any changes in highway classification are indicated on the enclosed map.

I am also forwarding, herewith, the Certificates of Highway Mileage for your town for the year ending February 1978. The enclosed form letter explains the necessity for completing and returning the Certificate as well as the procedures to be followed in making changes to your Class 3 or Class 4 Town Highway Systems. Please read this form letter carefully before completing the Certificate.

In addition, Mr. Stone and Mr. Bickford stated that the following changes should be made to the following Town Highways and proof should be submitted with the Mileage Certificate where indicated. See Items A, B and C on the enclosed map. Specifically, these changes are as follows:

Item A	TH 10	0.22 Mile	(Classification Error - no proof required)
Item B	TH 42	No Change	(Discontinued in 1955 - no-078019 proof required)
Item C	TH 47 (Prov.)	0.06 Mile	(Old Town Highway Former Portion of T 21 - need proof)

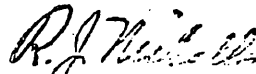
For your convenience, we have entered on the enclosed Certificate of Highway Mileage all changes which were brought to our attention during the past year. Any other changes in Class 3 or Class 4 mileage must be entered by you and must be substantiated according to the requirements listed on the enclosed Certificate and as explained in the attached form letter.

Notary Public

(Write official title, as Notary Public)

One white and two yellow copies of the completed Certificate should be returned to this office no later than February 15, 1978. The designated representative of the State Highway Department will approve the town's copy, which will then be returned to the Town Clerk. The Town Clerk should retain the third yellow copy for the town's records until the approved copy has been returned.

Sincerely,



R.D. Nicholls
Highway Planning Engineer

RJN/JRG/s1a
Enc.

Notary Public

(Write official title, as Notary Public)

(Town Clerk should fill out following and mail one white and two yellow copies to the Commissioner of Highways, Montpelier, Vermont 05602, before February 15th. Retain one yellow copy for town records until approved copy is returned.)



802.272.4156
ANR Lands Division

April 24, 2013

Town of Wheelock Selectboard
P O Box 1328
Lyndonville, Vermont 05851

Dear Board Members:

We are in receipt of the notice pursuant to the requirements of Title 19 V.S.A. that you propose to discontinue $\frac{3}{4}$ of a mile of Town Highway #42, also known as Chandler Pond Road in the Town of Wheelock. The Department of Forests, Parks & Recreation has reviewed the proposal and district staff note that the road is currently used as a VAST and VASA trail. The Department recommends that the town retain the right of way and reclassify it as a legal trail. For your information, it has been the policy of this Department to encourage towns to continue ownership of highway rights-of-way where they are of sufficient length or location to be of value to recreational users. Such existing rights-of-way can be valuable recreation resources for our growing population.

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

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

Enclosed is a copy of the "Town Policy on Class 4 Roads and Trails," issued by the Vermont Trails and Greenways Council. In addition, you will find a copy of the Department's policy on road discontinuance. You may want to consider a similar policy in Wheelock. Having such a policy will help to ensure that you will not be required to maintain Class 4 roads or trails or upgrade them to Class 3.

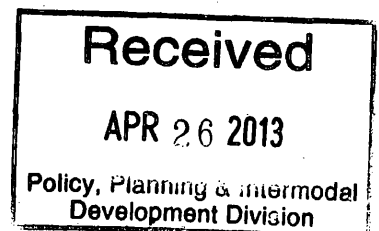
This Department will not be represented at your meeting on May 21st, 2013 but we ask that this letter and attachments be entered into the proceedings. We also request that local trail organizations such as snowmobile clubs be notified of the proposed discontinuance.

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

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mike Fraysier".

Mike Fraysier
ANR Lands Director



Enclosures

Cc: Trails Coordinator, VAST; FPR - Springfield Stewardship Forester, Louis Bushey; Planning Office, AOT



From: Bushey, Louis
To: Horvath, Ryan; Fraysier, Mike
Subject: RE: Road Discontinuation Notice
Date: Tuesday, April 23, 2013 3:07:38 PM

Good afternoon,

The road in question is a portion of Town Highway 42 which connects Jills Hill Road to Burroughs Road. Jills Hill Road currently serves as a VAST trail and is also utilized by VASA. The town ROW being considered for reclassification could potentially serve as an important link for these two user groups if problems arise elsewhere along their trail networks. I would suggest that at a minimum the town retain the ROW and reclassify it as a legal trail if their goal is to reduce expenses associated with maintenance.

Thanks,
Lou

From: Horvath, Ryan
Sent: Monday, April 22, 2013 1:52 PM
To: Bushey, Louis
Subject: Road Discontinuation Notice

Hi Lou,

Attached is a Road Discontinuation Notice from the town of ^{Whelock}~~Hartland~~.
Please send any comments you have on the enclosed notice by **Tuesday May 14th** to Mike Fraysier's attention. If you should have any questions, please let Mike or me know.

Ryan Horvath

Lands Administrative and Records Coordinator
FPR Records Officer
VT Dept. of Forests, Parks, and Recreation
802.272.4156

Please note: my phone number has changed.