

District 3  
Certcode 1102-0

**CERTIFICATE OF HIGHWAY MILEAGE  
YEAR ENDING FEBRUARY 10, 2019**

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2019 to:  
Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section  
One National Life Drive, Montpelier, VT 05633.

We, the members of the legislative body of BRANDON in RUTLAND 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.**

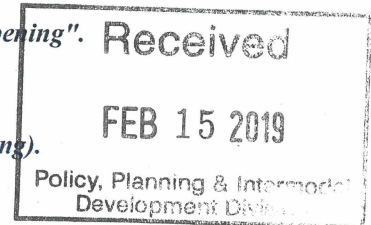
Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	2.246				0.000
Class 2	16.140				0.000
Class 3	40.14				0.000
State Highway	12.693				0.000
<b>Total</b>	<b>71.219</b>				<b>0.000</b>
* Class 1 Lane	0.000				
* Class 4	8.63		0.33	8.30	0.000
* Legal Trail	3.22				

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

Notes by S. Moulton  
2019-2-22

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

1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".
2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).  
- 0.33 mi CL4 (Old Basin Rd) → Discontinued
3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).
4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing Scenic Highways.



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

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

Selectmen/ Aldermen/ Trustees Signatures:

*[Handwritten signatures]*  
Date Filed: 2/12/2019

T/C/V Clerk Signature:

Please sign ORIGINAL and return it for Transportation signature.

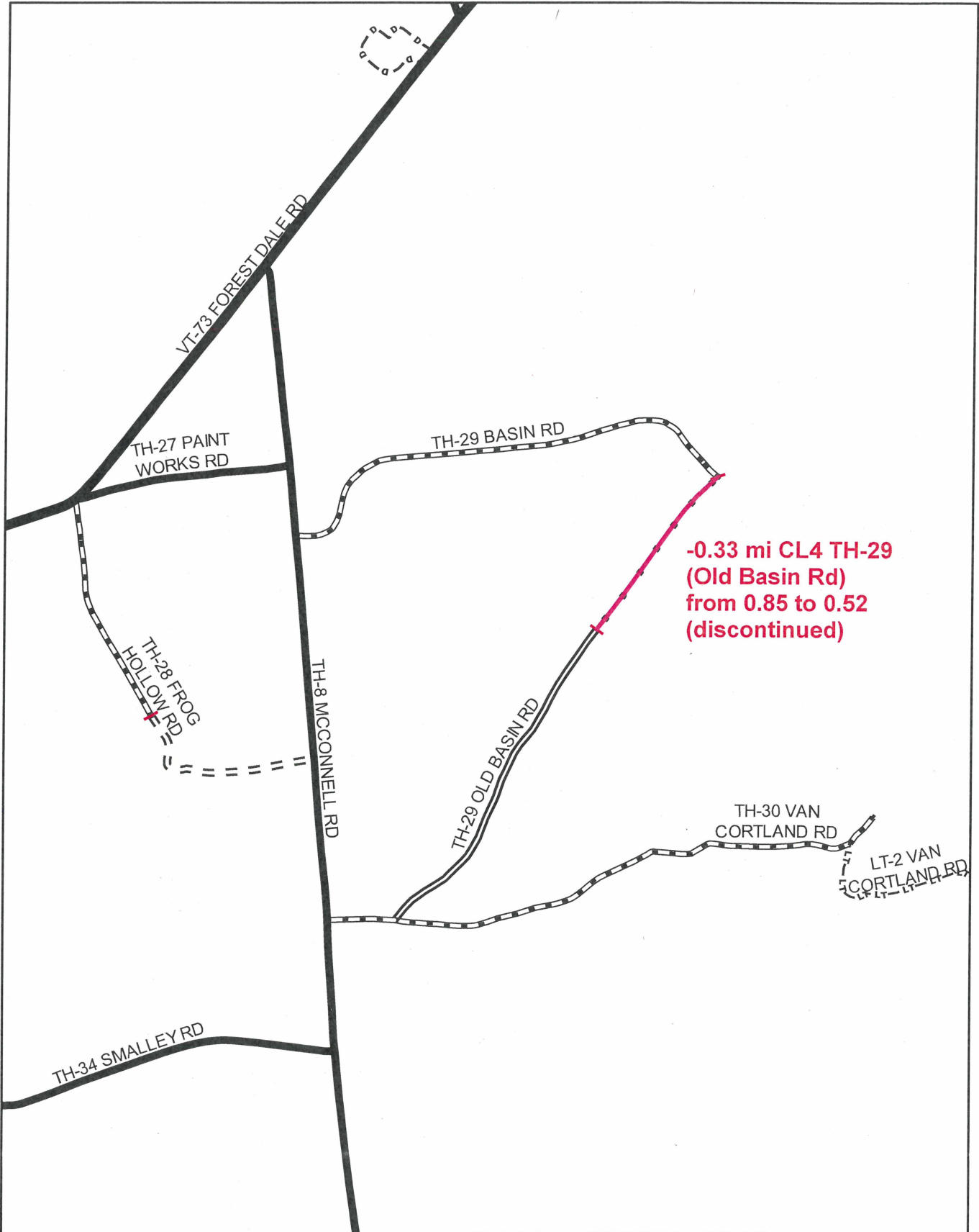
AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.

APPROVED:

Representative, Agency of Transportation

DATE:

9/18/2019

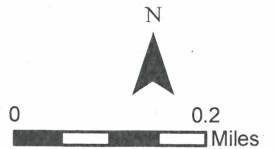


**Mileage Certificate Change 2019**

**BRANDON**

(CTUA: 1102-0)

Mapping Section  
 Division of Policy, Planning and Intermodal Development  
 Vermont Agency of Transportation - February 2019



**SEE MAP  
16**



## ORDER OF DISCONTINUANCE, LAYING OUT & ALTERATION OF ROADS

WHEREAS, on August 13, 2018 the Select Board of the Town of Brandon resolved to hold a public hearing relating to the following:

1. Discontinue a portion of Old Basin Road;
2. Throw up and discontinue that portion of Town Highway #29, also known as Old Basin Road, starting approximately .52 miles from the intersection of Van Cortland Road and continuing to the intersection of Basin Road.

WHEREAS, the Select Board of the Town of Brandon has the authority to initiate the discontinuance, lay out and alteration of a Town Highway on its own motion as authorized in Title 19 V.S.A. § 708;

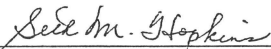
WHEREAS, Notice was posted at the Town Office located at 49 Center Street, Brandon, Vermont, Lake Sunapee Bank located at 2 Park Street, Brandon, Vermont, and Forestdale Grocery located at Furnace Road, Forestdale, Vermont in accordance with 19 V.S.A § 709;

WHEREAS, Hearing was held on August 13, 2018 at 6:30 p.m. at the Brandon Town Hall, which were the date, time and place set forth in the Notice and the Select Board having examined the premises and heard all interested parties who appeared at said Hearing, determined and adjudged that the public good, common necessity and convenience of the residents of the Town of Brandon are not adversely affected in any manner by:

1. Discontinuing a portion of Old Basin Road;
2. Throwing up and discontinuing that portion of Town Highway #29, also known as Old Basin Road, starting approximately .52 miles from the intersection of Van Cortland Road and continuing to the intersection of Basin Road.


THEREFORE, it is hereby **RESOLVED AND ORDERED** that Old Basin Road, also known as Town Highway #29, be discontinued starting approximately .52 miles from the intersection of Van Cortland Road and continuing to the intersection of Basin Road. The portion of Road being discontinued is depicted on a survey titled "Bailey Property, Subdivision Survey", dated February 7, 2006 and recorded September 4, 2008 in Map Book 1 at Page 38 in the Town of Brandon Land Records. The former road bed of the proposed discontinued section will be conveyed to the underlying landowners.

This Order is executed pursuant to 19 V.S.A. § 711(a) dated at Brandon, Vermont, this 14<sup>th</sup> day of January, 2019.

  
Seth Hopkins

  
Devon Fuller

  
Brian Coolidge

  
Tracy Wyman

**Brandon Select Board Meeting  
September 10, 2018**

**NOTE:** These are unapproved minutes, subject to amendment and/or approval at the subsequent board meeting.

**Board Members In Attendance:** Doug Bailey, Seth Hopkins, Brian Coolidge, Tracy Wyman, Devon Fuller

**Others In Attendance:** Dave Atherton, Dick Kirby, Mickeen Hogan, Bill Moore, Steve Bissette, Eric Jason, Edna Sutton, Michael Shank, Ray Jobst

**1. Call to order**

The meeting was called to order by Seth Hopkins at 7:01PM.

*a) Agenda Adoption* – **Motion** by Devon Fuller/Tracy Wyman to adopt the agenda. **The motion passed unanimously.**

**2. Approval of Minutes**

*a) Approval of Minutes – August 27, 2018 - Select Board Regular Meeting*

**Motion** by Tracy Wyman/Brian Coolidge to approve the August 27, 2018 Select Board meeting minutes. **The motion passed unanimously.**

**3. Town Manager's Report**

Dave Atherton provided the following update for the Segment 6 Project:

Last Three Weeks:

Park Street box cut, sand and subbase placement.

Lot 'A' box cut, sand and subbase placement.

Pavement placement within Lot 'A' and Park Street.

Installation of water main within Grove and Pearl Streets.

Underdrain, initiation of box cut, sand and subbase placement adjacent to former Brandon Auto and South thereof.

Concrete placement for headwall at former Brandon Auto culvert.

Concrete placement for traffic control mast arm at the intersection of Park Street and Route 7 North.

Curb installation within Park Street and Lot 'A'.

Sidewalk preparation at various locations, (Segment 'B').

Sewer and services installations from Pearl Street towards Prospect Street.

Parking lot improvements associated with Rite Aid.

Parking lot improvements to assisted living facility adjacent to Post Office, (South).

Storm water drainage installations adjacent to Crescent Park, Pearl Street.

Upcoming Two Weeks:

Sidewalk grading at various locations.

Sidewalk installation within Segment 'B', (Hannaford's and Dentist/ Bank, (Carver Street)).

Continued roadway box cut, (subbase preparation) and underdrain installation within Route 7 Jiffy Mart, (South).

Continued installation of traffic signals and street lighting installations within Segment 'B'.

Continued installation of water services within Grove Street.

Completion of curb installations within Segment 'B', Central Park area/others.

Completion of concrete headwall installation former Brandon Auto Culvert (backfilling).

For Bridge 114, Alpine Construction poured the wall and wing at abutment No. 1 (in the park). Next week, after proper curing they will strip the forms and backfill the wall. They will then begin to excavate in the park for retaining wall No.1, which runs south along Route 7. Alpine will continue to construct the shoring for the arch stones replacement and repair work. They have drilled large rods into the arch for support and will be grouting in those rods and setting up the shoring framing. The footing for wing wall No. 2 in front of 4 Conant Square will be excavated in the next two weeks as well. The tying of the reinforcing steel will follow.

For Churchill Road Bridge, the contractor has excavated the north abutment to bedrock. Work is being done on a change order to anchor the footing to the bedrock and adjust the design for the bedrock. If the change order is complete next Monday/Tuesday, the plan is to pour the footing on Wednesday. After this is complete the stem wall on the north abutment still has to be done and the associated backfill after that.

The Town has received approval from VTrans Right-of-Way to proceed with the easement negotiations for the Union Street sidewalk construction. Mr. Atherton will be setting up appointments with landowners this week.

The Town filed a Notice of Intervention for the Conti/Babcock Solar project on 9/6/18.

Devon Fuller confirmed Bridge 114 will be completed this fall, which should allow traffic flow to be better. Dave Atherton stated the bridge is not part of the traffic problem because they are maintaining traffic from both sides. The north side of the bridge will be night work that will alleviate traffic issues. Mr. Fuller asked what will be done with the old Churchill Bridge. Mr. Atherton advised the 1920 bridge is gone and the top bridge was owned by VAST and they have removed it.

Doug Bailey requested clarification of the Conti/Babcock notice of intervention. Dave Atherton advised this is similar to what was filed for previous solar projects to assure that the Town is involved in the process.

Ray Jobst noted Park Street looks very good. Mr. Atherton stated the skim coat that was placed on the top will be reclaimed in the work next spring.

Edna Sutton asked if there will be more opportunity for discussion of the Conti solar project as there is not a time frame on the project and she is concerned with the residents being kept informed. Dave Atherton advised the Public Utility Commission's (PUC) website has information on the application process for projects. Seth Hopkins noted there is a requirement that notifications are sent from the developer and the Town will continue to discuss this project at the meetings. Mr. Atherton stated he has talked with some of the landowners and has encouraged them to view the PUC website for updates on the project.

It was questioned if there will be a new gazebo built for central park. Mr. Atherton advised there will be a new gazebo built and it will look very similar to the previous one, but will be much sturdier and will be more centered in the park.

#### **4. Comments for Items Not on the Agenda**

Seth Hopkins thanked Dave Atherton and Daryl Burlett for the speed in addressing a concern about the Steinberg Road signage due to a spelling error.

Devon Fuller requested status of the Park Street storm water plans. Mr. Atherton advised they are still with Aldrich & Elliott.

#### **5. Discuss Discontinuance of the Northern Section of Old Basin Road**

Doug Bailey recused himself from the Select Board. Seth Hopkins noted that the Select Board had a site visit and held a hearing on this subject on August 16<sup>th</sup> and is required to act on this subject within 30 days.

**Motion by Devon Fuller/Tracy Wyman to discontinue the northern section of Old Basin Road. The motion passed unanimously.**

Tracy Wyman stated there needs to be adequate turnaround at the end. Ray Jobst had photos available to show there is a radius turn that will accommodate vehicles and he has made a cut that will allow for a turn around by the snowplows. Dave Atherton and Daryl Burlett will visit the site to confirm that it is an adequate turn around. Mr. Wyman also noted there should be a sign that indicates "No Outlet" at the beginning of the road. It was noted there is currently a sign indicating "Dead End". Doug Bailey, petitioner, also suggested the size of the turnaround or any additional changes that need to be made will be done to make it easy for people to turn around. Seth Hopkins noted this action is per Title 19 VSA 701 and 771.

#### **6. Approve Purchase and Sale Contract for Real Estate Conveyance**

Dave Atherton advised this item is the approval of the 1061 for the Purchase and Sales contract that was approved at the last meeting. This is a notice that is required.

**Motion by Devon Fuller/Tracy Wyman to approve the 1061 for the Purchase and Sales contract that was approved at the last meeting. The motion passed unanimously.**

## 7. Fiscal

### *a) General Fund Warrant – September 10, 2018 - \$74,622.04*

**Motion** by Devon Fuller/Brian Coolidge to approve the General Fund warrant of September 10, 2018 in the amount of \$74,622.04. **The motion passed unanimously.**

Devon Fuller questioned the invoice for Beldon Company, Inc. and it was noted this is the final payment for the Champlain Street Pump Station.

### *b) Route 7 Construction Warrant – September 10, 2018 - \$674,400.18*

**Motion** by Devon Fuller/Brian Coolidge to approve the Route 7 Construction warrant of September 10, 2018 in the amount of \$674,400.18. **The motion passed with one abstention – Tracy Wyman.**

### *c) Bridge 114 Warrant – August 27, 2018 - \$49,630.87*

**Motion** by Tracy Wyman/Doug Bailey to approve the Bridge 114 warrant of September 10, 2018 in the amount of \$49,620.87. **The motion passed unanimously.**

The Select Board recessed at 7:20PM and reconvened at 7:24PM.

**Motion** by Tracy Wyman/Brian Coolidge to enter into executive session at 7:24PM in accordance with 1VSA 313(a)(3) – Appointment or Employment of a Public Officer or Employee to include the Town Manager. **The motion passed unanimously.**

## 8. Executive Session: 1V.S.A 313(a)(3)

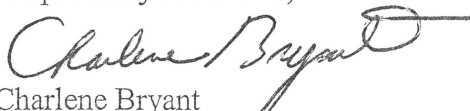
**Motion** by Doug Bailey/Tracy Wyman to come out of executive session at 7:27PM. **The motion passed unanimously.**

**Motion** by Doug Bailey/Devon Fuller to appoint the Town Manager, Dave Atherton, as the Deputy Health Officer. **The motion passed unanimously.**

## 9. Adjournment

**Motion** by Devon Fuller/Brian Coolidge to adjourn the Select Board meeting at 7:40PM. **The motion passed unanimously.**

Respectfully submitted,

  
Charlene Bryant  
Recording Secretary



**Brandon Select Board Hearing  
Discontinue Portion of Old Basin Road  
August 13, 2018**

**Board Members Present:** Seth Hopkins, Devon Fuller Doug Bailey, Brian Coolidge, Tracy Wyman

**Also in Attendance:** Marietta Sheehan, Mike Lee, Stephanie Lee, Cheri Jankosky, Joseph Jankosky, Ray Jobst, Jonathan Sagendof

**1. Open Hearing**

Seth Hopkins, Board Chair, opened the hearing for public comments at 6:40PM.

Mr. Hopkins stated the hearing is relative to the discontinuance, laying out & alternation of roads document regarding the Old Basin Road portion of Town Highway #29, starting approximately .52 miles from the intersection of Van Cortland and continuing to the intersection of Basin Road.

The hearing was open to public comment.

Marietta Sheehan advised she had witnessed a fire when driving down her road and was concerned if she had not noticed it, it could have been disastrous. She is against closing the road due to it being an alternate way of getting off the road in the event of something like a fire. Ms. Sheehan also questioned how Mr. Bailey is bothered by four-wheelers.

Ray Jobst noted the road has been impassable for many years and would not be an alternate route in the event of a fire. Ms. Sheehan questioned how the four-wheelers are getting through.

Doug Bailey stated the four wheelers are going through from the other end of the road or are going across John Sagendof's property. Ray Jobst stated to be able to get any vehicle across that road or to convert it to a drivable road would require a lot of work and funds. Mr. Jobst noted he does not have a problem with people coming across his property.

Joe Jankosky stated he drives all over Vermont and there are many roads the same as Old Basin Road. He questioned why the road cannot be left the way it is.

Doug Bailey stated the problem is more than the four wheelers. The Town is trying to control the numerous points of entry. There have been break-in problems and there is an assumption that some of the problems are from the four-wheelers.

Cheri Jankosky stated the road has always been this way and questioned it is being changed. If Basin Road is having a problem with four-wheelers now and they stop them

from coming that way, they will start coming up Van Cortland Road and it will create the problem on that road.

Tracy Wyman stated if that section were open on both ends, the four wheelers would come down that road. He asked why everyone was looking to leave it a class 4 road.

Doug Bailey stated he had deeded off four house lots to be sold and his development is over and now that the two landowners have purchased the final lots, they would not like a lot of travel on their properties.

Jonathan Sagendof stated four-wheeler traffic has increased and questioned if this situation can be dealt with differently. He stated this would become Van Cortland Road's problem as well.

Mrs. Jankosky asked if it is deemed not a Class 4 road whether there would no longer be an opportunity for it to be opened. She also noted that the owner at the end has allowed the snowplow to turn around and expressed concern a future landowner might not be as amenable.

Doug Bailey advised the road is basically a footpath, but it is one of those things that it is not going to make much difference whether the Town drops that end.

Tracy Wyman questioned the property owners' concerns from that end, if something is put at the end of the road for a turnaround. Other than a point of access for walking out, what is the benefit of leaving it a Class 4 road? Mr. Wyman noted that Mr. Jobst had discussed the cost of improving the road with Markowski and they had indicated it would be at least \$100,000.00 to improve the road to get a path of some degree through there. Dave Atherton also noted there are wetlands to consider.

Seth Hopkins stated the Old Basin Road from Van Cortland Road is a Class 4 road and the Town has agreed to maintain it for snow plowing. Dave Atherton advised the Town maintains most of the Class 4 roads, but the Town does not have an obligation to do winter plowing.

Doug Bailey stated this area has been fenced for 50 years and Mr. Bailey has only had one person request permission to cross his land. There have been four-wheelers that have come through and left his gates open that allowed his livestock to get out. His project is complete and he pays taxes on the land, so there is no monetary gain for him personally in closing the road.

Ray Jobst advised that he has graded the road in the past as being part of the neighborhood, but the Town is now taking care of that part of Old Basin Road. Michael Lee noted other residents have also taken turns grading the road in the past.

Dave Atherton advised the Select Board has 60 days to take action on this item.

Devon Fuller summarized that if the Town throws up the road, there is concern with getting out in an emergency, that there is a good turn around area for a snowplow and that once the road is thrown up, it could not be brought back. On the other side, there is interest in throwing up the road to remove the four-wheeler access and that the portion of the road proposed to be thrown up would be too expensive for the Town to upgrade.

Mr. Atherton suggested it would be good to have a cul-de-sac at the end of the road for the snowplow to turn around. In order to update that section of the road, there would be many things that would need to be changed. Mr. Wyman asked if this area were thrown up, would it eliminate the potential for the remainder of Old Brandon Road to be upgraded to a Class 3, if that was the Town's decision in the future. Mr. Atherton confirmed that it would not affect a change of the remainder of Old Brandon Road in the future. Mr. Jobst noted there is currently a turn around for a snowplow.

Mr. Lee stated that he and his wife would not have a problem with the discontinuance as long as there is a good turn around for the snowplow and traffic, and that there could still be potential to upgrade the road class in the future.

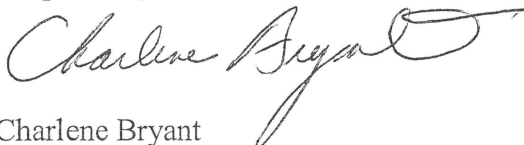
Seth Hopkins noted a Class 3 road has to be in good and sufficient repair for all seasons and there are certain standards that are required before a road can be upgraded to a Class 3. Mr. Hopkins stated the Town has to prioritize its highway budget and the Select Board refers to the Public Works Director's judgment for the roads. Dave Atherton advised there are rules and regulations for culverts. The width of the road would also be a problem.

Seth Hopkins noted the Select Board would take action on this subject either at the August 27<sup>th</sup> or September 10<sup>th</sup> Select Board meeting.

## **2. Close Hearing**

Seth Hopkins closed the hearing at 7:06PM.

Respectfully submitted,



Charlene Bryant  
Recording Secretary

## NOTICE OF DISCONTINUANCE, LAYING OUT & ALTERNATION OF ROADS

Pursuant to Title 19 V.S.A. Section 708(a), the Selectmen of the Town of Brandon, hereby initiate a proceeding to

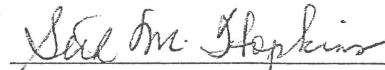
1. Discontinue a portion of Old Basin Road;
2. Throw up and discontinue that portion of Town Highway #29, also known as Old Basin Road, starting approximately .52 miles from the intersection of Van Cortland and continuing to the intersection of Basin Road;

The maps and surveys depicting said Roads are located at the Brandon Town Clerk's office for inspection by the public.

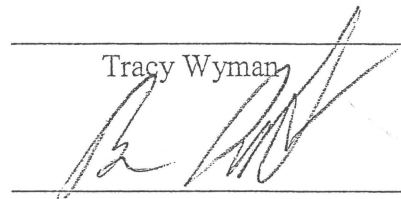
The portion of Road being discontinued is depicted on a survey titled "Bailey Property, Subdivision Survey", dated February 7, 2006 and recorded September 4, 2008 in Map Book 1 at Page 38 in the Town of Brandon Land Records. The former road bed of the proposed discontinued section will be conveyed to the underlying landowners.

On the 13th day of August, 2018 at 6:00 p.m. a site visit shall be held on Old Basin Road for the purpose of examining the premises. At 6:30, following the site visit, a public hearing will be held at the Brandon Town Hall located at 1 Conant Square to hear the persons interested in said premises.

Dated at Brandon, Vermont this 11<sup>th</sup> day of July, 2018.

  
\_\_\_\_\_  
Seth Hopkins

  
\_\_\_\_\_  
Devon Fuller

Tracy Wyman  
  
\_\_\_\_\_  
Brian Coolidge

To : Dave Atherton

From : Doug Bailey

Re : Old Basin Rd

Dave,

I would like you to request the selectboard "Throw Up" the north end of Old Basin Rd. This section of the road enters my farm pasture land and drops down into a section of wet land that has not been used for vehicle traffic for many years. At this time there are about ten homes on Old Basin Rd and the travel section dead ends at my property line. The road is class 4.

I have attached a site plan that was prepared by Lincoln Applied Geology that shows the land / road. I have also enclosed short statements of support from adjacent land owners. We have had problems with unauthorized ATV use on our land as well as leaving livestock gates open. Our plan is to block off the end of the road permanently.

Thank You

  
Doug Bailey

## Fw: throwing up old basin road

Dawn-Doug Bailey [baileysdbldranch@yahoo.com]

Sent: 6/13/2018 3:47 PM

To: "Doug Bailey" <dbailey@townofbrandon.com>

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----- Forwarded Message -----

**From:** jon sagendorf <jsagendorf@hotmail.com>

**To:** baileysdbldranch@yahoo.com <baileysdbldranch@yahoo.com>

**Sent:** Wednesday, June 13, 2018, 3:01:10 PM EDT

**Subject:** throwing up old basin road

To Whom it may concern,

I am writing this as a land owner at the very end of Old Basin road, whom wishes to have the road ""thrown up" or blocked from traffic making its way beyond our driveway. We were fortunate enough to have found such a nice piece of property that is as quiet and peaceful as this. Those attributes would be appealing to anybody, but its most desirable quality is the peace of mind that we have when our 9 month old daughter is out playing in our yard. I don't have to worry about a car speeding by, or a four wheeler flying down the road. We purchased this land with the idea of raising a family that can enjoy what the land has to offer, with out the worry of heavy traffic or recreational vehicles constantly passing by. We love the land and hope it never has to change.

Sincerely,  
Jon Sagendorf

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## Road closure

rjobst4201 [rjobst4201@aol.com]

Sent: 6/6/2018 7:52 PM

To: Dbailey@townofbrandon.com

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To : Dave Atherton,

Closing the north end of old basin road, will be a big savings.road improvement, including a state approved bridge, grading old basin road to match basin road.money will be spent on more important items.

To maintain, grading, snow plowing .

I feel to throw up the road will be a wise decision.

Thank you Raymond Jobst

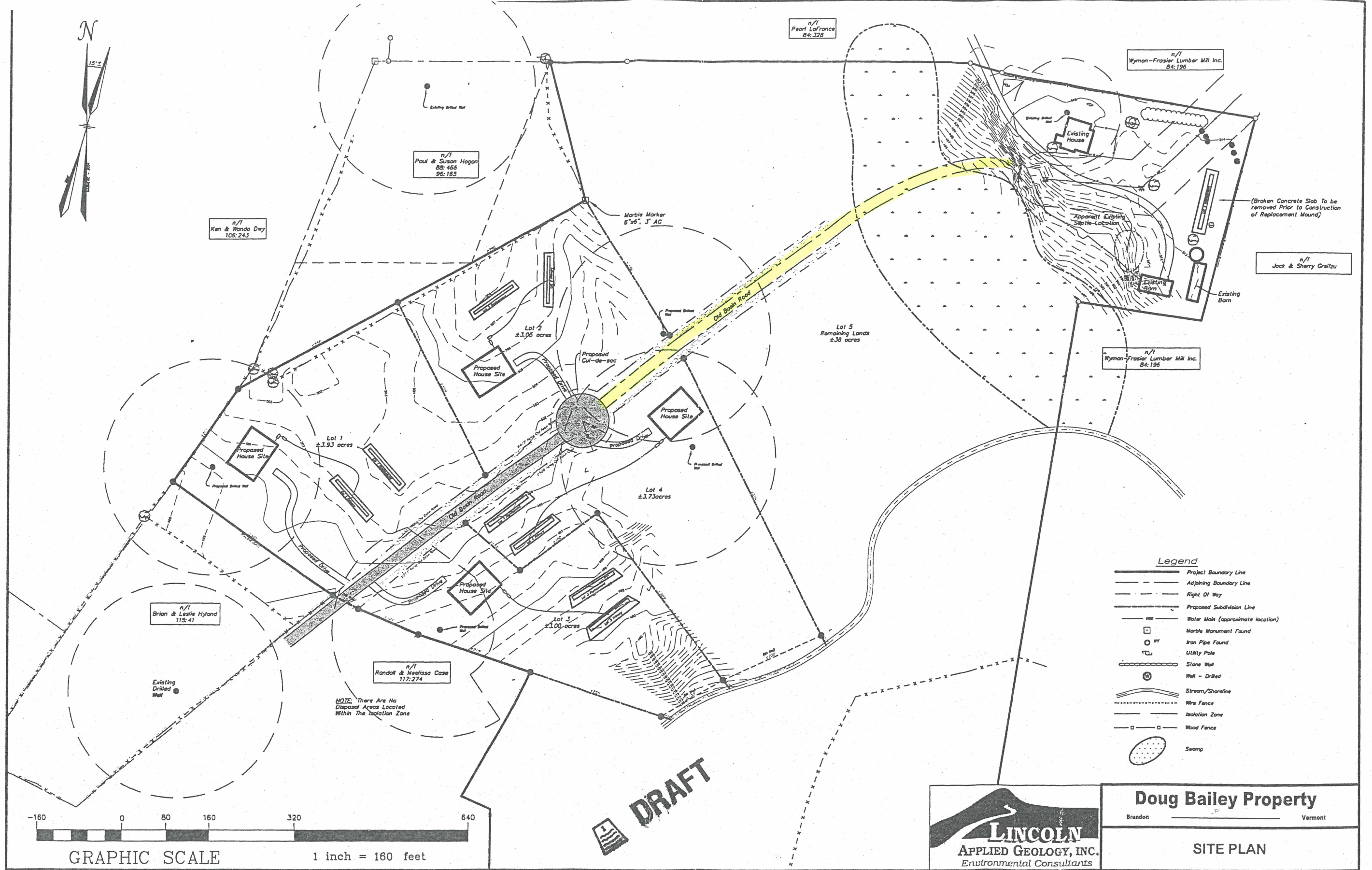
509 old basin road .

Sent from my Verizon 4G LTE Smartphone

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n/1  
Ken & Wanda Dwy  
105:243

n/1  
Paul & Susan Hogan  
88:456  
96:183

n/1  
Paul LaFrance  
84:329

n/1  
Wyman-Frasier Lumber Mill Inc.  
84:196

n/1  
Jack & Sherry Criltz

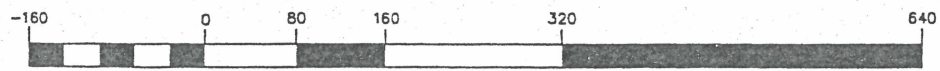
n/1  
Wyman-Frasier Lumber Mill Inc.  
84:196

n/1  
Brian & Leslie Hyland  
115:41

n/1  
Randall & Melissa Case  
117:274

**Legend**

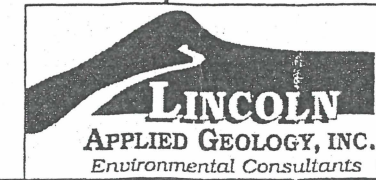
- Project Boundary Line
- - - - - Adjoining Boundary Line
- - - - - Right Of Way
- - - - - Proposed Subdivision Line
- Water Main (approximate location)
- Marble Monument Found
- Iron Pipe Found
- Utility Pole
- Stone Wall
- ⊙ Well - Drilled
- Stream/Shoreline
- - - - - Wire Fence
- - - - - Isolation Zone
- - - - - Wood Fence
- Swamp



GRAPHIC SCALE

1 inch = 160 feet

**DRAFT**



**Doug Bailey Property**

Brandon Vermont

**SITE PLAN**