

**CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2015**

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2015 to:
Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development,
One National Life Drive, Montpelier, VT 05633.

We, the members of the legislative body of TOWNSHEND in WINDHAM County
on an oath state that the mileage of highways, according to Vermont Statutes Annotated, Title 19, Section 305,
added 1985, is as follows:

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

Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	0.000			0.000	0.000
Class 2	10.620			10.620	0.000
Class 3	44.88			44.88	0.000
State Highway	7.357			7.357	0.000
Total	62.857			62.857	0.000
* Class 1 Lane	0.000			0.000	0.000
* Class 4	5.93	9.63		15.56	0.000
* Legal Trail	0.91			0.91	0.000
* Unidentified Corridor	0.00			0.00	0.000

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

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).
- 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: Kenneth J. Nege
Charles J. Melis
Robert R. LeCom

T/C/V Clerk Signature: Anita Seem Date Filed: 2/10/15

Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED: _____ DATE: _____
Representative, Agency of Transportation

Vermont Statutes Annotated

19 V.S.A. § 305. Measurement and inspection

Received

FEB 24 2015

Policy, Planning & Intermodal
Development Division

§ 305. Measurement and inspection

(a) After reasonable notice to the selectboard, a representative of the agency may measure and inspect the class 1, 2, and 3 town highways in each town to verify the accuracy of the records on file with the agency. Upon request, the selectboard or their designee shall be permitted to accompany the representative of the agency during the measurement and inspection. The agency shall notify the town when any highway, or portion of a highway, does not meet the standards for its assigned class. If the town fails, within one year, to restore the highway or portion of the highway to the accepted standard, or to reclassify, or to discontinue, or develop an acceptable schedule for restoring to the accepted standards, the agency for purposes of apportionment under section 306 of this title shall deduct the affected mileage from that assigned to the town for the particular class of the road in question.

(b) Annually, on or before February 10, the selectboard shall file with the town clerk a sworn statement of the description and measurements of all class 1, 2, 3, and 4 town highways and trails then in existence, including any special designation such as a throughway or scenic highway. When class 1, 2, 3, or 4 town highways, trails, or unidentified corridors are accepted, discontinued, or reclassified, a copy of the proceedings shall be filed in the town clerk's office and a copy shall be forwarded to the agency.

(c) All class 1, 2, 3, and 4 town highways and trails shall appear on the town highway maps by July 1, 2015.

(d) At least 45 days prior to first including a town highway or trail that is not clearly observable by physical evidence of its use as a highway or trail and that is legally established prior to February 10, 2006 in the sworn statement required under subsection (b) of this section, the legislative body of the municipality shall provide written notice and an opportunity to be heard at a duly warned meeting of the legislative body to persons owning lands through which a highway or trail passes or abuts.

(e) The agency shall not accept any change in mileage until the records required to be filed in the town clerk's office by this section are received by the agency. A request by a municipality to the agency for a change in mileage shall include a description of the affected highway or trail, a copy of any surveys of the affected highway or trail, minutes of meetings at which the legislative body took action with respect to the changes, and a current town highway map with the requested deletions and additions sketched on it. A survey shall not be required for class 4 town highways that are legally established prior to February 10, 2006. All records filed with the agency are subject to verification in accordance with subsection (a) of this section.

(f) The selectboard of any town who are aggrieved by a finding of the agency concerning the measurement, description, or classification of a town highway may appeal to the transportation board by filing a notice of appeal with the executive secretary of the transportation board.

(g) The agency shall provide each town with a map of all of the highways in that town together with the mileage of each class 1, 2, 3, and 4 highway, as well as each trail, and such other information as the agency deems appropriate.

Excerpt of 19 V.S.A. § 305 - *Measurement and inspection* from Vermont Statutes Online located at – <http://www.leg.state.vt.us/statutes/fullsection.cfm?Title=19&Chapter=003&Section=00305>

January 2015



**State of Vermont
Division of Policy, Planning & Intermodal Development
Mapping Section**

1 National Life Drive
Montpelier, VT 05633-5001
<http://vtrans.vermont.gov>

Telephone: 802-828-2600
Fax: 802-828-2334
Email: johnathan.croft@state.vt.us

Agency of Transportation

July 1, 2015

Kathy Hege, Selectboard Chair
Town of Townshend, c/o Town Clerk
PO Box 223
Townshend, VT 05353

Dear Ms. Hege,

The VTrans Mapping Section has not accepted Townshend's 2015 Certificate of Highway Mileage due to the lack of documentation and clarity showing the legal establishment of these highways through the formal laying out process or "dedication and acceptance".

VTrans sent a letter on March 4, 2015 to the Town of Townshend requesting documentation regarding the establishment of these highways and no documents have been received to date. The Vermont Supreme Court decision, *Austin v. Town of Middlesex*, 2009 VT 102 (Oct. 27, 2009) has reaffirmed the need for documentation showing the legal establishment of town highways. A copy of this decision can be found at the following link –

<http://info.libraries.vermont.gov/supct/current/eo2008-428.html>

The changes that were listed on the 2015 Certificate of Highway Mileage may be re-submitted on the 2016 Certificate with documentation as evidence of legal establishment for review and the potential inclusion on the 2016 Town Highway Map.

Please feel free to contact me with any questions or comments related to this letter, or mapping in general.

Sincerely,

A handwritten signature in black ink, appearing to read "Johnathan Croft".

Johnathan Croft
AOT GIS Database Administrator
VTrans Mapping Section

JFC/jfc

Enclosures

cc: Michele Boomhower, Director of the VTrans Policy, Planning & Intermodal Development Division
John Dunleavy, Assistant Attorney General
Tammy Ellis, District Transportation Administrator
Jackie Cassino, VTrans Transportation Planning Coordinator



State of Vermont
Division of Policy, Planning, and Intermodal Development
Mapping Section
1 National Life Drive
Montpelier, VT 05633-5001
<http://vtrans.vermont.gov>

Agency of Transportation

Telephone: 802-828-2109
Fax: 802-828-2334
Email: sara.moulton@state.vt.us

March 4, 2015

David Dezendorf, Selectboard Chair
Town of Townshend, c/o Town Clerk
PO Box 223
Townshend, VT 05353

Dear Mr. Dezendorf,

The VTrans Mapping Section has received and reviewed Townshend's 2015 Certificate of Highway Mileage and is requesting additional documentation regarding the legal establishment of the Class 4 town highways the town has included on the Certificate.

Highways and trails may have been established in several ways, including the formal laying out process as defined in the statutes at the time or through "dedication and acceptance," where the landowner dedicates the land to town and the selectboard accepts the right of way for the highway or trail. We request any documents that provide evidence that the highway was legally established and remains a public right of way. This documentation may include copies of original surveys, deeds, selectboard minutes, road calls, highway maintenance records, or other direct references to the establishment of the highways or trails.

I have included a copy of the Ancient Road Practicum that provides details on the documentation requirements that were defined in Act 178 of 2006 and can be found in 19 V.S.A § 305(e). This information includes a description of the affected highway or trail, copies of any surveys, minutes of the meetings at which the legislative body took action with respect to the changes, and a current town highway map with the deletions and additions sketched on it.

If no documentation can be found regarding the legal establishment of this highway, it may be prudent to follow the laying out process as defined in 19 V.S.A. Chapter 7 or work with the adjoining landowners to dedicate the right of way to the town and the Selectboard would accept the highway. This essentially would re-establish the highway if no evidence can be located on the original laying out.

The VTrans Mapping Section will make the necessary changes once the documentation has been supplied. Please feel free to contact me with any questions or comments related to the Mileage Certificate, or mapping in general.

Thank you.

Sincerely,

Sara Moulton

Sara Moulton
GIS Mapping Specialist
VTrans Mapping Section

Enclosures

cc: Jackie Cassino, VTrans Transportation Planning Coordinator

Townshend, Vermont September 24, 2012

1. Old Brookline Road Class IV

Beginning at a point of intersection with TH 25, (East Hill Road), that point being approximately 0.16 miles Easterly of the intersection of TH 25 and TH 2, (Route 35), extending in a westerly direction for approximately 0.45 miles to an intersection with Mill Brook, which is its terminus. Survey Book A, pg 14, May 18, 1787

2. Steifel Road Class IV

Beginning at a point at the current terminus of TH 13, (Steifel Drive), that point being approximately 0.10 mile Southerly of the intersection of TH 13 and TH 11, (Simpson Brook Road), extending Southwesterly for approximately 0.40 miles to its termination in a clearing known as, "Jennison Cellar Hole." Also, Select Board Minutes 7/21/14

3. Deer Ridge Road Class IV

Beginning at a point at the current terminus of TH 24, (Deer Ridge Farm Road), that point being approximately 0.36 miles Northerly of the intersection of TH 24 and TH 2, (Route 35), extending approximately 1.22 miles Northerly to an intersection with TH 13, (Steifel Drive), which is its terminus. Partially recorded in TR Vol. 5 pg 99, Survey 54B and on 1869 map.

4. Barber Road Class IV

Beginning at a point of intersection with TH 39, (Barber Road), that point being approximately 0.74 miles Northeasterly of the intersection of TH 39 and TH 4, (West Hill Road), extending approximately 0.71 miles to an intersection with, "Dam Beach Road," a road owned and maintained by the U.S. Government, Army Corps of Engineers, at Townshend Lake, which is its terminus. On 1869, 1884, 1933 and 1975 maps.

5. Top Notch Farm Lane Class IV

Beginning at a point at the current terminus of TH 28, (Top Notch Farm Lane), which point is 0.06 miles Northerly of the intersection of TH 28 and TH 25, (East Hill Road), extending approximately 0.73 miles Northerly to an intersection with TH 26, (Deer Valley Road), which is its terminus. On 1856 map.

Townshend, Vermont July 21, 2014

6. Billy Smith Road Class IV

Beginning at a point at the current terminus of TH 56, (Billy Smith Road), that point being approximately 0.48 miles Easterly of the intersection of TH 56 and Jay Road extending approximately 1.02 miles Northerly to the Athens Town Line, which is its terminus.

7. French Cabin Road Class IV

Beginning at a point of intersection with TH 42, (Buck Hill Road), that point being approximately 1.43 miles Southeasterly of the intersection of TH 42 and TH 36, (State Forest Road), and extending approximately 0.62 miles Southerly to the Newfane Town Line, which is its terminus.

Townshend, Vermont October 6, 2014

8. Maggie Ladd Road Class IV

Beginning at a point at the current terminus of TH 27, (Maggie Ladd Road), that point being approximately 0.82 miles Easterly and Southeasterly of the intersection of TH 26, (Deer Valley Road), extending approximately 0.71 miles Southeasterly to the Brookline Town Line, which is its terminus.

9. Sam Farr Road Class IV

Beginning at a point of intersection with TH 56, (Billy Smith Road), that point being approximately 0.56 miles Easterly of the intersection of TH 56 and Jay Road, extending approximately 0.20 miles Easterly to the Athens Town Line, which is its terminus.

10. Joy Brook Road Class IV

Beginning at a point of intersection with Vermont Route 30, that point being approximately 0.64 miles Westerly of the intersection of Vermont Route 30 and Th 1, (Route 35), extending approximately 2.78 miles Northerly to an intersection with Jennison Farm Road, so-called, which is its terminus.

11. Decker Camp Road Class IV

Beginning at a point of intersection with TH 11, (Simpson Brook Road), that point being approximately 0.73 miles Northerly of the intersection of TH 11 and TH 13, (Steifel Drive), extending approximately 0.09 miles Easterly, which is its terminus. On 1872 map

12. Manning Road Class IV

Beginning at a point of intersection with TH 11, (Simpson Brook Road), that point being approximately 0.62 miles Southerly of the intersections of TH 11, and TH 52, (Acton Hill Road), extending approximately 0.60 miles Northwesterly to an intersection with Fisher Road, which is its terminus.

approved 10/24/14

TOWNSHEND SELECT BOARD

Meeting Minutes

October 6, 2014

Present: Kathy Hege; Robert LeCours; Dale West; Carole Melis

In Attendance: Joe Daigneault; Kurt Bostrom; Michael Charles; Lynn Decker; Otto Tarbell; Nancy Tarbell; Richard Melanson; Craig Hunt

1. Call To Order: Hege called the meeting to Order at 6:02 p.m.

2. Approval of the Minutes: Melis made a motion: **To approve the Special Meeting Minutes of September 15, 2014**, seconded by LeCours and carried by those present.

Melis made a motion: **To approve the Public Hearing Meeting Minutes of September 15, 2014**, seconded by LeCours and carried by those present.

Melis made a motion: **To approve the Meeting Minutes of September 15, 2014**, seconded by LeCours and carried by those present.

3. Additions and Deletions: Added to Correspondence was a letter from Lisa's Love and a letter from Adriane Esquivio. Added to Old Business was FEMA update, Stone Arch Bridge repair update, Cemetery R.O.W. update, and TFD truck auction concerns. Added to New Business was an Educational Funding Resolution request.

4. Ancient Roads: Melis made a motion: **To suspend the rules and take up consideration of Ancient Roads with members of the public**, seconded by West and carried by those present.

8 West made a motion: **To preserve Maggie Ladd Road as a Class IV road and have it placed on the V-Trans map**, seconded by Melis and carried by those present.

9 West made a motion: **To preserve Sam Farr Road as a Class IV road and have it placed on the V-Trans map**, seconded by Melis and carried by those present.

West made a motion: **To discontinue Styles Brook Extension as a Class IV road**, seconded by Melis and carried by those present.

10 West made a motion: **To preserve Joy Brook Road as a Class IV road and have it placed on the V-Trans map**, seconded by Melis. Discussion ensued with Charles as to the length of Joy Brook Road, and subject to further research, the Board decided to continue it at least as far as the Jennison Farm Road, so called. The motion then carried by those present.

11
West made a motion: **To preserve Decker Camp Road as a Class IV road and have it placed on the V-Trans map**, seconded by Melis. Discussion ensued with Decker and Tarbell as to the correct approach to the Decker Camp Road from Simpson Brook Road. Subject to further research to determine the appropriate access, the motion was carried by those present.

12
West made a motion: **To preserve Manning Road as a Class IV road and have it placed on the V-Trans map**, seconded by LeCours and carried by those present.

West made a motion: **To not research further, or further pursue keeping Fisher Road as a Town road**, seconded by Melis and carried by those present.

5. Warrants: West moved to approve the following Warrants, all seconded by Melis:

10601 Payroll	\$ 8,672.77,	carried by those present with one abstention.
10602 Payroll Tax	\$ 3,311.80,	carried by those present.
10603 General	\$ 1,664.22,	carried by those present.
10604 Highway	\$ 10,178.40,	carried by those present.
10605 Equipment	\$ 3,349.31	carried by those present.
10606 General	\$ 843.66,	tabled by those present.
10607 General	\$ 2,068.97,	carried by those present.
10608 Highway	\$ 23.42,	carried by those present.
10609 Equipment	\$ 1,074.98,	carried by those present.
106010 General	\$ 2,091.07,	carried by those present.
106011 General	\$ 52,681.00,	carried by those present.
106012 General	\$ 13,310.00,	carried by those present.

6. Reports: Highway: Bostrom reported that the new plow truck had been taken from DeLurey to TENCO for fabrication of the body. Hege asked about the anticipated delivery date and why a completion date had not been made part of the contract, as it had been in the past. Bostrom explained that, at the time of ordering the truck last Spring, mis-communications between the Highway Commissioners and him led to some contractual oversights. TENCO, he said, has told him that the truck should be ready in December.

Bostrom reported that winter salt had begun to arrive, that sand should be coming in soon, and that the roadside mowing was almost completed. He assured Hege that the un-expected delivery charge for the mower would include the cost of its return.

Tree cutting along Grafton Road is scheduled to begin at the end of October.

Bostrom informed the Board that the compactor was going to need fuel-tank bracket, battery box and exhaust system repairs and requested a decision about buying another truck before putting more time and money into the old one. Discussion ensued with the Board asking Bostrom and Hunt to look into prices and availability of other trucks.

LeCours requested that the Board decide on an amount of gravel to crush and, following discussion, Melis made a motion: **To put out an RFP request with a due-**

date return of October 17th and approve \$36,000 for the crushing of gravel at the Town pit, seconded by West and carried by those present.

Law Enforcement Report: None at this time.

Town Clerk's Report: The Select Board reviewed the Town Clerk's cash journal report from the prior weeks.

Treasurer's Report: Daigneault reported that the General Fund checking account held a balance of \$692,149.49 prior to the payment of Warrants just approved.

7. Correspondence: Fairpoint: West made a motion: To authorize Fairpoint to replace eight utility poles on East Hill Road, per Work Order number 273607, seconded by Melis and carried by those present.

Army Corps of Engineers: Hege acknowledged receipt of a Permit from the Army Corps of Engineers to proceed with replacement of the Grafton Road culvert.

Lisa's Love: Hege read a letter from Judy Holden expressing appreciation to the Town of Townshend for permission to use the Town Hall for Mommy's Marketplace.

Auditor's Resignation: Hege read a letter from Adriane Esquivo resigning as an appointed Townshend Auditor. Melis made a motion: **To accept the resignation of Adriane Esquivo as an Auditor,** with regret, seconded by West and carried by those present.

TFD Truck Auction: West brought before the Board his concern about not having placed a minimally-acceptable bid amount on the fire truck to be sold at the Townshend Auction Gallery. Hege reminded West that it was he that brought TFD's request to sell the vehicle to the Select Board for approval and that no restrictions, or conditions, were presented to Board at that time.

8. Members of the Public: None at this time.

9. Old Business: FEMA Reimbursement: Hunt reported that he'd be trying to work with Ron Pentkowski at the Vermont Department of Public Safety to get the East Hill Road project reimbursement forms finalized and submitted to FEMA this week.

Stone Arch Bridges: Hunt updated the Board on plans to have Townshend's historic stone arch bridges assessed for repairs.

Cemetery Rights-of-Way: Melis expressed the need for information on the present access corridors to each of the cemeteries needing a formal right-of-way, prior to preparation of a draft deed intended to permanently guarantee municipal access.

10. New Business: Flood Plain Ordinance: Hege read a letter from Planning Commission chairman, Art Monette, requesting that the Select Board adopt the Flood Plain Ordinance approved by the Planning Commission at its meeting on September 24th. West made a motion: To adopt the Flood Plain Ordinance submitted by the Planning Commission, seconded by LeCours. Discussion followed with Melis raising concerns primarily about the allocation of duties to the Administrative Officer. When the motion

was called it failed to pass by those present, and Hunt was requested to bring the Select Board's concerns to the Planning Commission.

At 8:05 p.m., Hege asked for a short recess, moved by Melis and carried by those present.

At 8:15 p.m., the Board returned from recess and Hege called the meeting back to order.

Healthcare Costs: Hege presented a 2015 spreadsheet of Healthcare costs to Board members for assistance in their preparation of municipal budget proposals and modification of the Town's healthcare provision policies.

Education Funding Reform: Hege summarized a request being circulated to Vermont Select Boards that calls for adoption of a resolution to cap education property tax rates at FY 2015 levels. Discussion ensued with Board members agreeing that the mechanism of capping tax rates without a freeze in spending increases would only further burden resident homeowners. Melis then made a motion: **To pass the Education Funding Reform Resolution, as presented**, seconded by West and the motion was defeated by those present.

11. Other Business: None at this time.

12. Executive Session: Melis made a motion: **To enter Executive Session at 8:40 p.m. for personnel evaluations**, seconded by West and carried by those present.

At 10:25, the Board returned from Executive Session and, as a result, Hege will meet with employees individually to go over the Board's findings.

13. Meeting Schedules: Budget Workshop: Oct. 14th @ 6:00 p.m.
Regular Meeting: Oct. 20th @ 6:00 p.m.

14. Adjournment: Melis made a motion: **To adjourn at 10:27 p.m.**, carried by those present.

Respectfully submitted,



Craig K. Hunt

The discontinued road shown in the southwestern portion of the 2013 V-Trans map for Townshend, VT, is believed to be mis-located. The proper location for this road is marked in green.

Ancient Roads Committee

PO Box 223, Townshend, VT 05353

June 8, 2011

Mr. and Mrs. Craig Hunt
1985 Grafton Rd
Townshend, VT 05353

RE: Corridor over Greenwood Drive up to Shattuck Place

Dear Craig and Susan:

This communiqué is a follow up on the location of a “corridor” near or upon your property.

The Ancient Roads Committee has completed the field work finding physical evidence and investigating a “corridor” location that runs near your property. Sometime this Fall, the Committee will be meeting with the Select Board to present information and recommendations on found “corridors”.

The Committee has scheduled an informational meeting for *June 28th* at 7:00 pm Town Hall and invites you to attend and/or submit any additional information for Committee consideration.

Sincerely,



Irvin Stowell (365-7310) chair

Townshend Select Board
P.O. Box 223
Townshend, Vermont 05353

June 10, 2012

Re: "Ancient Roads"

The Townshend Select Board will meet to look at unidentified corridors and ancient roads that may enter upon, traverse or abut properties owned by you. The Select Board has set the following schedules for visiting these roads and for a Public Hearing.

On **July 15, 2012, beginning at 10:00 A.M.**, the Townshend Select Board will visit the following in the order presented: **Fesenden Cemetery Road; Barber Road; Gale Road; School House Road; Fisher Road and Round Hill Cemetery Road.**

On **July 22, 2012, beginning at 10:00 A.M.**, the Townshend Select Board will visit the following in the order presented: **Greenwood Drive; Phoenix Way; Top Notch Farm Lane and Riverdale Road.**

On **July, 30 2012, at 6:00 P.M.**, a Public Hearing will be held to discuss the above named roadways. At this Public Hearing, also, the Select Board will discuss roadways already visited, including that upon the Melis/Bills properties; that upon the Thompson properties; that upon the Eastwood/Charles properties; and Steifel Road.

A map of ancient road locations is posted for viewing in the Town Hall or may be requested electronically by e-mail to: cknowles@svcable.net

Sincerely,



Craig K. Hunt
Select Board assistant

S P O R T S

Our ancient roads

Officials to discuss several public routes
in Townshend, Monday

Saturday-Sunday, July 28-29, 2012

www.reformer.com

Towns investigating 'ancient' roads

By MIKE FAHER

Reformer Staff

TOWNSHEND — Vermont's old roads continue to prompt new questions as some towns grapple with maps and historical research ahead of a 2015 deadline set by the state.

The "ancient road" issue is the topic of a 6 p.m. hearing Monday at Townshend's town hall, where officials plan to talk about several public routes that, in some cases, don't even have clear names.

Johnathan Croft, the state's mapping-unit chief and the point man on ancient roads, said Vermont's towns have taken varying approaches to a complicated state law that has consequences for governments and for property owners.

"It's very nuanced," Croft said. "I've handled a lot of questions on ancient roads from 2006 on."

That's the year when state lawmakers approved Act 178, which requires towns to account for all class 4 roads and "legal trails" on official maps by July 1, 2015. Those that are not mapped by then will cease to be public rights of way and will revert to adjoining landowners.

It sounds simple enough, but there are many complications. Because towns receive no state aid for those lesser roads, many

have not appeared on maps for generations.

And a town's selectboard, if it wants to add a class 4 road or trail to the official map, must show the state proof that the route is public. Examples of adequate proof include surveys or meeting minutes.

Croft acknowledges the difficulty of finding such proof in some cases.

"What documentation exists now for something that was laid out in the 1780s?" he asked.

Asked what town officials should do if they cannot find documentation, Croft said simply: "That's a really tough one."

"It's about trying to find whatever documentation there is," he said, adding that Selectboards cannot simply declare that a road is public.

"We want to see something more concrete than that," Croft said.

That may be one reason that officials in some towns simply have decided not to get involved in a difficult, time-consuming process. Newfane is one example.

"The town of Newfane decided to keep the highway map as it stands," Administrative Assistant Shannon Meckle said. "They didn't add any (roads), and they didn't take any away."

In neighboring Dummerston,

officials still are discussing the issue and may hold a hearing later this year.

Townshend's hearing on Monday will focus on several "ancient roads and corridors" including Fessenden Cemetery, Barber, Gale, Round Hill Cemetery, School House, Fisher, Greenwood Drive, Phoenix Way, Top Notch Farm Lane, Riverdale, Steifel and Deer Ridge.

Also listed are "unnamed Melis/Bills" and "unnamed Eastwood/Charles."

Hedy Harris, who chairs Townshend's Selectboard, said officials have been studying the town's ancient roads and have made several site visits.

"There are lots of these that nobody cares one way or the other about," Harris said.

But she points out that some old roads still could serve a purpose. Residents may use them for recreational purposes, for instance, or a route may be an important access for emergency personnel.

If the town doesn't map such a road by 2015, "then we have no right to do anything with it," Harris said.

Preserving or abdicating public rights of way is the point of the state's mapping mandate.

Croft said confusion over old

road boundaries has been sparking legal disputes. In one case, a couple that was trying to expand their Chittenden home in 2003 were informed that the house actually had been built on a road that had not been maintained since the early 1800s.

That case was resolved by a court settlement. But Croft said it illustrates an important point about long-forgotten roads and Vermont law.

"If a highway is legally established and never formally discontinued, it stays on the books," he said.

It is not clear, though, whether the state's push for mapping will resolve all such issues.

There is no question that roads known as "unidentified corridors" — defined as those routes that don't appear on a map and "are not otherwise clearly observable by physical evidence of their use as a highway or trail" — will disappear in 2015.

But Croft acknowledged that officials remain unclear about the fate of unmapped roads that still show clear signs of being a road.

"For those that are observable, it's still an open question what happens," he said.

Mike Faher can be reached at mfaher@reformer.com or 802-254-2311, ext. 275.

approved: 10/01/12

Townshend Select Board
Special Meeting Minutes
September 24, 2012

Board Attendance: Hedy Harris, Jeff Russ, Chad Greenwood, David Dezendorf
Attendance: Michael Charles, Sue and John Eastwood, Carol Melis, Rob Thompson, Bob DeSiervo, Irvin Stowell, Mike Bills, Mark Caisse, Perry Phoenix, Ned Phoenix.

1. Call to Order: Harris called the meeting to order at 6:00 p.m.
2. Executive Session:
 - (a) Dezendorf MOVED to enter executive session to discuss real estate procurement. Seconded by Russ. The motion carries and the Townshend Select Board entered executive session at 6:00 p.m.
 - (b) Dezendorf MOVED to leave executive session. Greenwood seconded the motion. The motion carries and the Townshend Select Board left executive session at 6:02 p.m.
 - (c) Resolution will be discussed during the remainder of the meeting.
3. Disposition of selected ancient roads: Harris explained how each road would be discussed and voted in turn. Those disputing the voted road disposition will have 45 days to make their case to the Townshend Select Board.
 - (a) Old Brookline Road: Harris MOVED to discontinue the portion of Old Brookline Road from Rt 35 traveling through Melis property to the centerline of Mill Brook listing the portion of the road remaining south of Mill Brook as a class 4 town highway. Russ seconded the motion. The motion carries with one member dissenting. ①
 - (b) Stage Road: Harris stated more research is needed prior to Stage Road being voted upon.
 - (c) Steifel Road: Harris MOVED to codify the section of Steifel Road extending to Jennison Cellar Hole as a class 4 town highway. Russ seconded the motion. The motion carries. ②
 - (d) Deer Ridge Road: Harris stated reference to this road is referenced as being from Steifel Road to Rice Farm. Harris MOVED to codify Deer Ridge Road from the existing Deer Ridge Road to Steifel Road be determined as a class 4 town highway, excluding the spur extending to Simpson Brook Road. Russ seconded the motion. The motion carries with one dissenting. ③
 - (e) Fessenden Cemetery Road: Harris explained no information has been found on this road.
 - (f) Barber Road: Harris MOVED to categorize Barber Road from DeSiervo driveway to the U.S. Army Corps of Engineers land as a class 4 town highway. Greenwood seconded the motion. ④
 - i. Russ MOVED to amend the motion by striking out U.S. Army Corps of Engineers land and inserting Townshend Dam Beach Access Road. Dezendorf seconded the motion. The motion to amend carries.
 - ii. The main motion carries with one dissenting.

- (g) Gale Road: Harris stated more research is needed prior to Gale Road being voted upon.
- (h) School House Road: Dezendorf MOVED to discontinue the northern 2,076' 3" of School House Road, leaving only the currently utilized road. Greenwood seconded the motion. The motion carries with one dissenting.
- (i) Fisher Road: Harris stated more research is needed prior to Fisher Road being voted upon.
- (j) Round Hill Cemetery Road: Harris stated more research is needed prior to Round Hill Cemetery Road being voted upon.
- (k) Greenwood Drive: Harris stated this road had never been adopted by the Town of Townshend. A road may exist just south of the current layout of Greenwood Drive, but more research is needed prior to Greenwood Drive being voted upon.
- (l) Phoenix Way: Harris stated she found in Volume 1, page 148, at the top of the page the adoption of this road. This can be further found as the road found as item 24 when Dauchy established Townshend Roads. (See the Townshend Town Clerk for a copy.)
- i. Harris MOVED to declare Phoenix Way from Rt 35 to East Hill Road as a class 4 town highway. Greenwood seconded the motion. Perry Phoenix asked if the town needed to survey the road. Harris replied the road had been surveyed in Volume 1, page 148. The motion carries with one dissenting vote.
- (m) Top Notch Farm Lane: Harris MOVED to declare the section of Top Notch Farm Lane from the existing class 3 road to Deer Valley Road as a class 4 pent road. Russ seconded the motion. The motion carries.
- (n) River Dale Road: Harris MOVED to discontinue River Dale Road from the existing class 3 road to State Forest Road. Greenwood seconded the motion. The motion carries.
- (o) Rob Thompson requested clarification of what a town trail is and would it be possible for restrictions to be placed on any roads downgraded from class 4 to town trail. Harris explained the restrictions on a town trail would need to be posted by the town.
4. Adjourn: Russ MOVED to adjourn. Dezendorf seconded the motion. The Townshend Select Board Special meeting adjourned at 7:19 p.m.

David Dezendorf, Townshend Select Board Clerk



Townshend Select Board
P.O. Box 223
Townshend, Vermont 05353

Johnathan Toes & Katherine Davies
255 East 7th Street
New York, NY 10009

August 5, 2014

Re: Ancient Road Corridor

The Townshend Select Board has scheduled a meeting on Saturday, September 6, 2014, to visit Joy Brook Road, Decker's Camp Road, Manning Road and Fisher Road, in that order, beginning at 10:00 a.m. The purpose of these visits is to help determine the status of these corridors and decide whether the municipality should discontinue them, keep them as Class IV roads, or keep them as public trails.

Since it appears that property of yours abuts one or more of these corridors, you are invited to discuss your preferences and concerns with members of the Select Board prior to their visit, during their visit, or at a Public Hearing scheduled for September 15, 2014, in the Townshend Town Hall, at 6:00 p.m.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Craig K. Hunt
Select Board Assistant
craig@townshendvt.net
802-365-7300 ex 103

approved: 08/04/14

TOWNSHEND SELECT BOARD

Meeting Minutes

July 21, 2014

Present: Kathy Hege; Robert LeCours; Dale West; Kyle LaPointe; Carole Melis

In Attendance: Joe Daigneault; Kurt Bostrom; Deputy Brothers; Molly Cook; Richard Melanson, (BCTV); Craig Hunt

1. Call To Order: Hege called the meeting to Order at 6:07 p.m.

2. Approval of the Minutes: LaPointe made a motion: **To approve the Minutes of July 7, 2014**, seconded by West and carried by those present.

3. Additions and Deletions: West added report of the Fire Station Study Committee to Old Business.

4. Warrants: LaPointe made motions to approve the following Warrants:

72101 Payroll \$ 8,359.17 seconded by Melis and carried by those present.

72102 Bank Fee \$ 71.01 seconded by Melis and carried by those present.

63002 Payroll Tax \$ 3,687.19 seconded by Melis and carried by those present.

72103 General \$ 9,937.71 seconded by Melis and carried by those present.

72104 General \$ 12,386.11 seconded by LeCours and carried by those present.

72105 Highway \$ 1,217.68 seconded by Melis and carried by those present.

72106 Equipment \$ 2,334.16 seconded by Melis and carried by those present.

5. Reports: Highway: Bostrom requested that decisions soon be made soon about gravel crushing, paving and culvert replacement. Melis made a motion: **To put out an RFP for stumping and stripping at the gravel pit in preparation for crushing, with bids to be opened on August 18th**, seconded by LeCours and carried by those present.

Bostrom reported that Library curbstone work would be attended to on Thursday, July 24th, and that he would meet with Todd Menees of ANR to discuss options for repairing Deer Ridge Road Culvert #4, which ANR's hydraulic study indicates is inadequate. He also reported that the new International truck would be delivered to TENCO for body work in August.

Law Enforcement Report: Deputy Brothers of the Windham County Sheriff's Department introduced himself to the Board as Townshend's full-time deputy under the new contract.

Town Clerk's Report: The Town Clerk's cash journal reports for the previous two weeks were reviewed.

Treasurer's Report: None at this time.

Members of the Public: Molly Cook presented the Select Board with a proposal from Michael Kolsun to operate a hot dog cart on the Townshend Common. Following brief discussion, Melis made a motion: **To grant conditional approval to Michael Kolsun for operation of a hot dog stand on the Townshend Common**, seconded by LaPointe and carried by those present.

6. Correspondence: Nothing at this time.

7. Old Business: SOVEREN Solar Lease Agreement: Not at this time.

Municipal Land Purchase Offer: Hege reported that she had researched the Town's costs of the property bought at Tax Sale in 1996, but had not heard from the party interested in purchasing the land. Melis reiterated the Board's position of wanting to proceed with the sale without incurring further legal and other costs.

⑥ **Ancient Roads:** West made a motion: **To retain Billie Smith Road to the Athen's town line as a Class IV roadway**, seconded by LaPointe and carried by those present.

⑦ Melis made a motion: **To retain French Cabin Road as a Class IV roadway**, seconded by LaPointe and carried by those present.

West made a motion: **To retain the Jennison Cellar Hole Road as a Class IV roadway**, seconded by Melis and carried by those present.

West made a motion: **To retain Townshend Highway #40 as a Class IV roadway**, seconded by Melis and carried by those present.

Melis made a motion: **To discontinue Wood's Road, (aka Phoenix Way), in its entirety**, seconded by LeCours and carried by those present.

Employee Time Clocks: West made a motion: **To purchase and install an automated employee payroll time-tracking system**, seconded by LaPointe. Lengthy discussion ensued, following which, with consent from West, LaPointe made a motion: **To table any decision to purchase and install an automated payroll time-tracking system until after the Select Board can hold a personnel policy**, seconded by Melis and carried by those present.

Grafton Road Culvert RFP: LeCour made a motion: **To have Hammond Engineering proceed with the Grafton Road Culvert R.F.P.,** seconded by LaPointe and carried by those present. Bostrom is to contact Hammond and set a time for the contractor's site visit.

New Fire Station Study Committee: West briefed Board members on the continuing efforts of the New Fire Station Study Committee.

8. New Business: Tax Rates: Following discussion, Melis made a motion: **To set the 2014-2015 fiscal year Municipal Tax Rate at \$0.7006; with the Homestead Education Tax Rate at \$1.6366, the combined Municipal and Education Homestead Tax Rate will be \$2.3152; with the Non-Residential Education Tax Rate at \$1.4665, the combined Municipal and Education Non-Residential Tax Rate will be \$2.14510,** seconded by LaPointe and carried by those present.

9. Other Business: Nothing at this time.

10. Executive Session: None at this time.

11. Meeting Schedules: Regular Meeting August 3, 2014 @ 6:00 p.m.

12. Adjournment: Melis made a motion: **To adjourn at 8:32 p.m.,** carried by those present.

Respectfully submitted,



Craig K. Hunt

approved 10/06/14

**Townshend Select Board
Public Hearing Minutes
September 15, 2014**

Present: Kathy Hege; Carole Melis; Robert LeCours; Dale West; Kyle LaPointe
In Attendance: Members of the Public; Richard Melanson, (BCTV); Craig Hunt

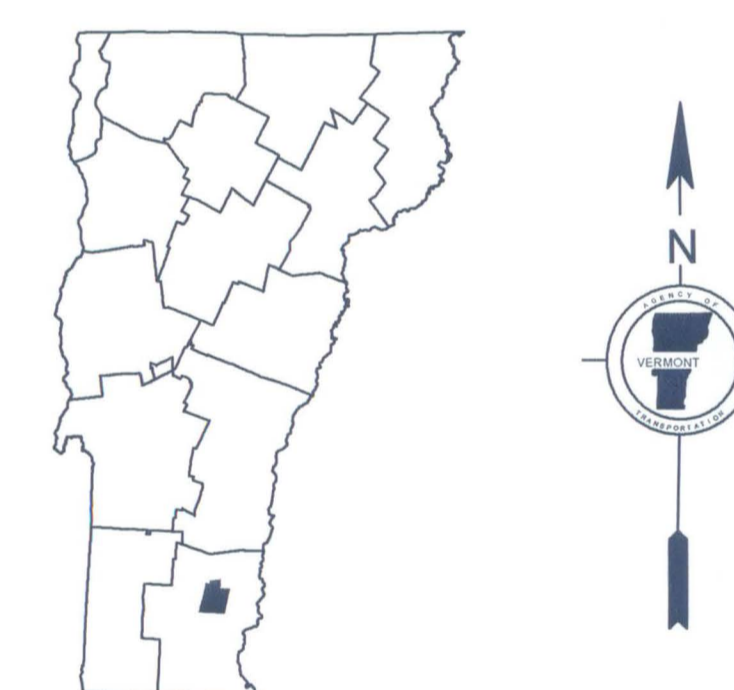
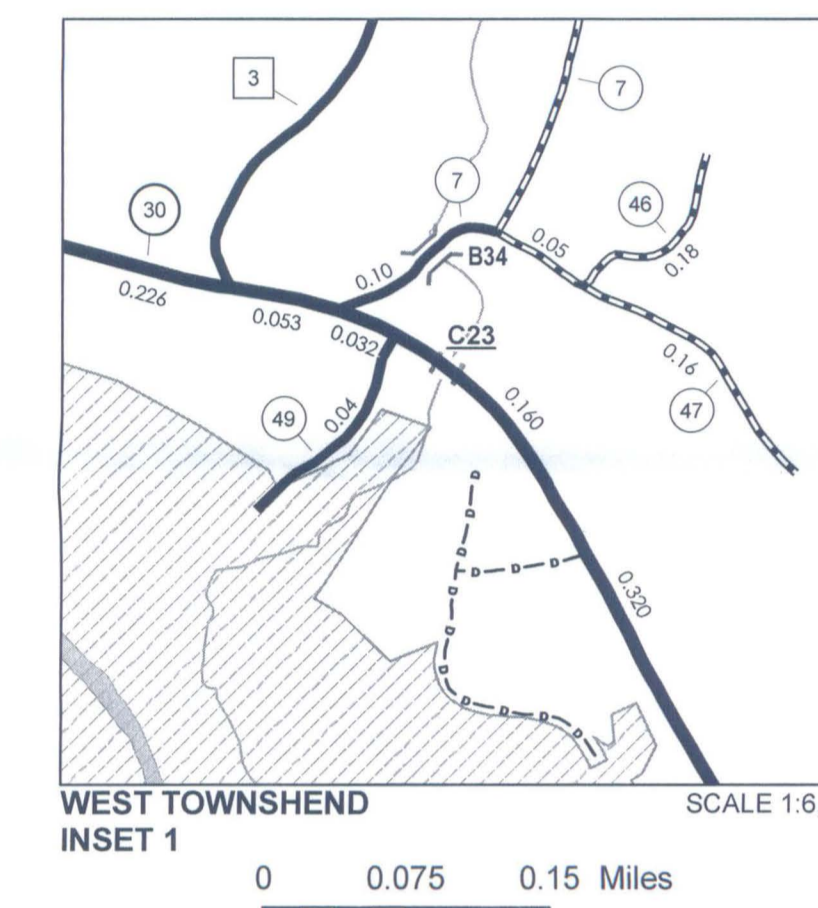
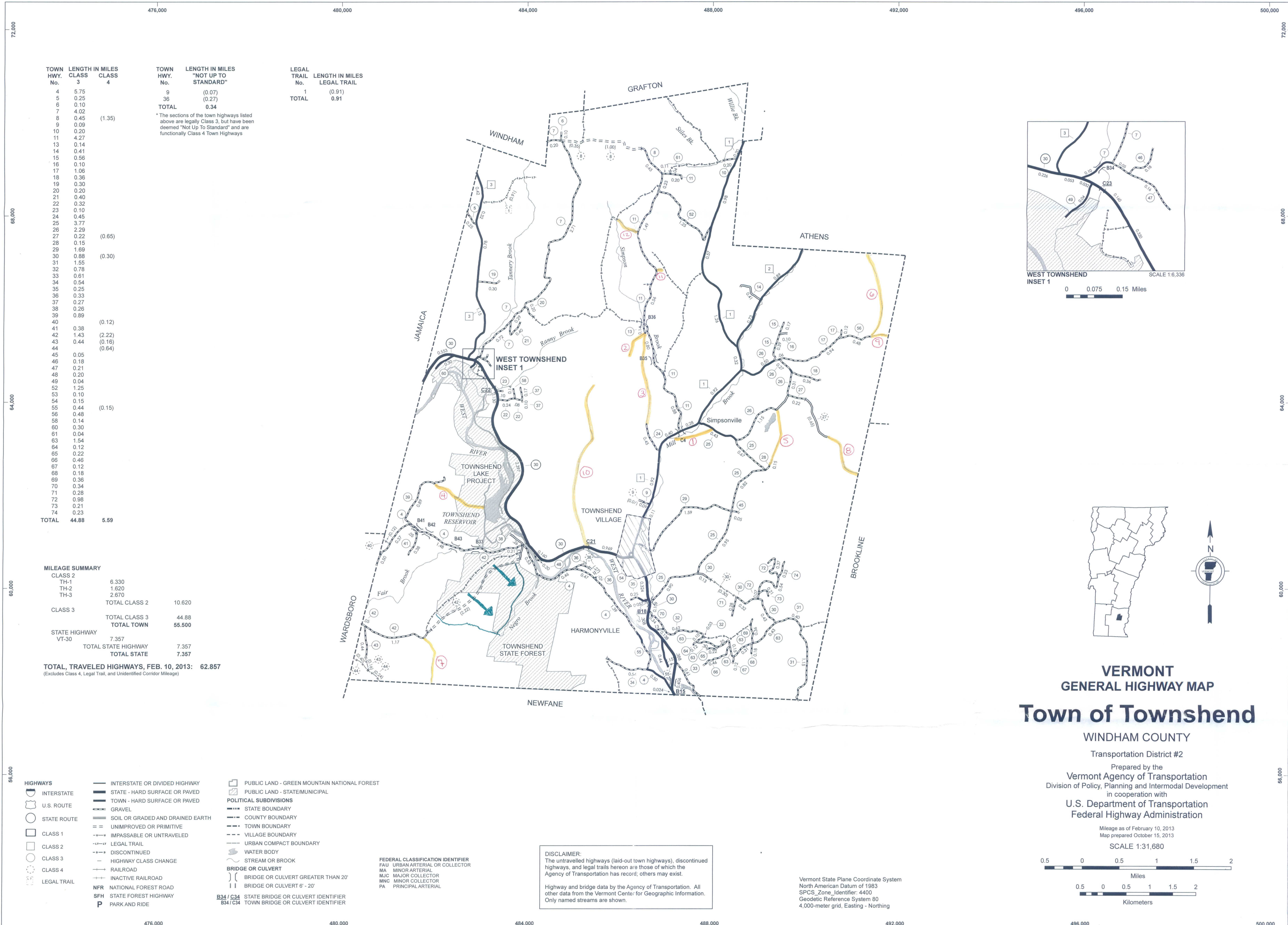
1. Call To Order: At 6:00 p.m., Hege called the Public Hearing to Order and welcomed members of the public to a discussion about specific Town roads. Hege explained that in the prior weeks, the Select Board had met to walk portions of Maggie Ladd, Billie Smith, Styles Brook, Joy Brook, Decker Camp and Manning Roads for the purpose of assessing whether to keep these Class IV roads. The Select Board also visited Fisher Road, which research has yet to prove ever belonged to the Town. Lengthy discussion ensued with focus upon Joy Brook and Manning Roads and the surveyed extent to which might be kept by the Town for preservation.

2. Adjournment: At 6:52, West made a motion: **To adjourn the Public Hearing**, carried by those present.

Respectfully submitted,



Craig K. Hunt
administrative assistant



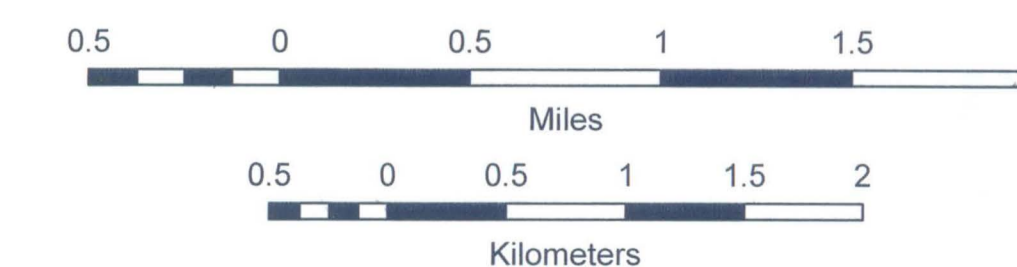
**VERMONT
GENERAL HIGHWAY MAP
Town of Townshend
WINDHAM COUNTY**

Transportation District #2

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, 2013
 Map prepared October 15, 2013

SCALE 1:31,680



TOWN HWY. No.	LENGTH IN MILES CLASS 3	LENGTH IN MILES CLASS 4	TOWN HWY. No.	LENGTH IN MILES "NOT UP TO STANDARD"	LEGAL TRAIL No.	LENGTH IN MILES LEGAL TRAIL
4	5.75		9	(0.07)	1	(0.91)
5	0.25		36	(0.27)	TOTAL	0.91
6	0.10		TOTAL	0.34		
7	4.02		*The sections of the town highways listed above are legally Class 3, but have been deemed "Not Up To Standard" and are functionally Class 4 Town Highways			
8	0.45	(1.35)				
9	0.09					
10	0.20					
11	4.27					
13	0.14					
14	0.41					
15	0.56					
16	0.10					
17	1.06					
18	0.36					
19	0.30					
20	0.20	(0.65)				
21	0.40					
22	0.32					
23	0.10					
24	0.45					
25	3.77					
26	2.29					
27	0.22	(0.85)				
28	0.15					
29	1.69					
30	0.88	(0.30)				
31	1.55					
32	0.78					
33	0.61					
34	0.54					
35	0.25					
36	0.33					
37	0.27					
38	0.26					
39	0.89					
40		(0.12)				
41	0.38					
42	1.43	(2.22)				
43	0.44	(0.16)				
44		(0.64)				
45	0.05					
46	0.18					
47	0.21					
48	0.20					
49	0.04					
52	1.25					
53	0.10	(0.15)				
54	0.15					
55	0.44					
56	0.48					
58	0.14					
60	0.30					
61	0.04					
63	1.54					
64	0.12					
65	0.22					
66	0.46					
67	0.12					
68	0.18					
69	0.36					
70	0.34					
71	0.28					
72	0.98					
73	0.21					
74	0.23					
TOTAL	44.88	5.59				

MILEAGE SUMMARY

CLASS 2		
TH-1	6.330	
TH-2	1.620	
TH-3	2.670	
TOTAL CLASS 2		10.620
CLASS 3		TOTAL CLASS 3 44.88
TOTAL CLASS 3		TOTAL TOWN 55.500
STATE HIGHWAY VT-30	7.357	
TOTAL STATE HIGHWAY		7.357
TOTAL STATE		7.357

TOTAL, TRAVELED HIGHWAYS, FEB. 10, 2013: 62.857
 (Excludes Class 4, Legal Trail, and Unidentified Corridor Mileage)

- 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
 — NATIONAL FOREST ROAD
 — STATE FOREST HIGHWAY
 — PARK AND RIDE
- PUBLIC LAND - GREEN MOUNTAIN NATIONAL FOREST
 — PUBLIC LAND - STATE/MUNICIPAL
- POLITICAL SUBDIVISIONS**
- STATE BOUNDARY
 - COUNTY BOUNDARY
 - TOWN BOUNDARY
 - VILLAGE BOUNDARY
 - URBAN COMPACT BOUNDARY
 - WATER BODY
 - STREAM OR BROOK
- BRIDGE OR CULVERT**
- BRIDGE OR CULVERT GREATER THAN 20'
 - BRIDGE OR CULVERT 6' - 20'
 - STATE BRIDGE OR CULVERT IDENTIFIER
 - TOWN BRIDGE OR CULVERT IDENTIFIER
- FEDERAL CLASSIFICATION IDENTIFIER**
- FAU URBAN ARTERIAL OR COLLECTOR
 - MA MINOR ARTERIAL
 - MJC MAJOR COLLECTOR
 - MNC MINOR COLLECTOR
 - PA PRINCIPAL ARTERIAL

DISCLAIMER:
 The untraveled highways (laid-out town highways), discontinued highways, and legal trails hereon are those of which the Agency of Transportation has record; others may exist.

Highway and bridge data by the Agency of Transportation. 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