

District 8  
Certcode 0801-0

**CERTIFICATE OF HIGHWAY MILEAGE**  
**YEAR ENDING FEBRUARY 10, 2024**

Fill out form, make and file a copy with the Town Clerk, and submit the Mileage Certificate on or before February 20, 2024 to: Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development Mapping Section via email to: aot.mileagecertificates@vermont.gov or if necessary via mail to: VTTrans PPAID - Mapping Section, 219 North Main Street, Barre VT 05641.

Receive  
FEB 14 2024  
in LAMOILLE County  
Policy Planning & Intermodal Development

We, the members of the legislative body of BELVIDERE on an oath state that the mileage of highways, according to Vermont Statutes Annotated, Title 9, 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	0	0	0.000
Class 2	0.000	0	0	0	0.000
Class 3	11.75	0	1.55	10.20	0.000
State Highway	9.734	0	0	9.734	0.000
<b>Total</b>	<b>21.484</b>	<b>0</b>	<b>1.55</b>	<b>19.934</b>	<b>0.000</b>
* Class 1 Lane	0.000	0	0	0	
* Class 4	2.76	1.27	1.06	2.97	0.000
* Legal Trail	0.14	1.35	0	1.49	

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

DS  
PO

**PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.**

- 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).  
*See attached information*
- SCENIC HIGHWAYS:** Please attach a copy of order designating/discontinuing Scenic Highways.

IF THERE ARE NO CHANGES IN MILEAGE: Place an X in the box and sign below.

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

Signatures of Selectmen/ Aldermen/ Trustees: *Earl H. Domingue Jr.*  
*Kenneth Adams Jr.*  
*K. L. A.*

Signature of T/C/V Clerk: *Cathy Mander-Adams* Date Filed: *2/08/24*

Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED: *Johnathan Croft*  
881F350F309C4C9  
Representative, Agency of Transportation

DATE: 3/25/2024

## 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.

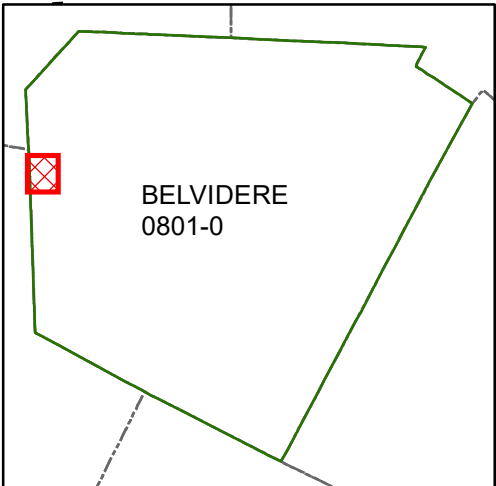
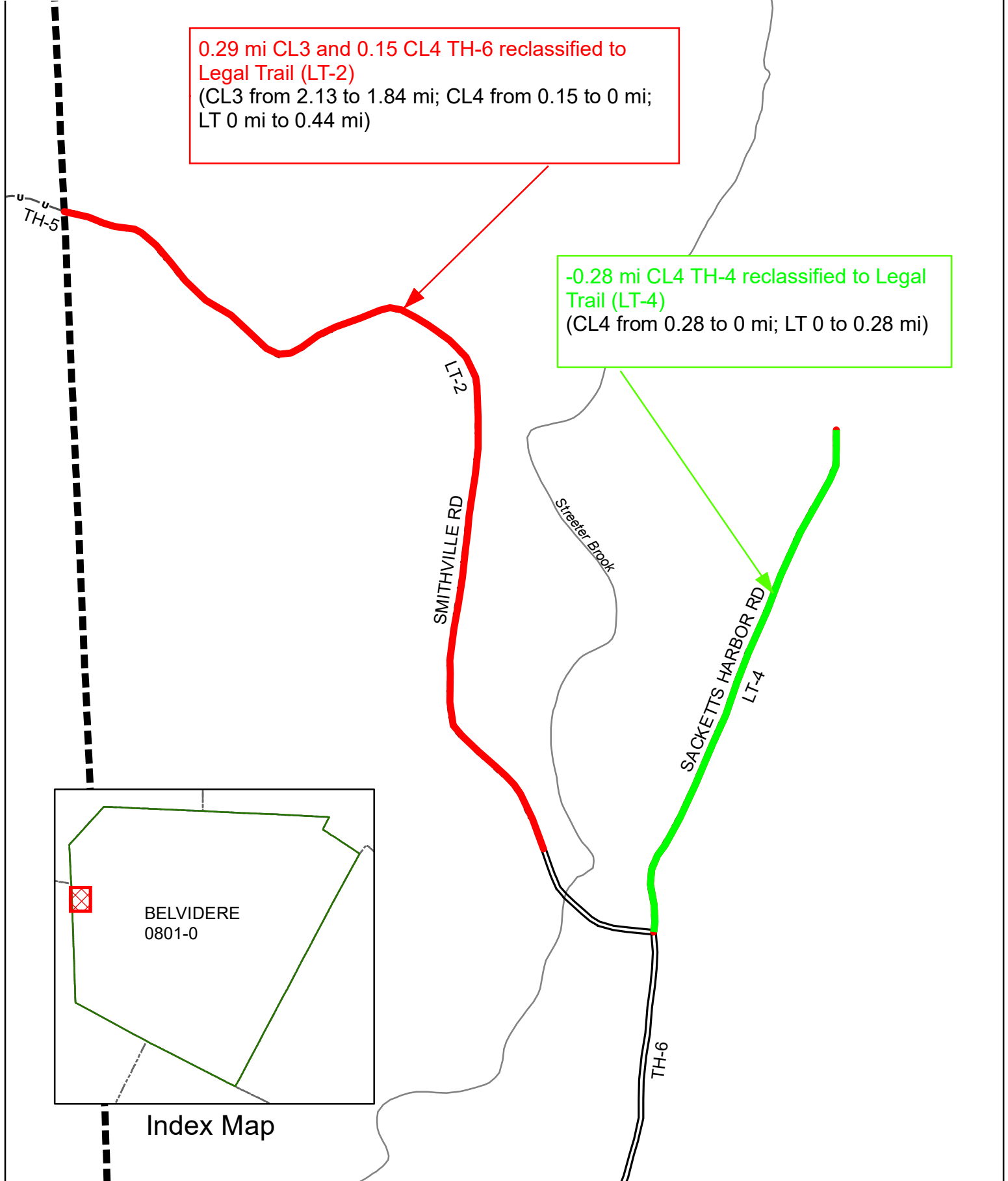
- A description of the affected highway or trail  
Vt. Stat. Ann. tit. 19, § 305(e)
  - A current town highway map with the requested deletions and additions sketched on it  
Vt. Stat. Ann. tit. 19, § 305(e)
  - Minutes of meetings at which the legislative body took action with respect to the changes (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

0.29 mi CL3 and 0.15 CL4 TH-6 reclassified to Legal Trail (LT-2)  
(CL3 from 2.13 to 1.84 mi; CL4 from 0.15 to 0 mi; LT 0 mi to 0.44 mi)

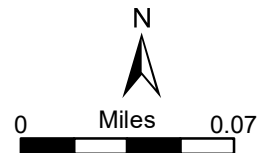
-0.28 mi CL4 TH-4 reclassified to Legal Trail (LT-4)  
(CL4 from 0.28 to 0 mi; LT 0 to 0.28 mi)

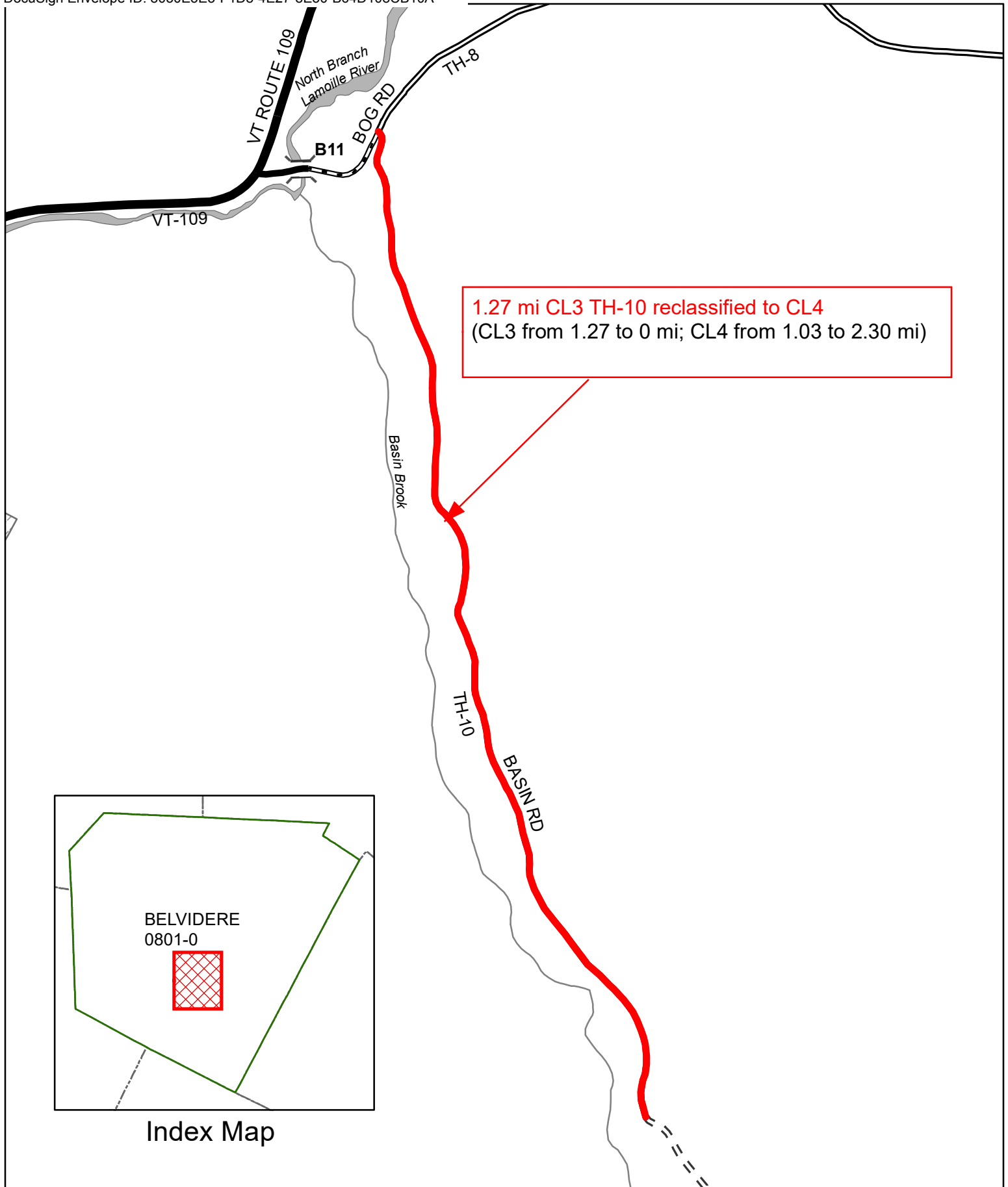


Index Map

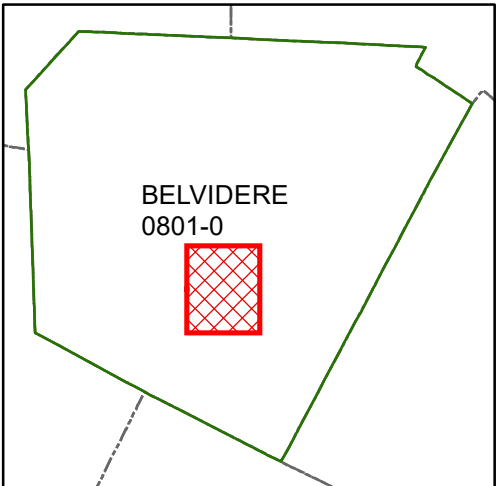
### Mileage Certificate Changes 2024 BELVIDERE TH-4 AND TH-6

(CTUA:0801-0)  
(CERTCODE:0801-0)





1.27 mi CL3 TH-10 reclassified to CL4  
(CL3 from 1.27 to 0 mi; CL4 from 1.03 to 2.30 mi)

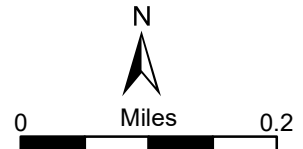


Index Map

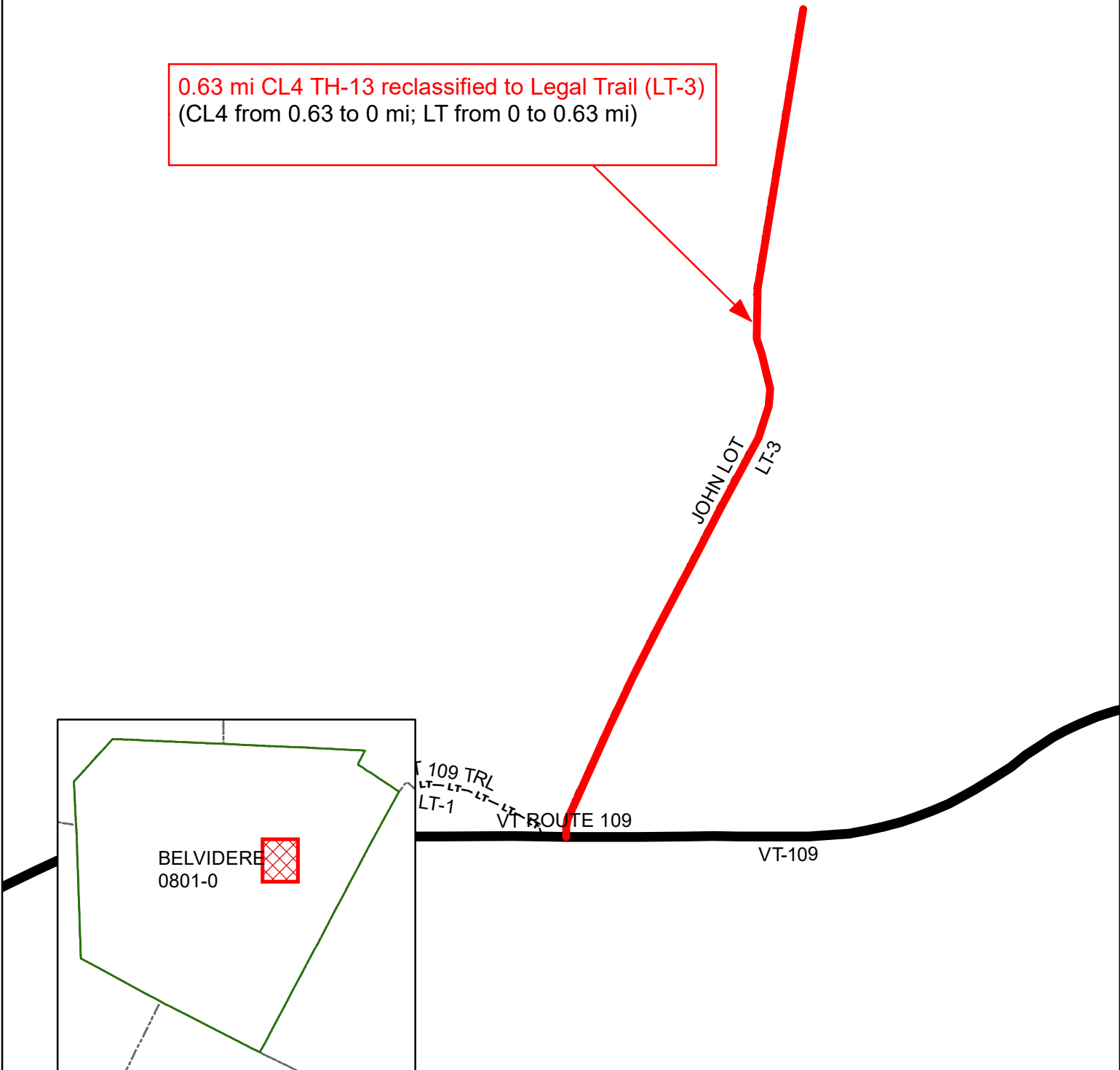
### Mileage Certificate Changes 2024

#### BELVIDERE TH-10

(CTUA:0801-0)  
(CERTCODE:0801-0)



0.63 mi CL4 TH-13 reclassified to Legal Trail (LT-3)  
(CL4 from 0.63 to 0 mi; LT from 0 to 0.63 mi)

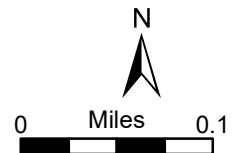


Index Map

**Mileage Certificate Changes 2024**

**BELVIDERE TH-13**

(CTUA:0801-0)  
(CERTCODE:0801-0)



County-Town Code: 0801

— Class 4 roads reclassified to trail  
 — Class 3 road reclassified to class 4

TOWN HWY. No.	LENGTH IN MILES CLASS 3	LENGTH IN MILES CLASS 4
2	1.95	
3	1.20	
4		(0.28)
5	0.04	
6	2.13	(0.15)
7	0.40	(0.10)
8	4.35	
9		(0.57)
10	1.27	(1.03)
11	0.20	
12	0.21	
13		(0.63)
<b>TOTAL</b>	<b>11.75</b>	<b>2.76</b>

TH #6  
 Smithville Rd.  
 Class 3+4 to trail

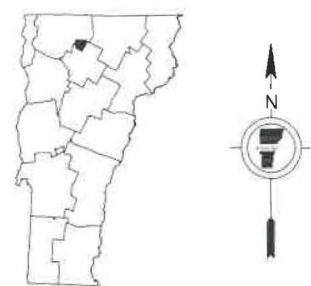
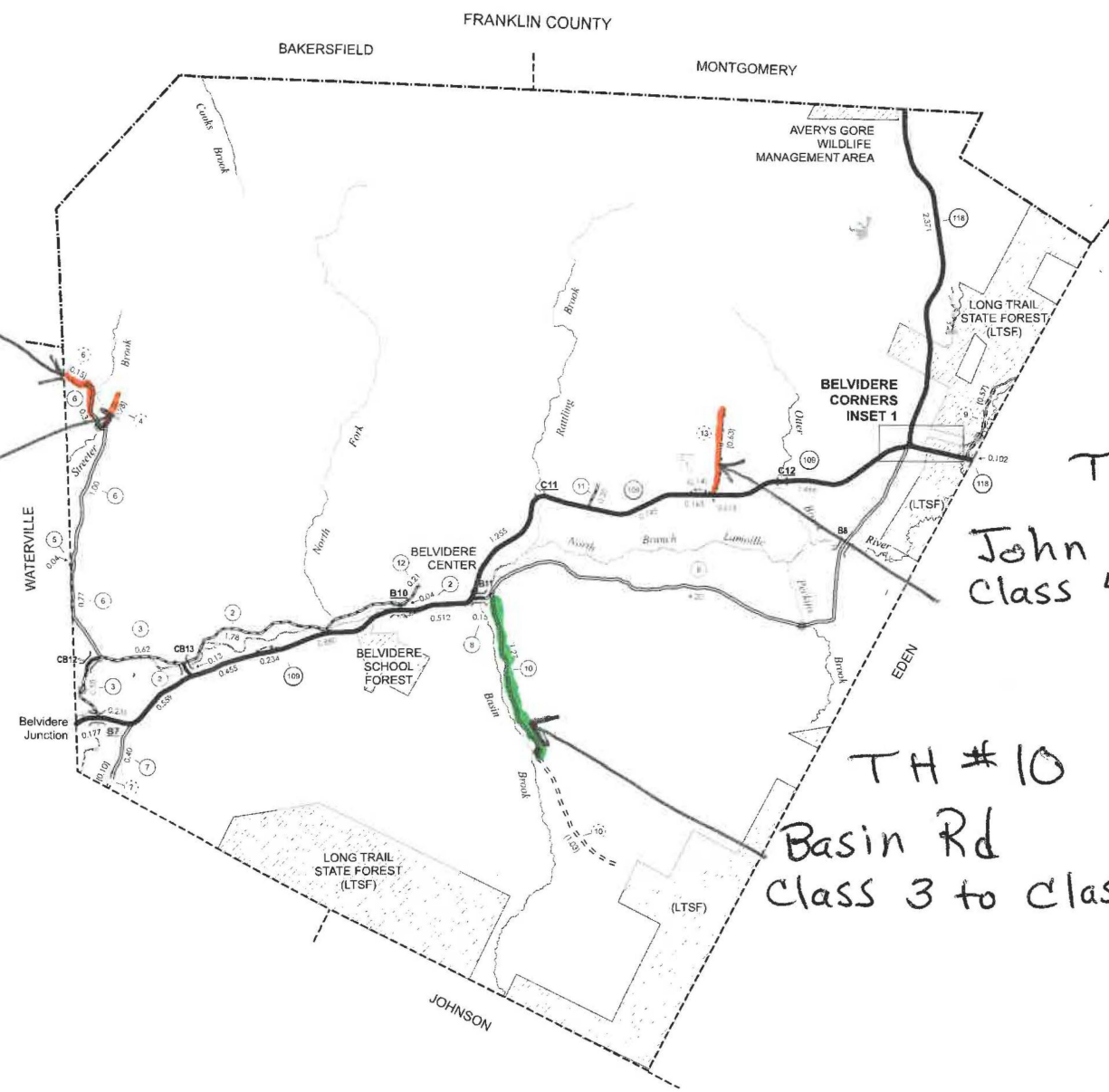
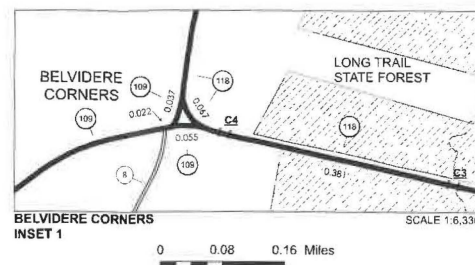
TH #4  
 Sackett's Harbor Rd  
 Class 4 to trail  
 0.28 mi.

TH #13  
 John Lot Rd  
 Class 4 to trail

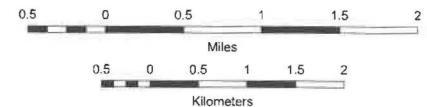
TH #10  
 Basin Rd  
 Class 3 to class 4

LEGAL TRAIL No.	LENGTH IN MILES LEGAL TRAIL
1	(0.14)
<b>TOTAL</b>	<b>0.14</b>

MILEAGE SUMMARY	
CLASS 3	TOTAL CLASS 3 11.75
	TOTAL TOWN 11.750
STATE HIGHWAY	6.813
VT-109	2.921
VT-118	
	TOTAL STATE HIGHWAY 9.734
	TOTAL STATE 9.734
<b>TOTAL, TRAVELED HIGHWAYS, FEB. 10, 2016:</b>	<b>21.484</b>
<small>(Excludes Class 4 and Legal Trail Mileage)</small>	



**VERMONT**  
**GENERAL HIGHWAY MAP**  
**Town of Belvidere**  
 LAMOILLE COUNTY  
 Transportation District #8  
 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  
 Mileage as of February 10, 2016  
 Map prepared July 20, 2016  
 SCALE 1:31,680



- HIGHWAYS**
  - INTERSTATE
  - U.S. ROUTE
  - STATE ROUTE
  - CLASS 1
  - CLASS 2
  - CLASS 3
  - CLASS 4
  - LEGAL TRAIL
- INTERSTATE OR DIVIDED HIGHWAY
- STATE - HARD SURFACE OR PAVED
- TOWN - HARD SURFACE OR PAVED
- GRAVEL
- SOIL OR GRADED AND DRAINED EARTH
- UNIMPROVED OR PRIMITIVE
- IMPASSABLE OR UNTRAVELED
- LEGAL TRAIL
- DISCONTINUED
- HIGHWAY CLASS CHANGE
- RAILROAD
- INACTIVE RAILROAD
- NFR NATIONAL FOREST ROAD
- SFH STATE FOREST HIGHWAY
- P PARK AND RIDE

- POLITICAL SUBDIVISIONS**
  - STATE BOUNDARY
  - COUNTY BOUNDARY
  - TOWN BOUNDARY
  - VILLAGE BOUNDARY
  - URBAN COMPACT BOUNDARY
  - WATER BODY
  - STREAM OR BROOK
  - BRIDGE OR CULVERT
    - BRIDGE OR CULVERT > 20'
    - BRIDGE OR CULVERT 6' - 20'
    - VOBCIT BRIDGE
    - VOBCIT CULVERT > 6'
  - STATE BRIDGE OR CULVERT IDENTIFIER
  - TOWN BRIDGE OR CULVERT IDENTIFIER
- FEDERAL CLASSIFICATION IDENTIFIER**
  - FAU URBAN ARTERIAL OR COLLECTOR
  - MA MINOR ARTERIAL
  - MAJ MAJOR COLLECTOR
  - MNC MINOR COLLECTOR
  - PA PRINCIPAL ARTERIAL
- PUBLIC LAND - GREEN MOUNTAIN NATIONAL FOREST**
- PUBLIC LAND - STATE/MUNICIPAL**

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

Vermont State Plane Coordinate System  
 North American Datum of 1983  
 SPCS Zone Identifier: 4400  
 Geodetic Reference System 80  
 4,000-meter grid, Easting - Northing

**Selectboard of the Town of Belvidere**  
**2023 Summary of Town Road Reclassifications**

The Selectboard reclassified Town Highway #4, known as Sacketts Harbor Road, from a Class 4 road to a trail, in its entirety, from its intersection with Smithville Road to its terminus approximately 0.28 miles northeast.

The Selectboard reclassified Town Highway #13, known as John Lot Road, from a Class 4 road to a trail, in its entirety, from its intersection with VT Route 109 to its terminus approximately 0.63 miles northeast.

The Selectboard reclassified Town Highway #10, known as Basin Road, approximately 1.27 miles in length, beginning at its intersection with Bog Road and ending where the Class 3 section of road terminates and becomes a Class 4 section. This Class 3 section of road to be reclassified to Class 4, making the entirety of Basin Road Class 4.

The Selectboard reclassified a portion of Town Highway #6, known as Smithville Road, beginning approximately four hundred (400) feet from its intersection with the Sackets Harbor Road and continuing to its termination. The first approximately .285 miles are currently Class 3, and the remaining approximately .15 miles are currently Class 4. The entirety of Smithville Road, from approximately four hundred feet past its intersection with Sacketts Harbor Road to be reclassified from Class 3 and Class 4 to a trail.

Earl Domina, Jr., Chairman	<u>Earl H. Domina Jr.</u>	Date <u>1-17-24</u>
Kenneth Adams Jr.	<u>Kenneth Adams Jr.</u>	Date <u>1-17-24</u>
Kevin Leavitt	<u>K. Leavitt</u>	Date <u>1-17-24</u>

As Selectboard of the Town of Belvidere

Cathy Mander-Adams Date 1-17-24

As Town Clerk of the Town of Belvidere

**COPY**

# **NOTICE**

## **Belvidere Select Board Special Meeting Agenda**

**Monday, October 30, 2023, 4:00 PM**

**In person at the Belvidere Town Clerk's  
Office**

Call to order

Conduct public hearing on Town Highway reclassification

Adjourn



COPY

**NOTICE OF PUBLIC HEARING TO CONSIDER THE RECLASSIFICATION  
OF THE FOLLOWING TOWN HIGHWAYS:  
#6, SMITHVILLE ROAD and #10, BASIN ROAD**

Interested persons and persons owning or interested in lands through which the Town Highways, or sections thereof, as described below, may pass or abut are hereby warned of a public hearing to be held by the Selectboard of the Town of Belvidere to consider the reclassification of said roads as described below. Pursuant to 19 V.S.A. § 709, the proceedings will commence with an examination of each of the premises, convening at places and times as outlined below. No testimony shall be accepted at the site visits.

Following the examinations of all the premises, the Selectboard of the Town of Belvidere will meet at the Belvidere Town Office to receive testimony from any interested parties. The Selectboard shall issue a written decision within 60 days of the hearing.

**Date of Examinations and Hearing:** October 30, 2023

**Time of Hearing:** 4:00 p.m.

**Location of Hearing:** Belvidere Town Office, 3996 VT Route 109, Belvidere

**#6, SMITHVILLE ROAD**

**Description:** A section of Town Highway 6, known as Smithville Road, beginning approximately four hundred (400) feet from its intersection with Sacketts Harbor Road and continuing to its termination. The first approximately .285 miles are currently class 3, and the remaining approximately .15 miles are currently class 4. The entirety of Smithville Road from approximately four hundred (400) feet past its intersection with Sacketts Harbor Road to be reclassified from class 3 and class 4 to a trail.

**Time of Examination:** 3:00 p.m.

**Location of Examination:** Site visit to meet at the intersection of Sacketts Harbor Road and Smithville Road.

**#10, BASIN ROAD**

**Description:** Town Highway 10, known as Basin Road, a portion of approximately 1.27 miles beginning at its intersection with Bog Road and ending where the class 3 section of road terminates and becomes a class 4 section. This class 3 section of road to be reclassified to class 4 making the entirety of Basin Road class 4.

**Time of Examination:** 3:20 p.m.

**Location of Examination:**

Site visit to meet across from 1286 Basin Road  
where the road classification currently changes from  
class 3 to class 4.

11/1/24

KA DRAFT

## Select Board Public Hearing

Town Highways Reclassification.

Monday October 30, 2023 4:00 P.M. (T.C.O.)

To receive testimony from interested parties regarding the reclassifications of Town Highways #6 Smithville Road and #10 Basin Road.

members: Ken Adams Jr., Earl Domina Jr.  
Guests: Scott Nickerson, John Cross

### #6 Smithville Road

Site Visit - Ken Adams Jr., Earl Domina Jr., no interested parties

Hearing - what/where are the changes with reclassification. Does the road have class 4 designation beyond town of Belvidere.

### #10 Basin Road

Site visit - Ken Adams Jr., Earl Domina Jr.,

Interested parties - Scott Nickerson, John Cross

- Hearing -
- Does change effect property value
  - Does change impact maintenance of the road
  - Are land owners allowed to dump grades, maintain the road.
  - What process for curb cuts/drive ways on class 4 road.
  - Are there ways for town to recoup for damages done to the road.
  - Signs posted for weight limits beginning of road
  - Are grants available for class 4 roads

Motion: Ken, Earl<sup>2</sup> - To adjourn at 4:29 P.M.

Motion: passed

**Decision and Order of the Selectboard  
Of the Town of Belvidere  
For the Reclassification of Basin Road**

**COPY**

The Selectboard of Belvidere, by its own motion made and passed at a duly warned meeting on August 16, 2023, initiated proceedings pursuant to Chapter 7 of Title 19 of the Vermont Statutes to begin reclassification proceedings for Basin Road. The Selectboard proposed reclassifying Town Highway #10, approximately 1.27 miles in length, beginning at its intersection with Bog Road and ending where the Class 3 section of road terminates and becomes a Class 4 section. This Class 3 section of road to be reclassified to Class 4, making the entirety of Basin Road Class 4.

Notice of the reclassification proceedings was given in accordance with 19 V.S.A. § 709 with written notice by certified mail on September 25, 2023 to BOG ROAD LLC, Brian Loucks, Shawn Evans, Vermont Electric Cooperative, Inc., Verizon New England, Inc., Stephen Leslie Nickerson and Debra Hunter Nickerson, Scott Hunter Nickerson, Laraway Mountain Limited Partnership, Estate of Bliss Impey, Jim Thibault, Francis Keeler, Richard Boudah, Julie & Frank Machia, Edwin & Marilyn Gelinas, Douglas Burbo, Frederick Buchanan, and Current Use Program. And by timely posting in the Town Clerk's office, and publication in a local newspaper of general circulation, the *News and Citizen*, on September 28, 2023.

At 3:20 p.m. on October 30, 2023, the Selectboard conducted a site visit and examined the premises. Present at the site visit were Selectboard members Earl Domina Jr. and Ken Adams Jr., as well as property owners Scott Nickerson and John Cross. The Selectboard members and property owners viewed the road proposed to be reclassified.

At 4:00 p.m. on October 30, 2023, the Selectboard convened a hearing at the Belvidere Town Office for the purpose of taking testimony of interested persons and others on whether the public good, necessity and convenience of the inhabitants of the municipality require reclassification of Town Highway #10, Basin Road. Present at the hearing were Selectboard members Earl Domina Jr. and Ken Adams Jr., as well as property owners Scott Nickerson and John Cross. Town Clerk Cathy Mander-Adams was also present.

During the hearing, the following exhibits were introduced by the Selectboard: Notice of said hearing which includes the length and classification levels of the road as depicted on the Town mileage maps, and reference by Scott Nickerson to a list of questions asked at a previous reclassification hearing for Basin Road held on April 12, 2023, at the Belvidere Town Office. Town Clerk Cathy Mander-Adams informed the hearing that the Town had received no letters or emails regarding this proposed reclassification of Basin Road.

The Selectboard stated their reasons for considering reclassification, including a desire to maintain a public right-of-way while reducing ongoing maintenance and expense obligations. For the Class 3 section of Basin Road, in particular, the Selectboard is concerned that the Town will be required to expend significant resources to maintain the road at a Class 3 road standard.

Scott Nickerson owns property adjoining the current Class 3 section of Basin Road near its intersection with Bog Road, and John Cross is the owner of a camp accessed by the current Class 3 & 4 sections of Basin Road. They voiced concern about maintaining the Basin Bridge in sound condition, and inquired as to weight limits of the road and the bridge itself. They suggested the Selectboard consider additional weight limit signage for Basin Road and Basin Road Bridge.

**COPY**

Property owners Nickerson and Cross asked about maintenance standards of a Class 4 road, and what impact changing the Basin Road classification will have on the maintenance of the road. The property owners asked if landowners are allowed to perform maintenance and upgrades to the road, what will be the process for obtaining curb cut (driveway) permits, what, if any, process exists for the Town to recoup compensation for damages caused by overweight vehicles, and is the Town eligible for grant funding for maintenance on a Class 4 road. They also asked whether the road reclassification would affect property values and tax assessments.

All parties present were afforded the opportunity to testify and present evidence. Based on the examination of the premises and the testimony and evidence provided at the hearing, the Selectboard considered whether reclassification would serve the public good, necessity, and convenience of the inhabitants of the Town of Belvidere.

#### FINDINGS OF FACT

The undersigned Selectboard makes the following findings of fact:

1. Town Highway #10, Basin Road, from Bog Road to a Class 4 section of road is approximately 1.27 miles long.
2. This 1.27 miles of Town Highway #10, Basin Road, is currently a Class 3 road and the remaining road is currently a Class 4 road.
3. The public good, necessity and convenience of the inhabitants of the municipality require that the 1.27-mile Class 3 portion of Town Highway #10, from Bog Road to the Class 4 section of road be reclassified as Class 4.

#### CONCLUSIONS OF LAW

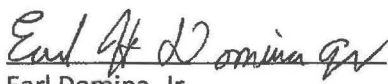
Based on the site visit, evidence presented and testimony heard at the hearing, and pursuant to 19 V.S.A. § 710, the Belvidere Selectboard determines the following:


1. The 1.27-mile Class 3 portion of Town Highway #10, from Bog Road to the existing Class 4 section of Basin Road, will be reclassified as Class 4. This will make the entirety of Basin Road a Class 4 road.

Any person interested in this decision not to reclassify Town Highway #10, Basin Road, at this time, may appeal this decision to the Superior Court of this county within 30 days of the decision, in writing. V.R.C.P. 75; 19 V.S.A. § 740.

Dated at Belvidere, Vermont this 6<sup>th</sup> day of December, 2023.

Belvidere Selectboard

  
Earl Domina, Jr.

  
Ken Adams, Jr.

**Decision and Order of the Selectboard  
Of the Town of Belvidere**

**COPY**

**For the Reclassification of Smithville Road**

The Selectboard of Belvidere, by its own motion made and passed at a duly warned meeting on August 16, 2023 initiated proceedings pursuant to Chapter 7 of Title 19 of the Vermont Statutes to begin reclassification proceedings for Town Highway #6, Smithville Road. The Selectboard proposed reclassifying a portion of Town Highway #6, known as Smithville Road, beginning approximately four hundred (400) feet from its intersection with the Sackets Harbor Road and continuing to its termination. The first approximately .285 miles are currently Class 3, and the remaining approximately .15 miles are currently Class 4. The entirety of Smithville Road, from approximately four hundred feet past its intersection with Sacketts Harbor Road to be reclassified from Class 3 and Class 4 to a trail.

Notice of the reclassification proceedings was given in accordance with 19 V.S.A. § 709 with written notice by certified mail on September 25, 2023, to Maple Horizons LLC, Manchester Investments, Inc., and Town of Waterville. And by timely posting in the Town Clerk's office, and publication in a local newspaper of general circulation, the *News and Citizen*, on September 28, 2023.

At 3:00 p.m. on October 30, 2023, the Selectboard conducted a site visit and examined the premises. Present at the site visit were Selectboard members Earl Domina Jr., and Ken Adams, Jr. None of the adjoining property owners or members of the general public attended the site visit.

At 4:00 p.m. on October 30, 2023, the Selectboard convened a hearing at the Belvidere Town Office for the purpose of taking testimony of interested persons and others on whether the public good, necessity and convenience of the inhabitants of the municipality require reclassification of Town Highway #6, Smithville Road. Present at the hearing were Selectboard members Earl Domina Jr., and Ken Adams, Jr. Also present was Town Clerk Cathy Mander-Adams. There were no property owners present at the hearing regarding Smithville Road. Guests at the meeting were Scott Nickerson and John Cross.

During the hearing, the following exhibits were introduced by the Selectboard: Notice of said hearing which includes the length and classification levels of the road as depicted on the Town mileage maps. Town Clerk Cathy Mander-Adams informed the hearing that the Town had not received any letters or emails regarding this proposed reclassification of Smithville Road.

The Selectboard stated their reasons for considering reclassification, including a desire to continue the road as a public right-of-way while reducing ongoing maintenance and expense obligations.

There was no public comment at the hearing regarding Smithville Road, except that the guests asked for a description of the reclassification changes proposed for the portions of Smithville Road, and whether or not this road has a class 4 designation beyond the border of the Town of Belvidere. The Selectboard was uncertain as to the classification of the road after it crosses the Belvidere town line, as it continues into Waterville and Bakersfield.

All parties present were afforded the opportunity to testify and present evidence. Based on the examination of the premises and the testimony and evidence provided at the hearing, the Selectboard considered whether reclassification would serve the public good, necessity, and convenience of the inhabitants of the Town of Belvidere.

**FINDINGS OF FACT**

The undersigned Selectboard makes the following findings of fact:

COPY

1. Approximately .285 miles of Town Highway #6, Smithville Road, beginning approximately four hundred (400) feet from its intersection with Sacketts Harbor Road are currently Class 3.
2. The remaining approximately .15 miles of Town Highway #6, Smithville Road, beginning at the terminus of the existing Class 3 section of road, are currently Class 4.
3. The public good, necessity and convenience of the inhabitants of the municipality require that Town Highway #6, Smithville Road, from approximately four hundred (400) feet from its intersection with Sacketts Harbor Road and continuing in its entirety, be reclassified from Class 3 and Class 4 to a trail.

#### CONCLUSIONS OF LAW

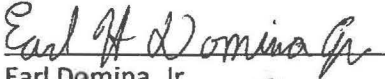
Based on the site visit, evidence presented and testimony heard at the hearing, and pursuant to 19 V.S.A. § 710, the Belvidere Selectboard determines the following:

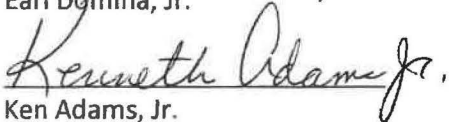
1. Town Highway #6, Smithville Road from approximately four hundred (400) feet from its intersection with Sacketts Harbor Road and continuing in its entirety, are reclassified from Class 3 and Class 4 to a trail.

Any person interested in this decision not to reclassify Town Highway #6, Smithville Road, at this time, may appeal this decision to the Superior Court of this county within 30 days of the decision, in writing. V.R.C.P. 75; 19 V.S.A. § 740.

Dated at Belvidere, Vermont this <sup>th</sup> 6 day of December 2023.

Belvidere Selectboard

  
Earl Domina, Jr.

  
Ken Adams, Jr.

**COPY**

**Decision and Order of the Selectboard  
Of the Town of Belvidere  
For the Reclassification of Sacketts Harbor Road**

The Selectboard of Belvidere, by its own motion made and passed at a duly warned meeting on August 3, 2022, initiated proceedings pursuant to Chapter 7 of Title 19 of the Vermont Statutes to begin reclassification proceedings for Sacketts Harbor Road. The Selectboard proposed reclassifying Town Highway #4, known as Sacketts Harbor Road, from a Class 4 road to a trail, in its entirety, from its intersection with Smithville Road to its terminus approximately 0.28 miles northeast.

Notice of the reclassification proceedings was given in accordance with 19 V.S.A. § 709 with written notice by certified mail on March 3, 2023, to Maple Horizons LLC. And by timely posting in the Town Clerk's office, and publication in a local newspaper of general circulation, the *News and Citizen*, on March 16, 2023.

At 5:00 p.m. on April 12, 2023, the Selectboard conducted a site visit and examined the premises. Present at the site visit were Selectboard members Kevin Leavitt, Earl Domina Jr., and Ken Adams, Jr., as well as property owners C.J. Manchester, Alan Manchester, Henry K. Manchester. The Selectboard members and property owners viewed the road proposed to be reclassified.

At 6:30 p.m. on April 12, 2023, the Selectboard convened a hearing at the Belvidere Town Office for the purpose of taking testimony of interested persons and others on whether the public good, necessity and convenience of the inhabitants of the municipality require reclassification of Town Highway #4, Sacketts Harbor Road.

Present at the hearing were Selectboard members Kevin Leavitt, Earl Domina Jr., and Ken Adams, Jr. Also present was Town Clerk Cathy Mander-Adams. There were no property owners present at the hearing regarding Sackett's Harbor Road.

During the hearing, the following exhibits were introduced by the Selectboard: Notice of said hearing, emails from property owners' attorney sent to the Town Clerk's Office and forwarded to the Selectboard.

Forester KA KRL  
ED

The Selectboard stated their reasons for considering reclassification, including a desire to continue the road as a public right-of-way while reducing ongoing maintenance and expense obligations.

There was no public comment at the hearing regarding Sackett's Harbor Road.

All parties present were afforded the opportunity to testify and present evidence. Based on the examination of the premises and the testimony and evidence provided at the hearing, the Selectboard considered whether reclassification would serve the public good, necessity, and convenience of the inhabitants of the Town of Belvidere.

**FINDINGS OF FACT**

The undersigned Selectboard makes the following findings of fact:



1. Town Highway #4 is currently classified as a Class 4 road.
2. Town Highway #4 is approximately 0.28 miles long, from the intersection with Smithville Road to its terminus.
3. Reclassifying Town Highway #4 in its entirety from a Class 4 road to a trail will reduce the Town's maintenance and expense costs while continuing the road as a public right-of-way.
4. The public good, necessity and convenience of the inhabitants of the municipality require that Town Highway #4, Sacketts Harbor Road, be reclassified from a Class 4 road to a trail.

#### CONCLUSIONS OF LAW


Based on the site visit, evidence presented, and testimony heard at the hearing, and pursuant to 19 V.S.A. § 710, the Belvidere Selectboard determines the following:

1. Town Highway #4, Sacketts Harbor Road, is reclassified in its entirety from a Class 4 road to a trail.
2. The Selectboard Chair is hereby authorized to execute any necessary and appropriate documents to complete the reclassification of this road.

Any person interested in this decision to reclassify Town Highway #4, Sacketts Harbor Road, from a Class 4 road to a trail may appeal this decision to the Superior Court of this county within 30 days of the decision, in writing. V.R.C.P. 75; 19 V.S.A. § 740.

Dated at Belvidere, Vermont this 25 day of May, 2023.

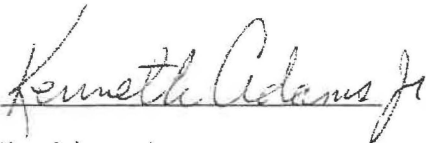
Belvidere Selectboard



Kevin Leavitt



Earl Domina, Jr.



Ken Adams, Jr.

Belvidere Town Clerk's Office received for record

May 25, 2023 @ 8:00 pm

Attest: Cathy Mander-Adams, Town Clerk

**COPY**

**Decision and Order of the Selectboard  
Of the Town of Belvidere  
For the Reclassification of John Lot Road**

The Selectboard of Belvidere, by its own motion made and passed at a duly warned meeting on August 3, 2022, initiated proceedings pursuant to Chapter 7 of Title 19 of the Vermont Statutes to begin reclassification proceedings for John Lot Road. The Selectboard proposed reclassifying Town Highway #13, known as John Lot Road, from a Class 4 road to a trail, in its entirety, from its intersection with VT Route 109 to its terminus approximately 0.63 miles northeast.

Notice of the reclassification proceedings was given in accordance with 19 V.S.A. § 709 with written notice by certified mail on March 3, 2023, to John & Rachel Slagle, Current Use, Opportunities Credit Union, Vermont Electric Cooperative, Inc., Barbara & Michael Becraft, Theodore Palmer, Farm Credit East, and MSMT LLC. And by timely posting in the Town Clerk's office, and publication in a local newspaper of general circulation, the *News and Citizen*, on March 16, 2023.

At 5:35 p.m. on April 12, 2023, the Selectboard conducted a site visit and examined the premises. Present at the site visit were Selectboard members Kevin Leavitt, Earl Domina Jr., and Ken Adams, Jr. as well as property owners Barbara and Michael Becraft, David Mann, Chris Mann, Ted Palmer, Jack Slagle. The Selectboard members and property owners viewed the road proposed to be reclassified.

At 6:30 p.m. on April 12, 2023, the Selectboard convened a hearing at the Belvidere Town Office for the purpose of taking testimony of interested persons and others on whether the public good, necessity and convenience of the inhabitants of the municipality require reclassification of Town Highway #13, John Lot Road. Present at the hearing were Selectboard members Kevin Leavitt, Earl Domina Jr., and Ken Adams, Jr. as well as property owners Barbara and Michael Becraft, David Mann, Chris Mann, Ted Palmer, Jack Slagle, and Roger Mann Jr. Also present was Town Clerk Cathy Mander-Adams.

During the hearing, the following exhibits were introduced by the Selectboard: Notice of said hearing, ~~emails from property owner's attorney sent to the Town Clerk's Office and forwarded to the Selectboard~~, and the Vermont Agency of Transportation "Orange Book" handbook for local officials.

KA  
ED  
KRL

The Selectboard stated their reasons for considering reclassification, including a desire to maintain a public right-of-way while reducing ongoing maintenance and expense obligations.

At the hearing, the public asked why the Selectboard was proposing the change in classification, as well as questions regarding the history of the road and the last maintenance on the road. They also asked if the adjoining landowners would be allowed to perform maintenance and upgrades on the road, whether trail or Class 4, and if they would be able to install a gate on the road.

If the road were reclassified as a trail, the property owners asked whether there is any liability exposure for the adjoining landowners. They also asked whether motorized vehicles would be prohibited, and under whose authority.

Jack Slagle mentioned that the road is called a "Pent" road in some old town records. Another property owner stated the road bisects three different properties. Another property owner (Machia) has a

camp beyond the termination of John Lot Road and has a private Right-of-Way agreement with the Mann's to reach his camp.

Ted Palmer inquired as to status of old Vt. Rt. 109 that leads to the former "Collins Camp"; the Selectboard explained it does not appear on the Town's highway map, and believe it may have been relinquished to an adjoining landowner when the new road was constructed in the 1980's.

All parties present were afforded the opportunity to testify and present evidence. Based on the examination of the premises and the testimony and evidence provided at the hearing, the Selectboard considered whether reclassification would serve the public good, necessity, and convenience of the inhabitants of the Town of Belvidere.

#### FINDINGS OF FACT

The undersigned Selectboard makes the following findings of fact:

1. Town Highway #13 is currently classified as a Class 4 road.
2. Town Highway #13 is approximately 0.63 miles long, from the intersection with VT Route 109 to its terminus.
3. Reclassifying Town Highway #13 in its entirety from a Class 4 road to a trail will reduce the Town's maintenance and expense costs while continuing the road as a public right-of-way.
3. The public good, necessity and convenience of the inhabitants of the municipality require that Town Highway #13, John Lot Road, be reclassified from a Class 4 road to a trail.

#### CONCLUSIONS OF LAW

Based on the site visit, evidence presented and testimony heard at the hearing, and pursuant to 19 V.S.A. § 710, the Belvidere Selectboard determines the following:

1. Town Highway #13, John Lot Road, is reclassified in its entirety from a Class 4 road to a trail.
2. The Selectboard Chair is hereby authorized to execute any necessary and appropriate documents to complete the reclassification of this road. Any person interested in this decision to reclassify Town Highway #13, John Lot Road, from a Class 4 road to a trail may appeal this decision to the Superior Court of this county within 30 days of the decision, in writing. V.R.C.P. 75; 19 V.S.A. § 740.

Dated at Belvidere, Vermont this 25 day of May, 2023.

Belvidere Selectboard



Kevin Leavitt

Earl H Domina Jr

Earl Domina, Jr.

Ken Adams Jr

Ken Adams, Jr.

Belvidere Town Clerk's Office received for record

May 25, 2023 @ 8:00 pm

Attest: Cathy Mander-Adams, Town Clerk

**COPY**

# **NOTICE**

## **Belvidere Select Board Special Meeting Agenda**

**Wednesday, April 12, 2023, 6:30 PM**

**In person at the Belvidere Town Clerk's  
Office**

Call to order

Conduct public hearing on Town Highway reclassification

Adjourn

**COPY**

**NOTICE OF PUBLIC HEARING TO CONSIDER THE  
RECLASSIFICATION OF THE FOLLOWING TOWN HIGHWAYS:**

**#4, SACKETTS HARBOR ROAD**

**#6, SMITHVILLE ROAD**

**#13, JOHN LOT ROAD**

**#10, BASIN ROAD**

Interested persons and persons owning or interested in lands through which the Town Highways, or sections thereof, as described below, may pass or abut are hereby warned of a public hearing to be held by the Selectboard of the Town of Belvidere to consider the reclassification of said roads as described below. Pursuant to 19 V.S.A. § 709, the proceedings will commence with an examination of each of the premises, convening at places and times as outlined below. No testimony shall be accepted at the site visits. Following the examinations of all the premises, the Selectboard of the Town of Belvidere will meet at the Belvidere Town Office to receive testimony from any interested parties. The Selectboard shall issue a written decision within 60 days of the hearing.

**Date of Examinations and Hearing:** April 12, 2023

**Time of Hearing:** 6:30 p.m.

**Location of Hearing:** Belvidere Town Office, 3996 VT Route 109, Belvidere

**#4, SACKETTS HARBOR ROAD**

**Description:** Town Highway 4, known as Sacketts Harbor Road, in its entirety, from its intersection with Smithville Road to its terminus approximately 0.28 miles northeast. To be reclassified from a class 4 road to a trail.

**Time of Examination:** 5:00 p.m.

**Location of Examination:** Site visit at the intersection of Sacketts Harbor Road and Smithville Road.

**#6, SMITHVILLE ROAD**

**Description:** Class 4 section of Town Highway 6, known as Smithville Road, a portion of approximately 0.15 miles that begins where the class 3 section ends, approximately 0.36 miles northwest from its intersection with Sacketts Harbor Road. To be reclassified from a class 4 road to a trail.

**Time of Examination:** 5:00 p.m.

**Location of Examination:** Site visit to meet at the intersection of Sacketts Harbor Road and Smithville Road.



**#13, JOHN LOT ROAD**

**Description:** Town Highway 13, known as John Lot Road, in its entirety, from its intersection with VT Route 109 to its terminus approximately 0.63 miles northeast. To be reclassified from a class 4 road to a trail.

**Time of Examination:** 5:35 p.m.

**Location of Examination:** Site visit at the intersection of John Lot Road and VT Route 109.

**#10, BASIN ROAD**

**Description:** Town Highway 10, known as Basin Road, in its entirety, from its intersection with Bog Road to its terminus approximately 2.3 miles southeast. The first 1.27 miles currently a class 3 road to be reclassified to a class 4 road and the remaining 1.03 mile section currently a class 4 road to be reclassified to a trail.

**Time of Examination:** 5:55 p.m.

**Location of Examination:** Site visit to meet across from 1286 Basin Road where the road classification currently changes from class 3 to class 4.

Approved 1/17/24 ED KA

## Belvidere Selectboard Minutes of Road Reclassification Site Visits and Public Hearing

**April 12, 2023**

Site Visit - Sackett's Harbor / Smithville Roads convened at 5:00 PM.

Selectboard Members present: Ken Adams Jr., Earl Domina Jr., and Kevin Leavitt. Guests: C.J. Manchester, Alan Manchester, Henry K. Manchester

Guest comments:

- Inquired about the proposed changes in classification and the impact of the classification change
- Guests had no other questions, but explained they own property in the Towns of Waterville and Bakersfield that is accessed by the Class 4 section of Smithville Road in question
- As neighboring landowners, they would prefer this section of Smithville Road to remain a Class 4 road. Their property does not adjoin Sackett's Harbor Road and therefore they have no concerns with this road's reclassification proposal.

Site Visit – John Lot Road convened at 5:35 PM.

Selectboard Members present Ken Adams Jr., Earl Domina Jr., and Kevin Leavitt. Guests: Barbara and Michael Becoratt, David Mann, Chris Mann, Ted Palmer, Jack Slagle

Guest comments:

- Why is the SB proposing the change in classification
- When did this road become a Class 4 road, and when did the Town last work on the road
- If the road becomes a trail or is left as a Class 4, are the adjoining landowners allowed to perform maintenance and upgrades
- If reclassified as a trail, is there any liability exposure for the adjoining landowners
- Will motorized vehicles be prohibited, and under whose authority
- Could the adjoining property owners install a gate at the beginning of the road leading from Vt. Rt. 109
- According to Jack Slagle this road is called a "Pent" road in some old town records
- All guests present are adjoining landowners and this road bisects three different properties
- Another property owner (Machia) has a camp beyond the termination of John Lot Road and has a private Right-of-Way agreement with the Mann's to reach his camp
- Ted Palmer inquired as to status of old Vt. Rt. 109 that leads to the former "Collins Camp"; SB explained it does not appear on the Town's highway map, so assume it was relinquished to adjoining landowner when new road was constructed in the 1980's, and advised Ted to research records

Site Visit – Basin Road convened at 5:55 PM.

Selectboard Members present Ken Adams Jr., Earl Domina Jr., and Kevin Leavitt. Guests: Sean Manahan, Pete Manahan, Owen Manahan, Griffin Corse

Guest comments:

- Inquired about the proposed changes in classification and the impact of the classification change

- Guests are all owners of camps accessed by the current Class 3 & 4 sections of Basin Road and their main concern is maintaining the Basin Bridge in sound condition, and inquired if the bridge expense would fall on the landowners in the future
- Several comments on the proper maintenance of a Class 4 road, and what if any maintenance would a Legal Trail receive
- Owen voiced his concern about reclassifying the Class 4 section of Basin Road to a Trail; prefers it left as is
- Would the road reclassification affect property values and tax assessments
- If the Class 4 section of Basin Road becomes a Trail, would the Town maintain the existing culverts

Road Reclassification Public Hearing convened at 6:35 PM at the Belvidere Town Clerk's Office.

Selectboard Members present Ken Adams Jr., Earl Domina Jr., and Kevin Leavitt. Guests: Barbara and Michael Becoratt, David Mann, Chris Mann, Ted Palmer, Sean Manahan, Pete Manahan, Owen Manahan, Griffin Corse, Roger Mann, Jr., Zack Jaminet, Jeff Langmaid, Stephen Nickerson, Debra Nickerson, Scott Nickerson. Also present Cathy Mander-Adams, Belvidere Town Clerk.

It was noted that the Town had received email correspondence prior to the public hearing with questions and comments from concerned parties regarding the proposed road reclassifications.

Guest comments for Sackett's Harbor Road: None

Guest comments for Smithville Road: None

Guest comments for John Lot Road:

- David Mann asked for a definition of a Class 4 Road and a Legal Trail; Kevin read excerpts from the Vermont AOT "Orange Book"
- Questions asked at the site visit were reiterated regarding last Town maintenance performed, landowner's liability, Town's maintenance responsibility, landowners allowed to perform upgrades/maintenance on their own, motorized vehicle access, and installation of a gate
- It was again mentioned that there are several different properties adjoining John Lot Road and that at least two owners rely on road for access to their property
- Roger Mann reiterated that the Mann's have given the Machia's a private right-of-way beyond the John Lot Road termination to access their camp
- Roger Mann stated the road should be good to leave as is (Class 4) or the Town should abandon road altogether. Roger also asked how this road benefits the Town
- Ted Palmer asked why John Lot Road exists as a public access right-of-way at all
- Mike Becoratt asked if he could perform upgrades to access his property
- David Mann asked for a definition of Ancient Roads; Kevin read excerpts from the Vermont AOT "Orange Book"

Guest comments for Basin Road:

- Questions asked at the site visit were reiterated regarding last Town maintenance performed, landowner's liability, Town's maintenance responsibility, landowners allowed to perform upgrades/maintenance on their own, motorized vehicle access, Basin Bridge maintenance

- Barbara Becoratt asked if curb cuts/driveway permits are required for Class 4 roads
- State Aid Highway payments on Class 4 roads or trails, grant eligibility
- Sean Manahan and others asked why to change the Class 4 section to a trail, Class 4 roads are eligible for some grant funding
- Roger Mann suggested the State should be interested in leaving entire length of Basin Road a Class 4 for access to forest firefighters
- How can the Town recoup damages caused by overweight vehicles on any of its roads
- The SB members gave an MRGP requirements overview and briefly discussed the impacts of said requirements on the Class 3 and Class 4 sections of Basin Road
- Jeff Langmaid suggested a clear definition of maintenance requirements of Basin Road as a Class 4 road be recorded and an addendum from Town to "pledge" a certain level of maintenance to property owners
- David and Roger Mann suggested that Class 4 roads that allow owners access to property should remain the same and abandoned if not needed for access by property owners
- Roger Mann asked if a road is abandoned would the Town's attorney create Rights-of-Way for the adjoining property owners

Motion by Kevin to adjourn at 7:28 PM; second by Earl; motion carried