

CERTIFICATE OF HIGHWAY MILEAGE year ending FEB. 10, 1997

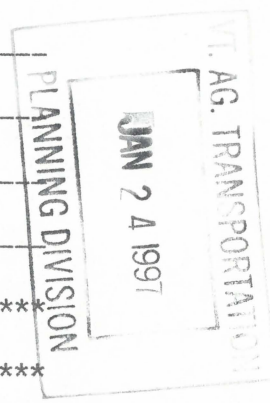
Fill out form, make & file COPY with the Town Clerk, & mail ORIGINAL before Feb. 20, 1997 TO: Vt. Agency of Transportation, Planning Dept., 133 State Street, Montpelier, Vt. 05633.

We, the Selectmen ~~xxxxxxxxxxx~~ of DOVER, WINDHAM 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 1

TOWN HIGHWAYS	PREVIOUS MILEAGE	ADDED MILEAGE	SUBTRACTED MILEAGE	* SCENIC * HIGHWAYS	TOTAL
CLASS 1	.000		*	*	.000
* CL1 LANE	.000		*	*	.000
CLASS 2	9.290		*	*	9.290
CLASS 3	49.470	.40	*	*	49.870
STATE HWY	5.547		*	*	5.547
<b>TOTAL</b>	<b>64.307</b>	<b>.40</b>	<b>*</b>	<b>*</b>	<b>64.707</b>
CLASS 4	2.140		*	*	2.140



\* 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".  
N/A

(2) DISCONTINUED: Please attach SIGNED copy of proceedings(minutes of meeting).  
N/A

(3) RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings(minutes of meetings).  
Reclassified Colonial Ridge Road from a private road to a Class 3 Town Highway.

(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:

*Robert [Signature]*  
*Thomas N. [Signature]*  
*Thomas N. [Signature]*  
*James K. [Signature]*  
*Philip [Signature]*

CLERK SIGNATURE: Mary Lou Raymo

DATE FILED Jan 22, 1997

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  
Representative, Agency of Transportation

DATE: 1/27/97

IN RE: LAYING OUT COLONIAL RIDGE ROAD AND  
HIGH RIDGE LANE IN THE DEVELOPMENT  
KNOWN AS MOUNTAIN TOP VILLAGE AT  
DOVER HILLS, DOVER, VERMONT

**FINDINGS OF FACT,  
CONCLUSIONS OF LAW AND ORDER**

**WHEREAS,** on March 3, 1994 the landowners of property adjoining Colonial Ridge Road and High Ridge Lane in the Development known as Mountain Top Village at Dover Hills, Dover, Vermont petitioned the Selectmen of the Town to lay out and maintain said existing roads as town highways; and

**WHEREAS,** as a result of said Petition the Selectmen of the Town inserted in the Warning for the Annual Town Meeting to be held March 7, 1995, the following Article:

**"ARTICLE 10:** To see if the Town will vote to create a Special Assessment District for the construction, paving, and taking over of Mountain Top Road, a private road, as a public highway, and estimated to apportion the cost of the construction and paving among the properties to be benefited by any method which the Dover Board of Selectmen will deem fair apportionment of the cost thereof, pursuant to Title 24 VSA, Chapter 87."3; and

**WHEREAS,** said Title 24 VSA, §3252, et seq., provides for the Special Assessment of the public improvement of the roads by the adjoining landowners to said roads; and

**WHEREAS,** at the Town Meeting the Town voted:

To create a Special Assessment District for the construction, paving, and taking over of Mountain Top Road, a private road, as a public highway, and estimated to apportion the cost of the construction and paving among the properties to be benefited by any method which the Dover Board of Selectmen will deem fair

apportionment of the cost thereof, pursuant to Title 24 VSA, Chapter 87.

**WHEREAS**, the Selectmen of the town have estimated the cost to upgrade the roadways and to pave them to be approximately \$111,242.00; and

**WHEREAS**, the Selectmen of the Town of Dover have determined that there shall be a Special Assessment of approximately \$111,242.00 (the exact amount to be determined when all costs have been actually determined); and

**WHEREAS**, the Selectmen of the Town of Dover have determined that the lot owners of the 42 lots adjoining said roadways shall be each Specially Assessed for said improvements; and

**WHEREAS**, the Selectmen of the Town of Dover have also determined that the assessment of each lot should be paid in five (5) annual installments; and

**WHEREAS**, pursuant to 27 V.S.A., §3255 the Special Assessment shall constitute a lien upon each adjoining lot owner on said roadway; and

**WHEREAS**, the Selectmen of the Town have heretofore entered into an Agreement with the owner of the roadways to be laid out and maintained as public highways for the conveyance of said roadways by warranty deed and by survey description; and

**WHEREAS**, the Selectmen propose on their own motion to lay out said roadways as Public Highways to be maintained as such conditioned upon the payment of the aforescribed Special Assessments;

**NOW, THEREFORE**, the undersigned Selectmen hereby make the

following:

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

Upon the initiation of these proceedings by the Board of Selectmen for the Town of Dover, Vermont on the Board's own motion, and upon the evidence adduced at public hearing the Board of Selectmen of the Town of Dover make the following Findings of Fact, Conclusions of Law and Order:

1. That pursuant to 19 V.S.A., §708(a), the Selectmen for the Town of Dover, Vermont initiated proceedings to Lay Out Colonial Ridge Road and High Ridge Lane In the Development known as Mountain Top Village at Dover Hills, Dover, Vermont, all as set forth and shown on survey entitled "Mountain Top Village at Dover Hills, Property of Vermont Lumber Company, Dover, Vermont," completed by Gordon E. Ainsworth & Associates, Inc. dated January 30, 1969, Scale 1" = 100', having Job #D68-315 a copy of which is attached hereto and marked Exhibit "A".

2. That the Selectmen, pursuant to 19 V.S.A. §709, appointed January 9, 1995 at 4:00 P.M. as the date and time for the examining of the premises and appointed January 9, 1995 at 7:30 P.M. as the date and time for a hearing on the laying out of Colonial Ridge Road and High Ridge Lane as a Town Highway.

3. That the Selectmen gave all interested parties 30 days notice of the Hearing and site visit pursuant to Section 709 of Title 19.

4. That the Selectmen gave 30 days notice of the Hearing and site visit to the municipal Planning Commission pursuant to Section 709.



5. That the Selectmen caused notice of Hearing, a copy of which is attached hereto as Exhibit "B" and site visit to be published in the Brattleboro Reformer, said Notice was published on December 21, 1995, at least 10 days prior to the Hearing.

6. That the Selectmen caused the Notice to be posted in the Town Clerk's Office.

7. That all of the above described Notices were given by certified mail sent to the official residence of the persons required to be notified.

8. That the "interested" parties are as set forth on Exhibit "C" attached hereto.

9. That the public site and Hearing visit were held on Tuesday, January 9, 1995, at 4:00 P.M. and 7:30 P.M., respectively for the purpose of hearing all persons interested in the proposal to lay out Colonial Ridge Road and High Ridge Lane.

10. That the survey, being Exhibit "A" was admitted into evidence.

11. That the proposed warranty deed of the roadways in a metes and bounds description was admitted into evidence.

12. That the following persons attended the site visit:

None.

13. That the following persons attended the Hearing:

Thomas Cain

Andrew Cay

14. That the Town at its annual Town Meeting adopted the following:

**"ARTICLE 10:** To see if the Town will vote to create a  
Special Assessment District for the

construction, paving, and taking over of Mountain Top Road, a private road, as a public highway, and estimated to apportion the cost of the construction and paving among the properties to be benefited by any method which the Dover Board of Selectmen will deem fair apportionment of the cost thereof, pursuant to Title 24 VSA, Chapter 87."

15. That the evidence shows that to bring the roadways to the Town's specifications and to pave them would cost approximately \$111,242.00 all as set forth in Exhibit "D" attached hereto and made a part hereof.

16. That there are 42 lots abutting the roads.

17. That there are 17 residential dwellings on the 42 lots abutting the roads.

18. That, in order to lay out the roads and to bring them up to appropriate Town standards, it is essential that the owners of each lot abutting the road be "specially assessed" for the improvements described in Exhibit "D".

19. That, as stated, the Special Assessment contemplates the expenditure of approximately \$111,242.00 to upgrade and pave the roadways. To upgrade and pave the First Section as set forth in Exhibit "D" is estimated to cost \$46,496.00 plus legal expenses. To upgrade and pave the Second Section as set forth in Exhibit "D" is estimated to cost \$59,746.00 plus legal expenses. The Special Assessment is to be paid over a period of five (5) years. It is estimated that the annual assessment for Section I (27 lots) shall be \$362.92 per year. It is estimated that the annual assessment for Section II (15 lots) shall be \$792.00 per year.

20. That to accept the roads and to lay them out and to maintain them as public roads without the "Special Assessment"

approved by the voters of the Town at Town Meeting would cause an undue burden on the finances of the Town.

21. However, the Selectmen hereby find that the public good, necessity and convenience of the inhabitants abutting the roads require them to be laid out as public highways providing, however, that each abutting landowner be "specially assessed" as hereinafter stated.

22. That no "interested" person is entitled to damages as a result of laying out the roads as public highways.

#### CONCLUSIONS

1. That the laying out of the roads as town public highways serves the public good and is necessary and convenient for the inhabitants abutting the roads as well as the inhabitants of the Town providing, however, that each lot owner be responsible for the lot assessment estimated to \$362.92 per year for five (5) years for those 27 lots in Section I and estimated to be \$792.00 per year for those 15 lots in Section II.

**NOW, THEREFORE,** the Board of Selectmen make the following Order:

1. That Colonial Ridge Road and High Ridge Lane in the Development known as Mountain Top Village at Dover Hills, Dover, Vermont shall be laid out as Town Highways providing that the following are met:

A. That the Town of Dover receive an appropriate warranty deed to the roads. The deed shall contain a survey description of the roads;

B. That each lot owner who abut the roads (some 42 lot

owners) shall be assessed for payment of the improvements to the roads to upgrade them to the Town's standards and to pave them. The work contemplated is estimated to cost \$111,242.00. Each lot owner in Section I (27 lots) shall be assessed approximately \$362.92 each year for five (5) years. Each lot owner in Section II (15 lots) shall be assessed approximately \$792.00 each year for five (5) years. It is understood that the foregoing figures are approximate and may change. The Town shall do the work set forth in Exhibit "D" or make arrangements for the work to be done. The special assessment shall constitute a lien on the premises of each lot owner as provided for by statute.

Dated at Dover, Vermont this 16 day of January,  
1996.

DOVER SELECTBOARD

Sharon Beechey  
Catherine Taylor  
Charlotte Bond  
Thomas Nosa  
\_\_\_\_\_

NOTICE OF HEARING TO CONSIDER  
LAYING OUT COLONIAL RIDGE ROAD AND  
HIGH RIDGE LANE IN THE DEVELOPMENT  
KNOWN AS MOUNTAIN TOP VILLAGE AT  
DOVER HILLS, DOVER, VERMONT AS  
TOWN HIGHWAYS

The Dover Board of Selectmen, upon its own motion, desires to lay out Colonial Ridge Road and High Ridge Lane in the Development known as Mountain Top Village in Dover, Vermont as Town Highways.

The Dover Board of Selectmen, pursuant to the authority of 19 V.S.A. Section 708, et seq., hereby gives notice that on Tuesday, the 9th day of January, 1996 at 7:30 P.M. o'clock at the Dover Town Hall, the Board will meet to hear interested persons give testimony on the question of whether or not to lay out the above mentioned roads as Town Highways, subject to the conditions of a Special Assessment as voted by the Town (Article 10 - adopted March 1994) pursuant to the provisions of 24 V.S.A. §3252, et seq.

Notice is also given that the Board of Selectmen will examine the location of the public highways (Colonial Ridge Road and High Ridge Lane) beginning at 4:00 P.M. o'clock on Tuesday, the 9th day of January, 1996. The Board of Selectmen will meet at Colonial Ridge Road and commence the examination of the road promptly at 4:00 P.M. o'clock. Interested persons may accompany the Board.

DATED at Dover, Vermont this 28th day of November, 1995.

DOVER BOARD OF SELECTMEN

Norman Rosenberf  
Cherine Kaufman  
Charlotte Bend  
Edward  
Thomas Nova



EXHIBIT "C"

LIST OF INTERESTED PERSONS

1. CCB Corporation
2. Ira M. Perlman
3. Dianne Lecuyer
4. Ellen, Joan and Shirley Schaubert
5. Robert and Leora Blau
6. Fredric M. and Jane Leopold
7. Glen P. and Gina A. Poppe
8. J. Mitchell and Carol Y. Taplitz
9. J.R. and K.E. Ferrazza, et al
10. Alice G. Agran
11. A. Michael Wasserman, et al
12. George Rizzo, Jr.
13. Alexander S. and Theresa E. Sabellico
14. Joanne V. Yankura
15. Elizabeth A. and John Nemergut
16. Gary D. and Veronica S. Foster
17. Thomas L. and Nancy W. Cain
18. Rayl Construction Co., Inc.
19. Dianne Lecuyer Hinaris and Takis Hinaris
20. Abby Jo Schenkman
21. Valerie Kost

**EXHIBIT "D"**

**ROUGH ESTIMATE**

**First Section - 27 lots (up to turn around above Cain's residence):**

1877 yds. gravel at \$12./yd.	\$22,524.
60 hours labor; curt brush, repair culverts at \$15./hr.	900.
80' of 18" culvert at \$7.15/ft.	572.
Paving - base	15,000.
top	<u>7,500.</u>
	<b>\$46,496.</b>

**Second Section - 15 lots:**

1877 yds. 3" gravel at \$12./yd.	\$22,524.
935 yds. 1" gravel at \$12./yd.	11,220.
280 ft. 18" culvert at \$7.15/ft.	2,002.
100 hours labor at \$15./hr.	1,500.
Paving - base	15,000.
top	<u>7,500.</u>
	<b>\$59,746.</b>
	<b>Subtotal</b>
	<b>\$106,242.</b>
	<b>Approx. Legal Fees</b>
	<b>5,000</b>
	<u>5,000</u>
	<b>TOTAL</b>
	<b>\$111,242.</b>

**MINUTES OF THE SITE VISIT TO MOUNTAIN TOP VILLAGE IN DOVER HILLS  
BY THE DOVER BOARD OF SELECTMEN**

**January 9, 1996**

**Dover Town Office**

**4:00 P.M.**

**PRESENT:** Selectmen Norman Rosenberg, Tom Nova, Catherine Kaufmann, Atty. Ken Fisher, Road Commissioner Phil Bartlett, and Administrative Assistant Diane Classon.

**ABSENT:** Charlotte Bond and Bob Rubin.

**THESE MINUTES ARE NOT OFFICIAL AS THEY HAVE NOT BEEN ACCEPTED OR CORRECTED BY THE DOVER BOARD OF SELECTMEN.**

The above listed people met at the Town Office at 4:00 P.M. and, with the exception of Ken Fisher, proceeded to Colonial Ridge Road and High Ridge Lane in Mountain Top Village.

The road was driven to the turn around just above the Cain's residence since the second section of the road has not been plowed.

Being there were no comments or questions, the site visit was completed at 4:40 P.M. The hearing on the laying out of Colonial Ridge Road and High Ridge Lane was to follow at 7:30 P.M at the Dover Town Office.

**Respectfully submitted,**

  
**Diane Classon**  
**Administrative Assistant**

**POSTED:** Town Clerk's Office, Dover Town Office, East Dover Post Office, and the Dover Free Library.

**MINUTES OF THE REGULAR MEETING OF THE DOVER BOARD OF SELECTMEN  
AND LOCAL BOARD OF LIQUOR CONTROL**

**January 9, 1996**

**Dover Town Office**

**7:00 P.M.**

**PRESENT:** N. Rosenberg, T. Nova, C. Kaufmann, and C. Bond (at 7:35 P.M.).

**ABSENT:** R. Rubin.

**ALSO PRESENT:** Andy Cay, Phil Bartlett, Kelley Patrick, William Buswell, Tom Cain, Robert Edwards, John Mulhall and Diane Classon, Administrative Assistant.

**THESE MINUTES ARE NOT OFFICIAL AS THEY HAVE NOT BEEN ACCEPTED  
OR CORRECTED BY THE DOVER BOARD OF SELECTMEN.**

The meeting was called to order by Chairman Norman Rosenberg at 7:00 P.M.

**1. Acceptance of Minutes.**

Motion was made by **C. Kaufmann**, seconded by **T. Nova** to accept the minutes of the January 2, 1996 regular meeting as written.  
**Aye: N. Rosenberg, T. Nova, C. Kaufmann.**

**2. Weekly Orders #2.**

Weekly Orders #2, totalling \$19,849.38 of checks written for the Town of Dover General, Payroll, and Capital Accounts were signed by the Board.

**3. Public.**

**William Buswell - Snowmobile Expenditure.** William Buswell was present at the meeting in regard to the decision the Selectmen made last week to allocate \$3,000. in next year's budget for the Stump Jumpers. This money would be used to improve and construct snowmobile trails in Dover. He advised he was not against giving the Stump Jumpers money but he felt it should be an article on the Town Meeting Warning for voters to vote on. It was his fear that this line item will be funded for years to come and it has no place in the operational budget.

Discussion followed and it was noted that a line item can be vetoed at Town Meeting and the bottom line of the budget can be changed. The Board agreed to leave the \$3,000. in as a line item and not warn the request as a separate article.

**4. Hearing to Consider Laying Out Colonial Ridge Road and High Ridge Lane in Mountain Top Village.**

The hearing was called to order by Chairman Norman Rosenberg at 7:32 P.M. who read the Notice of Hearing.

There was a question regarding the wording of the Notice of Hearing and the Board agreed to have D. Classon contact Atty. Ken Fisher in the morning since he was the one who had written it.

Tom Cain, homeowner at Mountaintop, was present at the hearing and questioned the fact that the town was now considering taking over the entire road. Cain had originally initiated the town taking over this road a couple of years ago. He advised that the original proposal was for the town to take over the road to the turn around above his house since there were no houses built past that point. At that time the bank owned most of the property above the turn around and they had no interest in getting involved. The first section which ends at the turn around above Cain's property consists of 27 lots.

The second section of the road consists of 22 lots. CCB Corporation, represented by Andy Cay, recently purchased many of the lots in the section section. CCB also owns some lots in the first section and a couple of people own some lots in the second section.

Tom Cain advised that he did not feel it was fair for the lot owners in the first section to pick up the additional cost of the second section in a special assessment since the second section is going to be more expensive to upgrade and bring up to town specs.

The rough estimate to bring the first section up to town specs is \$46,496. and the rough estimate to bring the second section up to town specs is \$59,746.

Discussion followed and it was agreed by Andy Cay and Tom Cain that the property owners in the first section will be responsible for the expense of upgrading their portion of the road and the property owners in the second section (which consists of CCB Corporation and two additional lot owners at this time) will be responsible for the upgrading of the second section. It was also agreed that the first and second section will equally share the \$5,000. legal fees. The rough estimate for the yearly special assessment for the first section will be \$362.93 and for the second section will be \$565.87. This assessment will run for five years.

T. Nova questioned that Exhibit "D" from Atty. Ken Fisher shows 21 lots in the second section. However, it was confirmed that the second section consists of 22 lots.

N. Rosenberg asked if there were any further questions or comments. Being there were none, the hearing was closed at 8:04 P.M.

The Board of Selectmen reconvened at 8:04 P.M.



Motion was made by **T. Nova**, seconded by **C. Bond** to change the method of reapportionment to have the people in the first section responsible for their expenses, and have the people in the second section responsible for their expenses and divide the legal fees equally between the two sections. **Unanimous.**

Motion was made by **C. Kaufmann**, seconded by **C. Bond** to approve the laying out of Colonial Ridge Road and High Ridge Lane in the development known as Mountain Top Village in Dover Hills. The road will be upgraded and paved to town specifications through a special assessment paid for by the lot owners over the next five years. **Unanimous.**

5. Letters and Permits.

**AGENDA** Meeting of the Valley Trail Subcommittee to be held Wednesday, January 17th, at 4:30 P.M. at the Dover Town Office.

Meeting of the E-911 Subcommittee to be held Thursday, January 18th at 4:30 P.M. at the Dover Town Office.

Meeting of the Dover Planning Commission to be held Monday, January 22nd at 7:00 P.M at the Town Office.

**MINUTES** January 4th meeting of the E-911 Subcommittee.

January 8th special meeting of the Dover Planning Commission.

January 8th duly warned hearing of the Dover Planning Commission re: Tollgate Village PUD.

January 8th duly warned hearing of the Dover Planning Commission re: Timber Creek PUD.

January 8th regular meeting of the Dover Planning Commission.

**DATED 1/5/96** From D. Classon to Elizabeth Brown, Chairman, Board of Listers, re: Lister Applicants.

**DATED 1/9/96** From Elizabeth Brown to Board of Selectmen recommending that Tony Tribuno be appointed to fill the vacancy on the Board of Listers until March 4, 1996.

Motion was made by **C. Kaufmann**, seconded by **T. Nova** to appoint Tony Tribuno to the Board of Listers until Town Meeting, March 4, 1996. **Unanimous.**