

District 5, 8  
Certcode 0410-0

**CERTIFICATE OF HIGHWAY MILEAGE  
YEAR ENDING FEBRUARY 10, 2020**

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL before February 20, 2020 to:  
Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section  
219 N. Main Street, Barre, VT 05641.

We, the members of the legislative body of **MILTON** in **CHITTENDEN** 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	33.560			33.560	0.000
Class 3	67.63	0.48m		68.11 67.63	0.000
State Highway	18.117			18.117	0.000
<b>Total</b>	<b>119.307</b>			<del>119.787</del> 119.307	<b>0.000</b>
* Class 1 Lane	0.000			-	
* Class 4	5.55			5.55	0.000
* Legal Trail	1.61			1.61	

S.M.  
K.A.

\* 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.** Changes not accepted due to insufficient documentation K. Alley (VTrans) KAT

- NEW HIGHWAYS:** Please attach Selectmen's "Certificate of Completion and Opening".  
168-0.14 175-0.14  
171-0.20
- DISCONTINUED:** Please attach SIGNED copy of proceedings (minutes of meeting).
- RECLASSIFIED/REMEASURED:** Please attach SIGNED copy of proceedings (minutes of meeting)
- SCENIC HIGHWAYS:** Please attach a copy of order designating/discontinuing Scenic Highways.

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

**PART III - SIGNATURES - PLEASE SIGN.**

Selectmen/ Aldermen/ Trustees Signatures.

*[Handwritten signatures]*

T/C/V Clerk Signature:

Date Filed:

2/19/2020

Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED:

 E-SIGNED by Johnathan Croft on 2020-10-16 13:24:57 EDT  
Representative, Agency of Transportation

DATE: October 16, 2020



**State of Vermont**  
**Division of Policy, Planning and Intermodal Development**  
**Mapping Section**  
219 North Main Street  
Barre, VT 05641  
<http://vtrans.vermont.gov/planning/maps>

*Agency of Transportation*

Telephone: 802-917-2621  
Email: [kerry.alley@vermont.gov](mailto:kerry.alley@vermont.gov)

October 16, 2020

Darren Adams  
Chair, Selectboard  
Milton, c/o Town Clerk  
PO Box 18  
Milton, VT 05468

Dear Mr. Adams,

Please find the enclosed copy of the 2020 Certificate of Highway Mileage for the Town of Milton. We have placed the original certificate in the VTrans Mapping records, but we were unable to process the mileage changes to the Overlake Subdivision due to not having documentation demonstrating that the new highway segments have been legally established as town highways through the statutory process or "dedication and acceptance".

The Certificate of Completion and Opening provided with the 2020 mileage certificate refers to Book 328, page 216, which describes portions of highways submitted with the 2006 mileage certificate. Additionally, the warranty deeds provided on request in April 2020 all correspond to portions of Overlake Subdivision highways previously submitted on the mileage certificates processed in 2003, 2004, and 2006. We would also like to bring it to the Town's attention that a section of Highland Ave (marked 'PVT' on the Town Highway Map) is also not listed in our records, and therefore not included in the mileage totals used to allocate class 3 town highway funding. A letter from Mapping Section member Sara Moulton dated February 15, 2006 describes this "gap" in more detail and can be found on page 8 of the attached 2006 Mileage Certificate packet.

In order to add the remaining Overlake Subdivision highway segments to VTrans records and show them on the Milton Town Highway Map, VTrans needs copies of documentation demonstrating that the new portions of highways have been legally established through the statutory laying out process defined in 19 V.S.A. Chapter 7 or through "dedication and acceptance", where the right of way is dedicated to the Town (warranty deeds) and have been formally accepted by the Selectboard (Certificates of Completion and Opening or Meeting Minutes).

If you have any questions regarding my comments above or the required documentation, please don't hesitate to reach out to me or someone else in the Mapping Section, and we would be glad to work through what is needed and the processes for adding town highways to the Mileage Certificates and Town Highway Maps.

Sincerely,

Kerry Alley  
Mapping & GIS Specialist

Enclosures

cc: David Blackmore, District Transportation Administrator  
Amy Bell, VTrans Planning Coordinator

## Alley, Kerry

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**From:** Alley, Kerry  
**Sent:** Tuesday, April 7, 2020 10:29 AM  
**To:** Ashley Jackson  
**Cc:** Dave Allerton; Moulton, Sara  
**Subject:** RE: Milton Town Roads Certificate

Hi Ashley,

I was a little confused when I sent my last response... I spaced out and thought it was the deed to another road in another town!

Thanks again for the deeds, and glad you found them! I know they can be challenging to dig up, especially if the dates are unknown. Unfortunately, the 2020 mileage totals have already been "frozen" for preparing the annual mileage reports, but I will look at this documentation sooner rather than later (probably next week) and let you know what else we might need to add the changes to next year's Certificate. If you don't hear back from me after next week, feel free to reach out and find out what's up.

Thanks again,

Kerry

**From:** Alley, Kerry  
**Sent:** Tuesday, April 7, 2020 9:34 AM  
**To:** Ashley Jackson <AJackson@miltonvt.gov>  
**Cc:** Dave Allerton <dallerton@miltonvt.gov>; Moulton, Sara <Sara.Moulton@vermont.gov>  
**Subject:** RE: Milton Town Roads Certificate

Thanks Ashley!

This will probably do it...

Kerry

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Original Attachment(s) of message below:

--- <<doc13980320200406151431.pdf>>

**From:** Ashley Jackson <AJackson@miltonvt.gov>  
**Sent:** Monday, April 6, 2020 8:11 PM  
**To:** Alley, Kerry <Kerry.Alley@vermont.gov>  
**Cc:** Dave Allerton <dallerton@miltonvt.gov>; Moulton, Sara <Sara.Moulton@vermont.gov>  
**Subject:** RE: Milton Town Roads Certificate

**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Good Afternoon Kerry,

Attached you will find three warranty deeds for this development containing TH-168. I'm positive that within Phase I or Phase II that the PVT portion of TH-168 (Highland Ave) is covered. Let me know if you need anything else.

Thanks,

**Ashley Jackson**  
Public Works Engineer



**Town of Milton**  
43 Bombardier Road  
Milton, VT 05468  
PH 802-891-8043  
[AJackson@miltonvt.gov](mailto:AJackson@miltonvt.gov)

**From:** Alley, Kerry <[Kerry.Alley@vermont.gov](mailto:Kerry.Alley@vermont.gov)>  
**Sent:** Tuesday, March 31, 2020 2:39 PM  
**To:** Ashley Jackson <[AJackson@miltonvt.gov](mailto:AJackson@miltonvt.gov)>  
**Cc:** Dave Allerton <[dallerton@miltonvt.gov](mailto:dallerton@miltonvt.gov)>; Moulton, Sara <[Sara.Moulton@vermont.gov](mailto:Sara.Moulton@vermont.gov)>  
**Subject:** RE: Milton Town Roads Certificate

Hi Ashley,

Thanks for the update! If you can also look into the section of TH-168 labeled as PVT on the map excerpt in my first email below, I suspect it has a similar history/owner. If you are able to send in all the documentation once this is resolved, and we don't need any additional information, I can preload the change onto next year's Mileage Certificate.

Thanks again,

Kerry

**From:** Ashley Jackson <[AJackson@miltonvt.gov](mailto:AJackson@miltonvt.gov)>  
**Sent:** Tuesday, March 31, 2020 1:49 PM  
**To:** Alley, Kerry <[Kerry.Alley@vermont.gov](mailto:Kerry.Alley@vermont.gov)>  
**Cc:** Dave Allerton <[dallerton@miltonvt.gov](mailto:dallerton@miltonvt.gov)>; Moulton, Sara <[Sara.Moulton@vermont.gov](mailto:Sara.Moulton@vermont.gov)>  
**Subject:** RE: Milton Town Roads Certificate

**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Hi Kerry,

After looking into this further, it looks like the developer never submitted the warranty deed for this area. We can push this off until next year as I'll have to do some digging and get this warranty deed from the developers attorney, which might take some time.

Thank you,

**Ashley Jackson**  
Public Works Engineer



**Town of Milton**  
43 Bombardier Road  
Milton, VT 05468  
PH 802-891-8043  
[AJackson@miltonvt.gov](mailto:AJackson@miltonvt.gov)

**From:** Alley, Kerry <[Kerry.Alley@vermont.gov](mailto:Kerry.Alley@vermont.gov)>  
**Sent:** Tuesday, March 31, 2020 9:41 AM  
**To:** Ashley Jackson <[AJackson@miltonvt.gov](mailto:AJackson@miltonvt.gov)>  
**Cc:** Dave Allerton <[dallerton@miltonvt.gov](mailto:dallerton@miltonvt.gov)>; Moulton, Sara <[Sara.Moulton@vermont.gov](mailto:Sara.Moulton@vermont.gov)>  
**Subject:** RE: Milton Town Roads Certificate

Good morning Ashley,

I just wanted to touch base to find out if you were able to find the additional documentation I described in my email below. If the Town needs more time to get everything together, these changes can be added to next year's Certificate if I receive all the documentation by then.

Please let me know if you have any questions, (and note that my phone number has changed again)

Kerry

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**Kerry Alley** | GIS Professional III  
Vermont Agency of Transportation  
219 North Main Street | Barre, VT 05641  
802-917-2621 | [Kerry.Alley@vermont.gov](mailto:Kerry.Alley@vermont.gov)  
<http://vtrans.vermont.gov/planning/maps>  
(NOTE: new phone number and address)

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Original Attachment(s) of message below:

--- <<[Milton\\_2006\\_Cert\\_DocsAndCorrespondance.pdf](#)>>

(Scanned 2006 Cert Packet)

**From:** Alley, Kerry  
**Sent:** Thursday, March 12, 2020 1:03 PM  
**To:** Ashley Jackson <[AJackson@miltonvt.gov](mailto:AJackson@miltonvt.gov)>  
**Cc:** Dave Allerton <[dallerton@miltonvt.gov](mailto:dallerton@miltonvt.gov)>; Moulton, Sara <[Sara.Moulton@vermont.gov](mailto:Sara.Moulton@vermont.gov)>  
**Subject:** RE: Milton Town Roads Certificate

Attached: Milton\_2006\_Cert\_DocsAndCorrespondance.pdf

Good afternoon Ashley,

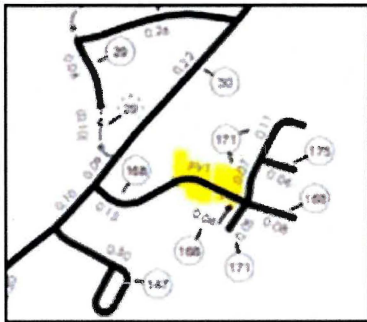
Thank you for returning my call earlier today! Below is a recap of my questions, and one additional question regarding a segment labeled as private on the Town Highway Map (see image below). I've also attached the 2006 documentation I mentioned.

I'm assuming that these roads have become public highways via dedication and acceptance, so there are two things that I need to be able to process these changes:

1. Documentation of dedication (e.g. deed)
2. Clarification of exactly which portions of the listed highways were accepted in 2017 (likely included in a deed). This helps us understand what is and isn't included, and allows us to verify measures based on landmarks (or surveys).

I've attached documentation associated with the 2006 Mileage certificate. It reveals the process involved and is a good example of documentation that allows us to accurately document and map the changes.

The last three pages of the attachment are correspondence from that time regarding the short segment of Highland Ave (highlighted in the map excerpt below) that we haven't yet received any documentation indicating whether it is private or public. That segment is therefore still shown as private on the Town Highway Map, and the mileage is not included in the class 3 mileage totals. I assume it is functioning as a class 3 highway, so I want to encourage the Town to submit documentation indicating that it is legally class 3, or to formally accept it as a class 3 highway if the town has not done so previously.



Thanks for your help!

Kerry

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Kerry Alley | GIS Professional III  
Vermont Agency of Transportation  
219 North Main Street | Barre, VT 05641  
802-622-1289 | [Kerry.Aleley@vermont.gov](mailto:Kerry.Aleley@vermont.gov)  
<http://vtrans.vermont.gov/planning/maps>  
(NOTE: new phone number and address)

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Original Attachment(s) of message below:  
--- <<2020 Certificate of Highway Mileage Signed.pdf>>

**From:** Ashley Jackson <[AJackson@miltonvt.gov](mailto:AJackson@miltonvt.gov)>  
**Sent:** Thursday, February 20, 2020 9:05 AM  
**To:** Alley, Kerry <[Kerry.Alley@vermont.gov](mailto:Kerry.Alley@vermont.gov)>  
**Cc:** Dave Allerton <[dallerton@miltonvt.gov](mailto:dallerton@miltonvt.gov)>  
**Subject:** RE: Milton Town Roads Certificate

**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Good Morning Kerry,

Please find attached Town of Milton's Highway Certification signed by the Selectboard and Town Clerk. I did find that there are three roads that are shown as private on the 2016 maps. These three roads were accepted by the Selectboard in April 2017, a Selectboard memo is attached with the application.

Thank you and have a great day,

**Ashley Jackson**  
*Public Works Engineer*



**Town of Milton**  
43 Bombardier Road  
Milton, VT 05468  
PH 802-891-8043  
[AJackson@miltonvt.gov](mailto:AJackson@miltonvt.gov)

**From:** Dave Allerton <[dallerton@miltonvt.gov](mailto:dallerton@miltonvt.gov)>  
**Sent:** Tuesday, February 11, 2020 9:30 AM  
**To:** Ashley Jackson <[AJackson@miltonvt.gov](mailto:AJackson@miltonvt.gov)>  
**Subject:** FW: Milton Town Roads Certificate

fyi

David K. Allerton, P.E.  
Director, Department of Public Works  
43 Bombardier Road  
Milton, VT 05468  
802-893-6655 Office  
802-893-1005 Fax

**From:** Dave Allerton  
**Sent:** Wednesday, January 30, 2019 2:46 PM  
**To:** 'Alley, Kerry' <[Kerry.Alley@vermont.gov](mailto:Kerry.Alley@vermont.gov)>  
**Subject:** RE: Milton Town Roads Certificate

Hi Kerry,

I will get this to the SB for them to sign. I did review the online maps, and verified there has been no changes.

David K. Allerton, P.E.  
Director, Department of Public Works  
43 Bombardier Road  
Milton, VT 05468  
802-893-6030 Office  
802-893-1005 Fax

**From:** Alley, Kerry <[Kerry.Alley@vermont.gov](mailto:Kerry.Alley@vermont.gov)>  
**Sent:** Wednesday, January 30, 2019 2:41 PM  
**To:** Dave Allerton <[dallerton@miltonvt.gov](mailto:dallerton@miltonvt.gov)>  
**Subject:** RE: Milton Town Roads Certificate

Hi David,

If there are no changes, then just have the Selectboard sign it, Town Clerk sign and date it, and be sure to check the box indicating that there are no changes. The State Statutes driving the Mileage Certificate process are on the back of the certificate, if you're curious.

Were you able to review the current Town Highway Map to verify that it agrees with what the Town has on record? No worries if not. When you get around to it, even knowing that everything checks out is helpful to us! We can investigate any discrepancies you might find on our end too.

Kerry

**From:** Dave Allerton <[dallerton@miltonvt.gov](mailto:dallerton@miltonvt.gov)>  
**Sent:** Wednesday, January 30, 2019 10:13 AM  
**To:** Alley, Kerry <[Kerry.Alley@vermont.gov](mailto:Kerry.Alley@vermont.gov)>  
**Subject:** RE: Milton Town Roads Certificate

Hi Kerry,

I received a copy of the "Certificate of Highway Mileage Year Ending February 10, 2018" for the Town of Milton from you on November 14, 2018. We have not added any roads. Do I need to have the Select Board sign this certificate and return it to you? It appears the Town did not submit one of these last year. I am not sure what to do with this, so any direction would be appreciated. Thank you!

David K. Allerton, P.E.  
Director, Department of Public Works  
43 Bombardier Road  
Milton, VT 05468  
802-893-6030 Office  
802-893-1005 Fax

**From:** Alley, Kerry <[Kerry.Alley@vermont.gov](mailto:Kerry.Alley@vermont.gov)>  
**Sent:** Wednesday, January 16, 2019 11:43 AM  
**To:** Dave Allerton <[dallerton@miltonvt.gov](mailto:dallerton@miltonvt.gov)>  
**Subject:** RE: Milton Town Roads Certificate

Hi Dave,



Thank you for reaching out to us! The Town Highway Maps online can be viewed online. The current (most recent) can be looked up here:

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

And older maps (including the "current" map) available here:

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

We're in the process of scanning documents in our Town folders, and here's a temporary ftp link (available for a few days at least) to three documents that are current up to this year.

<http://vtransmap01.aot.state.vt.us/Maps/tempstor/MILTON/>

Those documents, along with the historical maps, are helpful for tracking down when particular changes occurred (or were submitted to us), and occasionally some context. These and other records (including pre-2016 Mileage Certificates) will all be available online eventually.

Record of Mileage Changes – reverse chronological record of changes and running mileage totals

Act63 Mileage Listing – List of class 3 and class 4 highways defined when the current highway classification system was established (~1973) and updated annually since then

Act178 Legal Trail Listing – Similar to above, but for legal trails

Additional general information is available on our website:

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

Let me know if you have any questions or comments regarding the Milton Town Highway Map or the information shown!

Kerry

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**Kerry Alley** | GIS Professional III  
Vermont Agency of Transportation  
1 National Life Dr | Montpelier, VT 05633  
802-828-3666 | [Kerry.Alley@vermont.gov](mailto:Kerry.Alley@vermont.gov)  
<http://vtrans.vermont.gov/planning/maps>

**From:** Dave Allerton <[dallerton@miltonvt.gov](mailto:dallerton@miltonvt.gov)>

**Sent:** Wednesday, January 16, 2019 10:55 AM

**To:** Alley, Kerry <[Kerry.Alley@vermont.gov](mailto:Kerry.Alley@vermont.gov)>

**Subject:** Milton Town Roads Certificate

Hi Kerry,

I am the new Director of Public Works in Milton, and have a Certificate of Highway Mileage Form in front of me. Milton has not added or decreased any roads this past year that I am aware of. I was wondering if VTrans had a map showing all of Milton's approved roads, which make up the 33.56 miles of Class 2, the 67.63 miles of Class 3, the 18.117 miles of State Highway, the 5/55 miles of Class 4, and 1.61 miles of Legal Trails. If so, I would like to get a copy, and compare the information on file with you, with what we know here in Milton.

Thanks for your assistance!

David K. Allerton, P.E.  
Director, Department of Public Works  
43 Bombardier Road  
Milton, VT 05468  
802-893-6030 Office  
802-893-1005 Fax

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Disclaimer, please be advised that your email communication to the Town may be considered public record and may be subject to disclosure under the Vermont Open Public Records Act.

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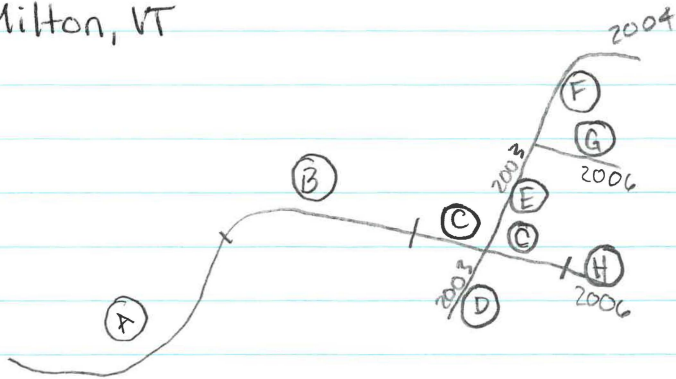
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Disclaimer, please be advised that your email communication to the Town may be considered public record and may be subject to disclosure under the Vermont Open Public Records Act.

Overlake Subdivision addition history  
Milton, VT



Letters + dates correspond to  
notes written on printed copy of  
doc139803Z0200...pdf

KMA

10/16/2020

VERMONT WARRANTY DEED

doc13980320200406151431.pdf

KNOW ALL PERSONS BY THESE PRESENTS THAT DREAM BUILDERS, INC., a Vermont corporation with principal place in Milton, in the County of Chittenden and State of Vermont, and WILLIAM R. SAWYER, no homestead, of the Town of Milton, County of Chittenden and State of Vermont, Grantors, in the consideration of -----Ten and More-----Dollars, paid to its/my full satisfaction by THE TOWN OF MILTON, a municipal corporation existing under and by virtue of the Laws of the State of Vermont, of Milton, County of Chittenden and State of Vermont Grantee, by these presents do freely GIVE, GRANT, SELL CONVEY and CONFIRM unto the said Grantee, THE TOWN OF MILTON, its successors and assigns forever, a certain piece of land in the Town of Milton in the County of Chittenden and State of Vermont, described as follows, viz:

See Exhibit A Attached Hereto.

TO HAVE AND TO HOLD said granted premises, with all the privileges and appurtenances thereof, to the said Grantee, THE TOWN OF MILTON, a municipal corporation existing under and by virtue of the Laws of the State of Vermont, its successors and assigns, to its own use and behoof forever; And we the said Grantors, DREAM BUILDERS, INC. and WILLIAM R. SAWYER, for its successors and assigns and myself and my heirs, executors and administrators, do covenant with the said Grantees, THE TOWN OF MILTON, its successors and assigns, that until the ensembling of these presents we are the sole owners of the premises, and have good right and title to convey the same in manner aforesaid, that they are FREE FROM EVERY ENCUMBRANCE; except as above stated, and it and I hereby engage to WARRANT AND DEFEND the same against all lawful claims whatever, except as above stated.

IN WITNESS WHEREOF, I hereunto set my hand and seal this 17<sup>th</sup> day of

April, 2006

IN PRESENCE OF:

DREAM BUILDERS, INC.

*Debra Parrella*  
Witness

By: *[Signature]*  
Duly Authorized Agent

*Arnon Henson*  
Witness

Milton, Vermont 5/10/02

Received for record 2 o'clock

33 minutes P M and recorded

in Vol. 241 Page 484-7 of

Milton LAND Records

Attest: *[Signature]*  
Town Clerk 551

Vermont Property Transfer Tax  
32 VSA Chapter 231  
- ACKNOWLEDGEMENT -  
Return Rec'd - Tax Paid - Board of Health Cert Rec'd  
Vt. Land Use & Development Plans Act Cert Rec'd  
Return No. *12502-133*  
Date *5/10/02*

P.7 of 2006 Cert.

STATE OF VERMONT,  
Chittenden COUNTY, SS.

At Milton, this 17 day of April, A.D. 2008, Lloyd Gilbert Duly Authorized Agent for Dream Builders, Inc., personally appeared, and he acknowledged this instrument, by him sealed and subscribed, to be his free act and deed and the free act and deed of DREAM BUILDERS, INC.

Before me Deane Pavella  
Notary Public

IN WITNESS WHEREOF, I hereunto set my hand and seal this 17 day of April, 2008.

William R. Sawyer  
William R. Sawyer

IN PRESENCE OF:

Aaron Henson  
Witness

Deane Pavella  
Witness

STATE OF VERMONT,  
Chittenden COUNTY, SS.

At Milton, this 17 day of April, A.D. 2008, WILLIAM R. SAWYER, personally appeared, and he acknowledged this instrument, by him sealed and subscribed, to be his free act and deed.

Before me Deane Pavella  
Notary Public

Exhibit A

Legal Description for Phase I Roadways  
Overlake Subdivision

(PORTION OF HIGHLAND AVENUE)

A strip of land sixty (60') feet in width and being a portion of the roadway known as Highland Avenue as shown on a plan entitled "Overlake Subdivision, William Sawyer - Developer, Milton," by J. H. Stuart Assoc., P.O. Box 367, Essex Center, VT 05451 dated December 17, 1989, last revised November 15, 1999, which plan appears of record at Map Slide 358, Map 523 of the Town of Milton Land Records.

Said strip of land begins at the southwest corner of Lot No. 25 as shown on said plan and proceeds in a southerly direction as an extension of the existing westerly line of Lot 25 a distance of 60.78 feet to the existing northwest corner of Lot No. 26; thence turning to the left at an approximate right angle and proceeding in an easterly direction along the existing northerly sideline of Lot No. 26 a distance of 144.29 feet and continuing in an extension thereof a distance of sixty (60') feet to the northwest corner of Lot No. 30; thence continuing along the north line of Lot No. 30 a distance of 75.76 feet to the northeast corner of Lot 30; thence continuing along the north line of Lot 31 a distance of 120 feet to the northeast corner of Lot 31; thence turning to the left at an approximate right angle and proceeding in a northerly direction a distance of 60 feet to the southeast corner of Lot 55; thence turning to the left at an approximate right angle and proceeding in a westerly direction a distance of 110 feet to the southeast corner of Lot 54; thence continuing a distance of 111.86 feet to the southwest corner of Lot 54; thence continuing in an extension of the southerly line of Lot 54 a distance of 60 feet to the southeast corner of Lot 25; thence continuing along the southerly line of Lot 25 a distance of 133.87 feet to the point or place of beginning.

Added 2003

(C)

(PORTION OF OVERLAKE DRIVE)

A strip of land sixty (60') feet in width and the cul-de-sac area being a portion of the roadway known as Overlake Drive as shown on a plan entitled, "Overlake Subdivision, William Sawyer - Developer, Milton," by J. H. Stuart Assoc., P.O. Box 367, Essex Center, VT 05451 dated December 17, 1989, last revised November 15, 1999, which plan appears of record at Map Slide 358, Map 523 of the Town of Milton Land Records.

Said strip of land begins at a point forming the northeast corner of Lot 23; thence proceeding in a southerly direction along the easterly line of Lot 23 a distance of 115 feet to the northeast corner of Lot 24; thence continuing in a southerly direction along the easterly line of Lot 24 a distance of 90 feet to the northeast corner of Lot 25; thence continuing in a southerly direction along the easterly line of Lot 25 a distance of 110 feet in segments of 90 feet and 20 feet to the southeast corner of Lot 25; thence continuing in a southerly direction in an extension southerly of the easterly line of Lot 25 a distance of 61.65 feet in segments of 25 feet and 36.65 feet to the northeast corner of Lot 26; thence continuing in a southerly direction a distance of 130 feet to the northeast corner of Lot 27; thence continuing in a southerly direction a distance of 68.35 feet to

Added 2003

(E)

(D)

an iron pin in the easterly line of Lot 27; thence continuing in a circular direction along Lots 27, 28 and 29 in segments of 100 feet, 140 feet, 65 feet and 76.49 feet to the southwest corner of Lot 30; thence continuing in a northerly direction a distance of 142 feet to the northwest corner of Lot 30; thence continuing in a northerly direction in an extension of the westerly line of Lot 30 a distance of 62.28 feet in segments of 39.34 feet and 22.94 feet to the southwest corner of Lot 54; thence continuing in a northerly direction along the westerly line of Lot 54 a distance of 105.15 feet to the southwest corner of the lot of land known as Common Land "D"; thence continuing in a northerly direction along the westerly line of said Lot identified as Common Land "D" a distance of 111.25 feet in segments of 50.12 feet, 50.13 feet, and 10 feet to the southwest corner of Lot 53; thence continuing in a northerly direction along the westerly line of Lot 53 a distance of 113.91 feet to the northwest corner of Lot 53; thence turning to the left at an approximate right angle and proceeding in a westerly direction a distance of 60 feet to the point or place of beginning.

Meaning and intending to convey the aforesaid roadways to the Town of Milton for the purpose of becoming public streets.

Being a portion of the same land and premises conveyed to William R. Sawyer and Dream Builders, Inc. by warranty deed of Dream Builders Inc. dated December 2, 1988 and of record in Book 117, Page 556 of the said Land Records.

VERMONT WARRANTY DEED

219

KNOW ALL PERSONS BY THESE PRESENTS THAT DREAM BUILDERS,

INC., a Vermont corporation with principal place in Milton, in the County of Chittenden and State of Vermont and WILLIAM R. SAWYER, no homestead, of the Town of Milton, County of Chittenden and State of Vermont, Grantors in the consideration of -----Ten and More-----Dollars, paid to its my full satisfaction by THE TOWN OF MILTON, a municipal corporation existing under and by virtue of the Laws of the State of Vermont, of Milton, County of Chittenden and State of Vermont Grantee, by these presents do freely GIVE, GRANT, SELL CONVEY and CONFIRM unto the said Grantee, THE TOWN OF MILTON, its successors and assigns forever, a certain piece of land in the Town of Milton in the County of Chittenden and State of Vermont, described as follows, viz:

See Exhibit A Attached Hereto.

TO HAVE AND TO HOLD said granted premises, with all the privileges and appurtenances thereof, to the said Grantee, THE TOWN OF MILTON a municipal corporation existing under and by virtue of the Laws of the State of Vermont, its successors and assigns, to its own use and behoof forever: And we the said Grantors, DREAM BUILDERS, INC. and WILLIAM R. SAWYER, for its successors and assigns, and myself and my heirs, executors and administrators, do covenant with the said Grantees, THE TOWN OF MILTON, its successors and assigns, that until the ensembling of these presents we are the sole owners of the premises, and have good right and title to convey the same in manner aforesaid, that they are FREE FROM EVERY ENCUMBRANCE: except as above stated, and it and I hereby engage to WARRANT AND DEFEND the same against all lawful claims whatever, except as above stated.

IN WITNESS WHEREOF, I hereunto set my hand and seal this 17<sup>th</sup> day of

April 2006

IN PRESENCE OF:

DREAM BUILDERS, INC.

By: [Signature]  
Duly Authorized Agent

[Signature]  
Witness

[Signature]  
Witness

Milton, Vermont 02/27/06

Received for record 5 October

11 minutes 1 M and recorded

in Vol. 328 Page 17-21

Milton, Vermont Records

Attest: [Signature]  
Town Clerk

Vermont Property Transfer Tax  
32 VSA Chapter 281  
- ACKNOWLEDGEMENT -

Return Rec'd - Tax Paid - Board of Health Cert Rec'd

W. Land Use & Development Plans Act Cert Rec'd

Return No. ME 06 45

Signed: [Signature] Clerk

Date: 2/27/06

2006 Cert, P 6.



STATE OF VERMONT,  
Chittenden COUNTY, SS.

At Milton, this \_\_\_ day of \_\_\_\_\_, A.D. 2008, David Gilbert Duly Authori. ed Agent for Dream Builders, Inc., personally appeared, and he acknowledged this instrument, by him sealed and subscribed, to be his free act and deed and the free act and deed of **DREAM BUILDERS, INC.**

Before me \_\_\_\_\_  
Notary Public

IN WITNESS WHEREOF, I hereunto set my hand and seal this 17 day of April, 2008.

IN PRESENCE OF:

William R. Sawyer  
William R. Sawyer

Aaron Hanson  
Witness  
Debra Sawyer  
Witness

STATE OF VERMONT,  
Chittenden COUNTY, SS.

At Milton, this \_\_\_ day of \_\_\_\_\_, A.D. 2008, **WILLIAM R. SAWYER**, personally appeared, and he acknowledged this instrument, by him sealed and subscribed, to be his free act and deed.

Before me \_\_\_\_\_  
Notary Public

2006 Cert., p. 7

Exhibit A

Legal Description for Phase II Roadways  
Overlake Subdivision

(PORTION OF OVERLAKE DRIVE)

A strip of land sixty (60') feet in width and being a portion of the roadway known as Overlake Drive as shown on a plan entitled "Overlake Subdivision, William Sawyer - Developer, Milton," by J. H. Stuart Assoc., P.O. Box 367, Essex Center, VT 05451 dated December 17, 1989, last revised November 15, 1990, which plan appears of record at Map Slide 358, Map 523 of the Town of Milton Land Records.

Said strip of land begins at a point forming the southeast corner of Lot 17; thence proceeding in a southwesterly direction along the southerly line of Lot 17 a distance of 138 feet to the southwest corner of Lot 17; thence proceeding in a southerly direction along the easterly line of Lot 18 a distance of 65 feet to the southeast corner of Lot 18; thence proceeding in a southerly direction and along the easterly line of Lot 19 a distance of 115 feet to the northeast corner of Lot 20; thence proceeding in a southerly direction along the easterly line of Lot 20 a distance of 115 feet to the northeast corner of Lot 22; thence proceeding in a southerly direction along the easterly line of Lot 22 a distance of 100 feet to the northeast corner of Lot 23; thence proceeding at an approximate right angle in an easterly direction a distance of 60 feet to the northwest corner of Lot 53; thence proceeding in a northerly direction in an extension northerly of the westerly line of Lot 53 a distance of 60 feet to the southwest corner of Lot 69; thence proceeding in a northerly direction along the westerly line of Lot 69 a distance of 161.65 feet to the northwest corner of Lot 69; thence proceeding in a northerly direction along the westerly and northerly line of Lot 70 a distance of 233.06 feet in segments of 84.12 feet, 37.12 feet, 97.92 feet and 13.89 feet; thence turning to the left at an approximate right angle and proceeding in a generally northerly direction a distance of 60 feet to the southeast corner of Lot 17 being the point or place of beginning.

Meaning and intending to convey the aforesaid roadway to the Town of Milton for the purpose of becoming a public street.

Being a portion of the same land and premises conveyed to William R. Sawyer and Dream Builders, Inc. by warranty deed of Dream Builders Inc. dated December 2, 1988 and of record in Book 117, Page 556 of the said Land Records.

2004 cert  
11

VERMONT WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS that DREAM BUILDERS, INC., a Vermont corporation with principal place of business in the Town of Milton, County of Chittenden, State of Vermont, and WILLIAM R. SAWYER, no homestead, of the Town of Milton in the County of Chittenden and State of Vermont. Grantors, in the consideration of -----Ten and More----- Dollars, paid to our full satisfaction by, TOWN OF MILTON, a Vermont municipal corporation, County of Chittenden, State of Vermont, Grantee, by these presents, do freely GIVE, GRANT, SELL, CONVEY AND CONFIRM unto the said Grantee, TOWN OF MILTON, and its successors and assigns forever, a certain piece of land in the Town of Milton in the County of Chittenden and State of Vermont, described as follows, viz: See Property Description as attached hereto as Exhibit A.

TO HAVE AND TO HOLD said granted premises, with all the privileges and appurtenances thereof, to the said Grantee, TOWN OF MILTON, and its successors and assigns, to their own use and behoof forever. And we, the said Grantors, DREAM BUILDERS, INC. and WILLIAM R. SAWYER, for ourselves and our successors, heirs and assigns, do covenant with the said Grantee, TOWN OF MILTON, and its successors and assigns, that until the ensembling of these presents we are the sole owners of the premises, and have good right and title to convey the same in manner aforesaid, that they are FREE FROM EVERY ENCUMBRANCE; except as above stated, and we hereby engage to WARRANT AND DEFEND the same against all lawful claims whatever, except as above stated.

IN WITNESS WHEREOF, we hereunto set our hands and seals this 23 day of February, A.D. 2006.

IN PRESENCE OF:

DREAM BUILDERS, INC.

Regina Mahony  
Witness

By: [Signature]  
Duly authorized agent

STATE OF VERMONT  
Chittenden COUNTY, SS:

At Milton, this 23rd day of Feb, A.D. 2006, Lloyd Gilbert, duly authorized agent of Dream Builders, Inc. personally appeared and she acknowledged this instrument, by her sealed and subscribed to be her free act and deed and the free act and deed of Dream Builders, Inc.

IN WITNESS WHEREOF I hereunto set my hand and seal this 23rd day of Feb, A.D. 2006.

IN PRESENCE OF:

Regina Mahony  
Witness

William R. Sawyer by his Attorney In Fact  
Lloyd H. Gilbert

STATE OF VERMONT  
Chittenden COUNTY, SS:

At Milton, this 23rd day of Feb, A.D. 2006, Lloyd H. Gilbert, as Attorney In Fact for William R. Sawyer personally appeared and he acknowledged this instrument, by him sealed and subscribed to be his free act and deed and the free act and deed of William R. Sawyer.

02/27/06  
Milton, Vermont  
Received for record 1/2 o'clock  
20 minutes 1 M and recorded  
in Vol. 378 Pages 24-27 of  
Milton Land Records  
Attest: Loretta R. Demino  
Town Clerk

Loretta R. Demino  
Notary Public  
My Commission Expires: 7-10-2007

Vermont Property Transfer Tax  
32 VSA Chapter 231  
- ACKNOWLEDGEMENT -  
Return Rec'd - Tax Paid - Board of Health Cert Rec'd  
Vt. Land Use & Development Plans Act Cert Rec'd  
Return No. MT 06 44  
Signed: L.M. [Signature] Clerk  
Date: 2/27/06

**Exhibit A  
Legal Description for Phase III  
Roadways**

**Overlake Subdivision  
(Portion of Highland Avenue)**

A strip of land, sixty (60) feet in width and being a portion of the roadway known as Highland Avenue as shown on a plan entitled, "Overlake Subdivision, William Sawyer - Developer, Milton," by J. H. Stuart Assoc., P.O. Box 367, Essex Center, VT 05451 dated December 17, 1989, last revised November 15, 1999, which plan appears of record at Map Slide 358, Map 523 of the Town of Milton Land Records.

Said strip of land begins at a point forming the northwest corner of Lot 32 as shown on the above-referenced plan of land and proceeds on a bearing S 73 degrees 06'30"E along the north line of Lot 32 a distance of 110 feet to the northeast corner of Lot 32; thence proceeding on the same bearing along the north line of Lot 33 a distance of 110 feet to the northeast corner of Lot 33; thence turning to the left at an approximate right angle and proceeding in a northerly direction a distance of 60 feet to a point in the southerly line of Lot 57 which is 30 feet westerly of the southeast corner of said Lot 57; thence proceeding in a westerly direction on a bearing N 73 degrees 06'30"W along the southerly line of Lot 57 a distance of 80 feet to the southeast corner of Lot 56; thence proceeding on the same bearing along the southerly line of Lot 56 a distance of 110 feet to the southeast corner of Lot 55; thence turning to the left on an approximate right angle and proceeding in a southerly direction a distance of 60 feet to the northwest corner of Lot 32 being the point or place of beginning.

(H)

2006 Cert, P.3

Meaning and intending to convey the aforesaid roadway to the Town of Milton for the purpose of becoming a public street.

Being a portion of all and the same land and premises conveyed to William R. Sawyer and Dream Builders, Inc. By Warranty Deed of Dream Builders, Inc. dated December 2, 1988 and of record in Book 117, Page 556 of the Town of Milton Land Records.

**(Portion of Shannon Way)**

A strip of land, sixty (60) feet in width and being a portion of the roadway known as Shannon Way as shown on a Plan, entitled, "Overlake Subdivision, William Sawyer - Developer, Milton," by J. H. Stuart Assoc., P.O. Box 367, Essex Center VT 05451 dated December 17, 1989, last revised November 15, 1999, which plan appears of record at Map Slide 358, Map 523 of the Town of Milton Land Records

(G)

Said strip of land begins at a point forming the northeast corner of Lot 51; thence proceeding on a bearing N 73 degrees 06'30"W along the northerly line of Lot 51 a distance of 110 feet to the

2006 cert, p. 4.

northeast corner of Lot 52; thence proceeding on the same bearing along the northerly line of Lot 52 a distance of 110 feet to the northeast corner of Lot 53; thence proceeding on the same bearing along the northerly line of Lot 53 a distance of 106.50 feet to the northwest corner of Lot 53; thence turning to the right at an approximate right angle and proceeding in a generally northerly direction a distance of 60 feet to the southwest corner of Lot 69; thence turning to the right and proceeding on a bearing S 73 degrees 06'30"E along the southerly line of Lot 69 a distance of 122.23 feet to the southwest corner of Lot 68; thence proceeding on the same bearing along the southerly line of Lot 68 a distance of 110 feet to the southwest corner of Lot 67; thence proceeding on the same bearing along the southerly line of Lot 67 a distance of 90 feet to a point; thence turning to the right at an approximate right angle and proceeding in a generally southerly direction a distance of 60 feet to the northeast corner of Lot 51 being the point or place of beginning.

Reserved from this conveyance is a 20 feet wide force main sewage easement for the benefit of Overlake Subdivision Sewer System, System "A" Association, Inc. to access the community sewage disposal lot across, under and through the land herein conveyed in the area adjacent to Lot 52 and Lot 68 as depicted on the above-referenced plan of lands. The Grantee assumes no liability or responsibility for servicing, maintenance or repair of the force main. If it becomes necessary to dig up the force main for maintenance or repair, the users of the shared septic system accessed by the force main sewage easement shall be responsible for restoring the ground within the roadway to its condition prior to the maintenance or repair.

Meaning and intending to convey the aforesaid roadway to the Town of Milton for the purpose of becoming a public street.

Being a portion of all and the same land and premises conveyed to William R. Sawyer and Dream Builders, Inc. By Warranty Deed of Dream Builders, Inc. dated December 2, 1988 and of record in Book 117, Page 556 of the Town of Milton Land Records.



2020 Certificate of Highway  
Mileage Signed.pdf

## TOWN OF MILTON, VERMONT 05468

Department of Public Works:  
Admin, Public Works, Highway Operations, Water and Wastewater

To: Milton Selectboard

Date: February 11, 2020

From: Ashley Jackson, Public Works Engineer *Ashley Jackson*

CC: David K. Allerton, P.E., Director of Public Works  
Don Turner, Town Manager

Re: 2020 Certificate of Highway Mileage

Attached is the annual Certificate of Highway Mileage that is due no later than February 20, 2020. Upon reviewing the 2016 VTrans General Highway Map, portions of Overlake Drive, Shannon Way and Highland Ave are not shown on the maps. The missing road segments were approved by the Selectboard on April 10, 2017, a copy of the approved meeting minutes is attached.

We respectfully request the Selectboard and Town Clerk to sign the certificate of Highway Mileage with the added sections of Class 3 roads:

<u>Town Highway No.</u>	<u>Length (miles)</u>
168 (Highland Ave)	0.14 miles
171 (Overlake Drive)	0.20 miles
175 (Shannon Way)	0.14 miles

*Total 0.48 miles*

Thank you,

*Ashley N. Jackson*

P:\Public Works\VTrans Road Mileage Certificates\2020 Certificate of Highway Mileage to SB 02-18-2020.docx



State of Vermont  
Division of Policy, Planning and Intermodal Development - Mapping Section  
219 North Main Street  
Barre, VT 05641  
<http://vtrans.vermont.gov>

Agency of Transportation

Telephone: 802-622-1289  
Email: [Kerry.Alley@vermont.gov](mailto:Kerry.Alley@vermont.gov)

Chair, Selectboard  
Milton, c/o Town Clerk  
PO Box 18  
Milton, VT 05468

January 2020

TO: TOWN / CITY / VILLAGE CLERK AND SELECTBOARD / ALDERMEN / TRUSTEES

Enclosed is your 2020 **Certificate of Highway Mileage**. This Certificate must be completed in order to determine your town's share of state aid for town highways for Fiscal Year 2021, and to ensure that your Town Highway Map remains current. Please note there will be no additional opportunities to submit town highway changes before the 2020 statutory deadline for mapping all Class 1, 2, 3 and 4 Town Highways and Legal Trails, as specified in 19 V.S.A. § 305(c).

Changes in mileage or highway classification, including any additions, alterations, or discontinuances made by your selectboard this past year, should be entered on this certificate. If there are changes that occurred before this past year that we have not shown on the Town Highway Map, please let us know so we can update our maps.

In filling out the Mileage Certificate, it is important to:

- >> Enter mileage and classification changes on PART I and PART II of the Certificate.
- >> Provide supporting documentation sufficient for the Mapping Section to:
  - Map the change
  - Verify the mileage
  - Demonstrate the change was made according to State statute
- >> If you have no changes, you may simply check the box in PART II of the Certificate.
- >> Always sign Part III - Town Clerk, Selectmen, etc.

Please refer to the enclosed instructions, checklist, and guidelines as needed. We have also included a reduced size copy of your current Town Highway Map and a Certificate of Completion and Opening should you need it to document new town roads. Additional information and copies of these enclosures can be found at: <https://vtrans.vermont.gov/planning/maps/mileage-certificates>.

To effectively process all the mileage certificates in a timely manner and to assure the completion of the mileage summaries, it is important that towns submit the certificates on time. **Certificates must be postmarked on or before February 20, 2020. Certificates that are postmarked after February 20, 2020 may not be processed.**

After the Agency has approved and signed the certificate, we will send you a copy. Please contact me if you have any questions.

Sincerely,

*Kerry Alley*

Kerry Alley  
Mileage Certificate Specialist

Enclosures





## Certificate of Highway Mileage Instructions

Towns use this certificate to update mileage of town highways and trails, incorporating any changes made before February 10, 2020. Changes in highway classification, additions of new highways or trails, alterations, or discontinuances must include documentation of Selectboard action, such as minutes of meetings when action was taken.

### PART I

*Previous Mileage* – This shows mileage as of completion of last year's certificate.

*Added Mileage* – Enter the total mileage of any new legally accepted Class 3 or 4 highways or trails, and any highways reclassified from Class 3 to 4 or vice versa, or highways reclassified to or from trails.

*Subtracted Mileage* – Enter the total mileage of discontinued highways or trails, and the total mileage of any highways reclassified from Class 3 to 4 or vice versa, or highways reclassified to or from trails.

*Total* – Enter total, same as last year if no changes. Enter a new total if there were changes reported.

*Scenic Highways* – Use this only if town has designated highways as official 'Scenic Highways' in accordance with 19 VSA 2502.

### PART II

Enter details needed for identification of New, Discontinued, Reclassified, or Scenic Highways.

If there are no changes in Town Highway or Trail mileage, simply mark the check box on the last line in PART II.

### PART III

Board members and Town Clerk sign here.

A sample certificate with an example on how to fill it out is available online at:  
[https://vtransmaps.vermont.gov/Maps/Publications/MileageCertificates/Cert\\_Sample.pdf](https://vtransmaps.vermont.gov/Maps/Publications/MileageCertificates/Cert_Sample.pdf)

Additional guidance is provided in the enclosed document "Vermont Agency of Transportation Guidelines - Certificate of Highway Mileage".

Return completed certificate, using enclosed envelope. If needed, use a larger envelope with same address as on the enclosed envelope.

**Certificates must be postmarked on or before February 20, 2020. Certificates that are postmarked after February 20, 2020 may not be processed.**

## **Vermont Agency of Transportation Guidelines - Certificate of Highway Mileage**

These guidelines are intended to assist municipalities and insure the changes submitted on the mileage certificates are processed completely and without delay. The statutory definitions and processes related to Town Highways can be found in the Vermont Statutes Annotated (V.S.A.), Title 19 (Highways), Chapters 3 (Town Highways) and 7 – (Laying Out, Discontinuing, and Reclassifying Highways).

### **Certificate of Highway Mileage and the General Highway Maps**

Each year, the Vermont Agency of Transportation (VTrans) Mapping Section processes the Certificate of Highway Mileage for each municipality and compiles the totals of State Highways, Class 1, 2, 3, and 4 Town Highways, and Legal Trails into a summary. The highway mileage information is used in the formula for the appropriation of State Aid for Town Highways. The Certificate of Highway Mileage and supporting documentation of changes also provides the VTrans Mapping Section with information to make the necessary changes to the General Highway Maps, also referred to as the Town Highway Maps.

This process is defined in 19 V.S.A. § 305 (Measurement and Inspection):

*(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.*

### **Documentation of Legal Establishment**

VTrans requires proper documentation that shows the legal establishment of town highways and trails before they may be added to the Town Highway Map. There has been a significant amount of case law following the passage of Act 178 of 2006 and Act 158 of 2008 that clarified the need for proper documentation showing legal establishment of highways through the statutory process or “dedication and acceptance”.

A defining case raising the bar on documentation is *Austin v. the Town of Middlesex*, 2009 VT 102, which dealt with a road that VTrans had been mapping as class 4 town highway for over 40 years. The Vermont Supreme Court determined the road was not a town highway, which resulted in VTrans’ removing this road from the map. This case, as well as others, has prompted a higher requirement for documentation for highways and trails before they may be added to the town highway maps. Additional cases include the following Vermont Supreme Court Decisions – *Merritt v. Daiello* (2010) (entry order; three-justice panel) and *Kirkland v. Kolodziej*, 2015 VT 90. Also, there is the Washington Superior Court decision in *Virginia Houston and Jean Damon v. Town of Waitsfield* (2010). In summary, a town highway needs the appropriate level of documentation as evidence to legal establishment, either through the statutory process or through “dedication and acceptance” for inclusion on the VTrans produced general highway maps.

### **Required Supporting Documentation**

To accept the changes submitted by a municipality in the mileage certificate, we need the following supporting documentation:

- A description of the affected highway or trail.
- A current town highway map with the requested deletions and additions sketched on it.
- A copy of the minutes of meetings at which the legislative body took action with respect to the changes.
- A copy of the notices and hearings described further below associated with reclassifications and discontinuances.
- A copy of the Certificate of Completion and Opening for new or altered highways.
- A copy of any surveys of the affected highway or trail.

19 V.S.A. § 305 (Measurement and Inspection) includes, in part, the following language:

*((b) ... 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..*

*(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.*

### **Clear description of location**

Please include a clear description of the section of highway or trail to be added, reclassified, or discontinued.

For example: the reclassification of TH-50 (Example Dr) from Class 4 to Class 3 starts at a point 500 feet south of TH-28 (Sample Hill Rd) and extends for 0.3 miles southerly from there.

The location shall be marked on a copy of the General Highway Map. The map can be an 8 ½" X 11" copy of the map, or a photocopied section of the full size General Highway Map. A copy of the most current General Highway Map (in an 8 ½" X 11" format) will be provided with the mileage certificate supplied by the Vermont Agency of Transportation.

If CADD, GPS, or GIS data layers exist that document the change, this information can be forwarded to VTrans to assist in the mapping process.

**Notice and hearing of reclassification or discontinuance**

The legislative body shall promptly appoint a time and date for examining the premises and hearing the persons interested, and give thirty days notice to the petitioners, and to persons owning or interested in lands through which the highway may pass or abut, of the time when they will inspect the site and receive testimony.

The legislative body shall also:

- Give notice to any municipal planning commission in the town.
- Post a copy of the notice in the office of the town clerk.
- Cause a notice to be published in a local newspaper of general circulation in the area not less than ten days before the time set for the hearing.

The notice shall be given by certified mail sent to the official residence of the person(s) required to be notified. (19 V.S.A. § 709)

**Additional notice of discontinuance**

The legislative body shall notify the commissioner of forests, parks and recreation when it has filed a petition to discontinue a highway under this subchapter. (19 V.S.A. § 775)

When submitting a reclassification or discontinuance with your municipality's mileage certificate, please include evidence of these notices and hearings.

**Survey of new or altered highway**

When the legislative body accepts, lays out, or alters a highway, it shall cause a survey to be made. The survey shall describe the highway and the right-of-way by courses, distances and width, and shall describe the monuments and boundaries. (19 V.S.A. § 704)

**The minimum standard for a Class 3 highway**

A Class 3 highway is negotiable under normal conditions all seasons of the year by a standard manufactured pleasure car. (19 V.S.A. § 302(a)(3)(B))

**Legal Trail Mileage**

The municipality will need to provide information related to trails and their mileage on the certificate, similar to the reporting of highway additions, reclassifications, or discontinuances.

## **RESOURCES**

### **Mileage Certificates**

More information about Mileage Certificates is available at the VTrans Mapping Section website - <https://vtrans.vermont.gov/planning/maps/mileage-certificates>

The webpage includes links to a Certificate Sample, Documentation Checklist, Certificate of Completion and Opening, and Archived Mileage Certificates.

### **Additional information regarding Town Highways**

There are many online resources that can assist a municipality in the process of adding, reclassifying, or discontinuing town highways. Several Internet links are listed below.

Current Town Highway Maps online at the VTrans Mapping Section website - <https://vtrans.vermont.gov/planning/maps/town-maps>

Archived Town Highway Maps online at the VTrans Map Archive website - <https://vtrans.vermont.gov/planning/maps/archive>

VTrans Orange Handbook for Town Officials –  
<https://vtrans.vermont.gov/sites/aot/files/operations/TheOrangeBook.pdf>

Town Highway Aid Rates and Mileage -  
<http://apps.vtrans.vermont.gov/THGProgram/currentrates.aspx>

For other Town Highway Questions, assistance may be available from the Secretary of State - <https://www.sec.state.vt.us/municipal/general-resources.aspx>

The Vermont Local Roads Program has information regarding town highways at - <https://localroads.vermont.gov/>

The Vermont Statutes Online, Title 19: Highways -  
<https://legislature.vermont.gov/statutes/title/19>

### **Contact Information**

Vermont Agency of Transportation  
Policy, Planning and Intermodal Development Division (PPID) - Mapping Section  
219 North Main Street  
Barre, VT 05641

Telephone: (802) 828-2600

## 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 2019

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**Milton Selectboard Meeting Minutes**

**April 10, 2017 at 6:00 PM**

**Municipal Building Community Room**

**43 Bombardier Rd. Milton, VT 05468**

**Selectboard Member Present:** Darren Adams, Chair; Ken Nolan, Vice Chair; John Palasik, Clerk; John Cushing, Member; Chris Taylor, Member

**Staff Members Present:** Don Turner Jr, Acting Town Manager; Sarah Macy, Director of Finance and Administration; Dustin Keelty, PW Supervisor; Jacob Hemmerick, Planning and Zoning Director

**Others Present:** Spence Lane, Michael Lane, Courtney Lamdin, Milton Independent

- I. Call To Order** – D. Adams called the meeting to order 6:00pm
- II. Flag Salute** – D. Adams led the Attendees in a Salute to the Flag
- III. Agenda Review** – Swapped Item F and D
- IV. Public Forum** – No Public addressed the Selectboard

**V. Business**

**A. Acceptance of Gift – Eagle Scout Project**

Spencer Lane presented to Selectboard(SB) his Eagle Scout Project to bring 4 walk able bridges to the Lamoille River Trail and a bench to the lookout over the river. S. Lane explained existing bridges are in poor condition – one being unsafe, and the others sunken in the mud. Expect to begin project in May 2017 with some independent fundraising and material donations. S. Lane has attended 2 or 3 Conservation Commission (CC) meetings. Compliments from the SB to S. Lane. J. Cushing moved to accept as presented, J. Palasik second. Approved Unanimously

**B. Southerberry Road Acceptance**

J. Hemmerick updated the SB that we last left off looking for a legal opinion from Amanda Laferty , attorney of Stitzel, Page & Fletcher. Recommendation was **to not be accept** as a public road. D. Adams asked for background. J. Hemmerick confirmed that Southerberry was never approved as a public road and therefore has not undergone the process that a road proposed as public would have undergone according to the public works specifications. The Development Review Board (DRB) would have analyzed the project differently if it had been presented as a pre-planned public road. Mention of the agreement recorded in the land records saying that they would not request that the road ever be brought back to the town to be requested as a public road. D. Turner has talked with Bill Sawyer, Developer, informing him of this recommendation. Discussion also included that the Town desires to work together with developers and continues to support a clear path going forward. Further discussion on timing, timelines and mutual

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understanding needed. D. Adams asked if it was clear to B. Sawyer what he has to do to achieve Phase III. D. Turner says he has tried a number of ways to achieve Phase III, ultimately he needs a second entrance to continue. Through coordinated efforts we may be able to assist but we, the Town, have a standard we must maintain as to how processes must happen. K. Nolan moved to accept the TM recommendation as stated J. Cushing seconded. D. Adams asked for clarification – K. Nolan denying taking over the road and instructing staff to continue working on this issue. Approved Unanimously

**C. Update on Overlake Issue**

Turner and J. Hemmerick have reviewed and discussed this issue. D. Turner has talked at length with B. Sawyer and he knows what will be recommended to the board. D. Turner recommends we accept with specific conditions. Time-frames have now been applied to this process to attain completion and straighten out inconsistencies in the land records. B. Sawyer will indemnify the town on all storm water issues. Overall, develop realistic and timely requirements to get this done. Based on conversation with B. Sawyer as of this morning, he is in agreement. D. Turner outlined a reasonable way forward, which does not expose the taxpayer to unnecessary liability but gives us a path forward. B. Sawyer has to get the HOA up and running so that they can take care of the storm water component. J. Cushing moved to approve the recommendation of the TM, K. Nolan second; approved unanimously.

**D. Overview of Town Capital Projects**

Quarry Lane Culvert, Highway Grant and MS4 – D. Turner proposed moving forward. J. Cushing moved that selectboard approve the Hamlin Engineering proposal of the Class II, the MS4 coming out of Contingency Budget, and the Quarry Lane Culvert. J. Palasik second; approved unanimously.

**E. Compensation**

D. turner reviewed the proposal for additional compensation for Don and Sarah – noting the concern about making S. Macy compensation based on actual additional hours worked. D. Adams has questions – which expense account will Don’s increase come out of, Managers. Is there any needed increase in fire and rescue to make up his absence there? D. Turner has utilized additional duties to assistant chiefs and administrative components but D. Turner is still doing the fundamentals of his job.

Conversation about hiring through Westaff an Executive Assistant, D. Turner and S. Macy are still working on the best structure for this need. Ideas include temporary, part time/full time - still working on structure, having someone who can keep the flow going in the office.



83 J. Palasik moved to increase S. Macy weekly salary by \$385 effective 3/23/17 until  
84 6/30/17. J. Palasik cancelled motion. C. Taylor moved to increase S. Macy weekly salary  
85 by \$384.62 effective 3/23/17 to sunset 6/30/17; K. Nolan second – approved 4-1 with  
86 D. Adams voting No; Adams disagrees with the format of the motion concerning end  
87 date only.  
88

89 J. Palasik moved to pay D. Turner Acting TM weekly \$1,855.60 retroactively to 3/23/17  
90 until we hire a new Town Manager or the six months; K. Nolan second; approved  
91 unanimously.  
92

93 **F. Manager's Update**

94 Ed Clodfelter now at 186 out of the 235 properties; have currently used 3 days of  
95 NEMRC time; will have at least 2 maybe 3 NEMRC days this week. E. Clodfelter will be  
96 here at the selectboard meeting April 24<sup>th</sup>. We will have an update on this process this  
97 week and again next week.  
98

99 Update on the pound situation – Georgia wants to use our pound for up to three months –  
100 D. Turner informed selectboard that Milton Pound Keeper will work with Georgia Town  
101 directly.  
102

103 Staff has given feedback on what they want in a next Town Manager; D. Turner will  
104 forward the comments to the board; employment ad from the last time TM search has  
105 been passed on to the board. Will forward the comments from Department Heads to the  
106 board.  
107

108 D. Turner will be away on May 15<sup>th</sup> which is a regularly scheduled meeting.  
109

110 What do you think about the agenda? Make sure the first agenda has a watermark that  
111 says DRAFT and the final one does not say DRAFT.  
112

113 Progress on odor issue – we are going to put traps in those houses; the engineering firm  
114 says that if we can put a whole house trap in each of those houses it may prevent the odor  
115 at \$1500each. We cannot seem to get in with the middle house and D. Turner is going to  
116 go knock on the door.  
117

118 A \$3 million building proposed in Catamount Industrial Park – TAC review today: sports  
119 car place is moving forward.  
120

121 Overhead Door was here today to repair garage door at rescue ambulance bay.  
122 Ambulance backed into bay damaging door, no damage to ambulance.  
123

124 Dan Gaherty is the Green Up Day Coordinator, this annual project is on track.  
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Hourglass Project – D. Turner spent a lot of time in Montpelier talking about Milton projects; Hourglass is stalled in legal: he met with a number of people with additional meeting with Michelle and Patti this Thursday; they do not believe that VTRANS will accept the contract the way it is currently submitted. VTRANS legal team is not willing to accept us having a separate project engineer; they are willing to bring excess cost to the selectboard at different stages – VTRANS secretary wants to come and address the board. Chris Flynn will come and address the board; VTRANS is confident that as long as they spend the appropriate time and money up front in design and prep they will come in under construction projection. D. Adams questioned whether they are developing a counter proposal. D. Turner will know on Thursday (4/13)

School update – D. Turner and S. Macy have a meeting Wed. (4/12) morning with Superintendent Bradshaw to discuss where we go from here in developing a plan that works for town and school.

D. Adams asked D. Turner to ask VTRANS about paving Route 7.

144 **VI. Supplemental Warrant**

145 J. Palasik moved to approve the Milton Supplemental Warrant for the Town of Milton quarterly  
146 water and sewer bills in the amount of \$4,213.46. C. Taylor second; approved unanimously.

147 **VII. Adjournment**

148 J. Cushing adjourn meeting at 8:37 PM, K. Nolan second; approved unanimously.  
149

150

Respectfully Submitted,

151

Date

5/1/17

152

John Palasik, Selectboard Clerk

153

154

Filed with Milton Town Clerk's Office on this 5 day of May 2017

155

Attest: [Signature] Milton Town Clerk

## **Town Highway/Legal Trails Addition/Reclassification/Discontinuance Checklist**

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

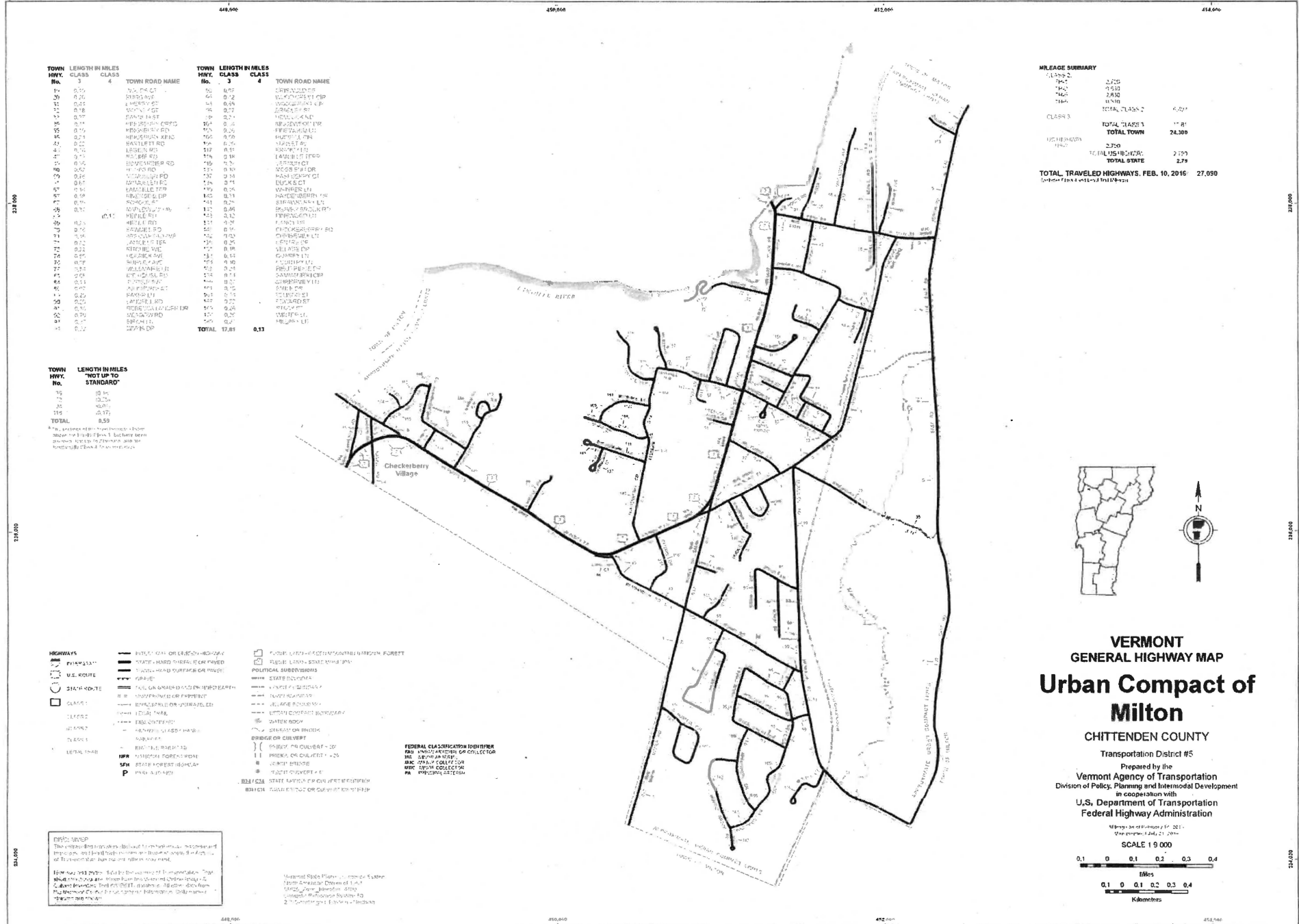
Check the box  if the information is included as part of the documentation submitted.

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

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

Vermont Agency of Transportation  
Division of Policy, Planning and Intermodal Development, Mapping Section  
219 North Main Street, Barre, VT 05641





TOWN HWY. No.	LENGTH IN MILES CLASS 3	TOWN ROAD NAME	TOWN HWY. No.	LENGTH IN MILES CLASS 4	TOWN ROAD NAME
11	0.35	VALLEY CT	50	0.07	ORANGE RD
20	0.20	DEWING ST	64	0.22	WINDMILL RD
21	0.45	WINDMILL RD	64	0.22	WINDMILL RD
31	0.18	VALLEY CT	64	0.22	WINDMILL RD
35	0.39	BRIDGE ST	64	0.22	WINDMILL RD
36	0.11	WINDMILL RD	64	0.22	WINDMILL RD
38	0.19	WINDMILL RD	64	0.22	WINDMILL RD
44	0.24	WINDMILL RD	64	0.22	WINDMILL RD
45	0.22	WINDMILL RD	64	0.22	WINDMILL RD
46	0.20	WINDMILL RD	64	0.22	WINDMILL RD
47	0.15	WINDMILL RD	64	0.22	WINDMILL RD
48	0.15	WINDMILL RD	64	0.22	WINDMILL RD
49	0.15	WINDMILL RD	64	0.22	WINDMILL RD
50	0.15	WINDMILL RD	64	0.22	WINDMILL RD
51	0.15	WINDMILL RD	64	0.22	WINDMILL RD
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98	0.15	WINDMILL RD	64	0.22	WINDMILL RD
99	0.15	WINDMILL RD	64	0.22	WINDMILL RD
100	0.15	WINDMILL RD	64	0.22	WINDMILL RD
TOTAL	17.81		0.13		

TOWN HWY. No.	LENGTH IN MILES "NOT UP TO STANDARD"
10	0.10
11	0.10
12	0.10
13	0.10
14	0.10
15	0.10
16	0.10
17	0.10
18	0.10
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97	0.10
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100	0.10
TOTAL	8.59

\*Note: Percentage of roads that are "Not Up to Standard" is 48.2%.

- HIGHWAYS**
  - 1-4 STATE ROUTE
  - 5-9 STATE ROUTE
  - 10-14 STATE ROUTE
  - 15-19 STATE ROUTE
  - 20-24 STATE ROUTE
  - 25-29 STATE ROUTE
  - 30-34 STATE ROUTE
  - 35-39 STATE ROUTE
  - 40-44 STATE ROUTE
  - 45-49 STATE ROUTE
  - 50-54 STATE ROUTE
  - 55-59 STATE ROUTE
  - 60-64 STATE ROUTE
  - 65-69 STATE ROUTE
  - 70-74 STATE ROUTE
  - 75-79 STATE ROUTE
  - 80-84 STATE ROUTE
  - 85-89 STATE ROUTE
  - 90-94 STATE ROUTE
  - 95-99 STATE ROUTE
  - 100 STATE ROUTE
- POLITICAL SUBDIVISIONS**
  - 1 TOWN
  - 2 VILLAGE
  - 3 PLANNING DISTRICT
  - 4 LOCALITY
  - 5 UNINCORPORATED AREA
  - 6 WATER BODY
  - 7 STATE FOREST
  - 8 NATIONAL FOREST
  - 9 STATE FOREST
  - 10 PRIVATE FOREST
  - 11 STATE PARK
  - 12 STATE PARK
  - 13 STATE PARK
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**VERMONT STATE PLANNING SYSTEM**  
 The Vermont State Planning System is a cooperative effort between the Vermont Agency of Transportation, the Vermont Agency of Policy, Planning and Intermodal Development, and the U.S. Department of Transportation. It is a key component of the Vermont State Planning System and is used to identify and plan for transportation needs in the state.

**MILEAGE SUMMARY**

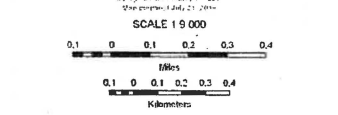
CLASS	LENGTH
CLASS 1	2,725
CLASS 2	1,910
CLASS 3	2,910
CLASS 4	1,010
TOTAL CLASS 1	6,555
TOTAL CLASS 2	1,910
TOTAL CLASS 3	2,910
TOTAL CLASS 4	1,010
TOTAL TRAVELED HIGHWAYS	12,385

TOTAL TRAVELED HIGHWAYS, FEB. 10, 2016: 27,090

# VERMONT GENERAL HIGHWAY MAP

## Urban Compact of Milton

CHITTENDEN COUNTY  
 Transportation District #5  
 Prepared by the  
 Vermont Agency of Transportation  
 Division of Policy, Planning and Intermodal Development  
 in cooperation with  
 U.S. Department of Transportation  
 Federal Highway Administration



**CERTIFICATE of COMPLETION and OPENING**  
**of a HIGHWAY for PUBLIC TRAVEL**

**VTrans Use Only**  
 Certificate Year: \_\_\_\_\_  
 Highway Class: \_\_\_\_\_  
 Town Highway #: \_\_\_\_\_  
 Mileage: \_\_\_\_\_  
 not yet accepted  
 by VTrans  
 KMA

Sheryl Prince Clerk of the Town of Town of  
(Clerk's Name) (City/Town/Village) (City/Town/Village)  
Milton, Vermont.  
(City/Town/Village Name)

Pursuant to Title 19, V.S.A., Chapter 7, this is to certify that the following described section of Class 3  
(1,2,3 or 4)  
 Highway in the Town of Milton was COMPLETED AND OPENED  
(City/Town/Village) (City/Town/Village Name)  
 FOR PUBLIC TRAVEL on April 7, 2003.  
(Month - Day) (Year)

DESCRIPTION OF RIGHT OF WAY:  
 (Include road name and intersecting town highway numbers)

168 (Highland Ave.)  
171 (Overlake Dr.)  
175 (Shannon Way)

and as shown on a Highway Map of the Town of Milton,  
(City/Town/Village) (City/Town/Village Name)  
 dated July 21, 2016, and filed in Book 328 on page 216 of the Records of  
(Month - Day) (Year) (Book #) (Page #)  
 the Town of Milton by the Town Clerk of said Milton  
(City/Town/Village) (City/Town/Village Name) (City/Town/Village) (City/Town/Village)  
 incorporated herein by reference and attested to on said map by said Town Clerk.  
(City/Town/Village)

Dated at Town of Milton, County of Chittenden and State of Vermont,  
(City/Town/Village Name) (County Name)  
 this 20 day of February, A.D., 2020.  
(Date - Day) (Date - Month) (Date - Year)

BOARD  
 OF  
 SELECTMEN,  
 ALDERMAN,  
 or TRUSTEES

\_\_\_\_\_  
(Selectman/Alderman/Trustee Signature)  
 \_\_\_\_\_  
(Selectman/Alderman/Trustee Signature)  
 \_\_\_\_\_  
(Selectman/Alderman/Trustee Signature)  
 \_\_\_\_\_  
(Manager/Mayor Signature)

\_\_\_\_\_  
(Selectman/Alderman/Trustee Signature)  
 \_\_\_\_\_  
(Selectman/Alderman/Trustee Signature)  
 \_\_\_\_\_  
(Selectman/Alderman/Trustee Signature)

and the Manager/Mayor of the City/Town/Village of Milton.  
(City/Town/Village Name)

\*\*\*\*\*

Milton, VERMONT February 18, 2020  
(City/Town/Village Name) (Month - Day) (Year)

THE ABOVE IS A TRUE COPY OF THE DESCRIPTION OF CLASS 3 HIGHWAY COMPLETED AND OPENED  
(1,2,3 or 4)  
 FOR PUBLIC TRAVEL, RECORDED IN BOOK 328 ON PAGE 216 OF THE Land RECORDS  
(Book #) (Page #)  
 OF THE Town OF Milton ON THE 7 DAY OF April,  
(City/Town/Village) (City/Town/Village Name) (Date - Day) (Date - Month)  
2003, AT 5 O'CLOCK, P.M.  
(Date - Year) (Time) (A or P)

ATTEST: \_\_\_\_\_  
(Clerk's Name)  
Town CLERK OF Milton, VERMONT  
(City/Town/Village) (City/Town/Village Name)