

CERTIFICATE OF HIGHWAY MILEAGE year ending FEB. 10, 1999

Fill out form, make & file COPY with the Town Clerk, & mail ORIGINAL before Feb. 20, 1999 TO:
 Vt. Agency of Transportation, Planning Dept., 133 State Street, Montpelier, Vt. 05633.

We, the Selectmen ~~or Trustees or Aldermen~~ of NORTHFIELD, WASHINGTON COUNTY
 on an oath state that the mileage of highways, according to Title 19, V.S.A., Sec#305, added
 1985, is as follows:

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

DISTRICT 6

TOWN HIGHWAYS	PREVIOUS MILEAGE	ADDED MILEAGE	SUBTRACTED MILEAGE	* SCENIC HIGHWAYS	TOTAL
CLASS 1	.909			*	.909 *
* CL1 LANE	.000			*	.000 *
CLASS 2	4.810			*	4.810 *
CLASS 3	57.390		0.020	*	57.370 *
STATE HWY	10.541			*	10.541 *
TOTAL	73.650		0.020		73.630 *
CLASS 4	8.340			*	8.340 *

* Class 1 Lane Mileage is NOT added into the total.

PART II - INFORMATION & 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).

SEE ATTACHED

(3) RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings(minutes of meetings).

(4) SCENIC HIGHWAYS: Please attach copy of order designating/discontinuing Scenic Highways.

PART II - CHECK BOX IF NO CHANGES IN MILEAGES AND SIGN BELOW []

PART III - SIGNATURES - PLEASE SIGN.

SELECTMEN/ALDERMEN/TRUSTEES
 SIGNATURES:

Caroline Gillespie
Bradford Denny
Lynn Sanders
John Chittenden
David MacKenzie

CLERK SIGNATURE: Debra J. Russo DATE FILED _____
 Please sign ORIGINAL & return for Transportation signature.

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

APPROVED: Donald C. Harvey DATE: 2/18/99
 Representative, Agency of Transportation

Town of Northfield, Vermont
DECISION AND ORDER

In re: Proceedings to Discontinue Town Highway 91 as a Public Highway and Public Trail

This is the Decision and Order of the Selectboard of the Town of Northfield, Vermont, on proceedings regarding discontinuance of a Town Highway 91 as a public highway and public trail. At the request of Norwich University, an adjoining landowner, these proceedings were initiated by the Selectboard on its own motion pursuant to 19 V.S.A. § 708(a).

Town Highway 91 extends between Park Avenue and Vermont Route 12. The Selectboard examined the premises and held public hearings on October 27, 1997; after due notice in accordance with 19 V.S.A. § 709 [not less than ten days before the scheduled hearing, the Selectboard gave due notice of the inspection of the premises and public hearing by certified mail to owners of property abutting Town Highway 91 (Ted and Kathy Scott, Norwich University, Green Mountain Planning Group, Vermont Agency of Transportation) and to other interested parties (Northfield Joint Planning Commission), published notice in the Northfield News, a local newspaper of general circulation in the Town, and posted the notice in the Municipal Building outside bulletin board, Northfield Town Clerk's office, Brown Public Library, Trans Video office and Northfield News office.] The Selectboard deliberated the issues of this discontinuance at its meetings held November 10, 1997, and November 24, 1997.

For the reason stated below, the Selectboard has decided to discontinue the public highway and trail over the entire length of Town Highway 91. The Town will not preserve any public right or interest in Town Highway 91.

Findings of Fact.

After examination of the premises and upon consideration of the evidence and testimony offered at the public hearing, the Selectboard makes the following findings:

1. Town Highway 91 extends from the easterly limit of the right of way for Park Avenue to the westerly limit of the right of way for Vermont Route 12. Town Highway 91 is approximately 0.02 miles in length.
2. Town Highway 91 does not provide access to any property not already served adequately by Vermont Route 12 or by Park Avenue.
3. Continuance of Town Highway 91 as a public highway is contrary to the public good and necessity and the convenience of the inhabitants for the following reasons:

- a. Norwich University plans promptly to enlarge the public park locate westerly of Vermont Route 12. The enlargement will expand the park from its present location southerly to the intersections of Route 12 and Park Avenue. Norwich plans to keep the entire park open to the public. These improvements will be an important public benefit. The presence of a public right-of-way for Town Highway 91 would impede the planned park improvements.
 - b. Continuation of Town Highway 91 would leave in place points of traffic conflict and accident potential at its intersections with both Park Avenue and Vermont Route 12 without any improvement in traffic flow, access or other corresponding benefit.
4. Norwich University has committed to create at its expense the following:
- a. The public park improvements discussed above;
 - b. A new 24' wide paved road and related tree cutting at the intersection of Park Avenue with Vermont Route 12 to improve safety at the intersection; and
 - c. Five new public parking spaces on its property northwesterly of the Park Avenue/Route 12 intersection to compensate for the loss of parking upon Town Highway 91's discontinuance. These spaces will be available to visitors to the enlarged park.
5. No adjoining property owner objects to the proposed discontinuance.
6. No person presented evidence of any compensable damage or harm which they would suffer if the Selectboard should discontinue the relevant portions of Town Highway 91.

Conclusions.

1. Discontinuance of Town Highway 91 as a town highway and trail will not create a loss of public or commercial travel because adequate alternative travel routes exist which provide access to all affected properties.
2. The Selectboard does not foresee that Town Highway 91 is likely in the future to be a part of the traveled highway network for the Town of Northfield. The Town's future needs and patterns of development in the neighborhood will be adequately served by other existing highways in the vicinity.
3. Preservation of a trail along Town Highway 91 would not preserve desirable recreational or other public values. There is no evidence that Town Highway 91 has been in the past,

or is likely to be in the future, to be used significantly for recreational or other public access. To the contrary, continuance of the public right-of-way for Town Highway 91 will impede planned development of adjacent properties by Norwich University into a public park. There is no evidence that the road provides passage to areas of significant recreational or other public usage which are not already accessible by other routes.

4. The foregoing conclusions regarding Town Highway 91 present exceptional circumstances which cause Town Highway 91 to have no significant value as a trail. Under the Town's Class Four Roads and Trails Policy, these unusual circumstances justify the Town's abandonment of a trail or other public right-of-way along the relevant portions of Town Highway 91.

5. The public good, necessity and the convenience of the inhabitants of the Town do not require that Town Highway 91 be maintained as a public highway or trail.

6. The Selectboard's order in these proceedings does not take any land or interest in land from any person nor otherwise cause compensable damages to any person. Accordingly, the Town should not pay damages in this proceeding to any person.

Decision and Order.

Based on the foregoing findings and conclusions, the Selectboard of the Town of Northfield hereby makes the following ORDERS:

1. The Town hereby discontinues all of its interest in and to the entire length of Town Highway 91; the Town shall not reserve a trail or any other public right or interest along the course of Town Highway 91.
2. No damages are awarded to any party affected by this order and decision.
3. The Town Clerk is directed to record a copy of this Decision and Order in the Town records in compliance with 19 V.S.A. §711.

This Decision and Order was approved by the Town of Northfield Selectboard by a unanimous vote on August 24, 1998.

DATED August 24, 1998, at Northfield, Vermont by

THE SELECTBOARD OF THE TOWN OF NORTHFIELD:

By: Caroline Gillespie
Caroline Gillespie, Chair

By: Bradford Denny
Lynn Sanders

By: Lynn Sanders
Bradford Denny

By: Linda Christian
Linda Christian

By: David MacDougall
David MacDougall