

CERTIFICATE OF HIGHWAY MILEAGE FOR YEAR ENDING FEB. 10, 1989

Fill out the certificate, file a copy with the Town Clerk, and mail original to Vt. Agency of Transportation, Planning Division before February 10, 1989.



▶ IF NO CHANGES IN MILEAGE, OMIT PART I, CHECK BOX IN PART II, AND SIGN PART III. ◀

PART I

DISTRICT 2

We, the Selectmen/Trustees/Aldermen of Wardsboro, 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:

	TOWN HIGHWAYS				STATE HIGHWAYS	TOTAL EXCLUDING CLASS 4
	CLASS 1	CLASS 2	CLASS 3	CLASS 4		
PREVIOUS MILEAGE AS SHOWN FEBRUARY 10, 1988	0.000	6.360	39.080	7.060	7.373	52.813
MILEAGE ADDED SINCE FEBRUARY 10, 1988 EXPLAIN UNDER (1) BELOW				0.060		
SUB TOTAL				7.120		
MILEAGE SUBTRACTED SINCE FEBRUARY 10, 1988 EXPLAIN UNDER (2) AND (3)				0.300		
TOTAL HIGHWAY MILEAGE FEB. 10, 1989	0.000	6.360	39.080	6.820	7.373	52.813
SCENIC HIGHWAY MILEAGE (19 VSA 2502)						

DURING THE PAST YEAR THE FOLLOWING CHANGES HAVE OCCURRED.

(1) NEW HIGHWAYS: We hereby certify that the following new highways, as substantiated by the attached "Selectmen's Certificate of Completion" have been added.
Lot D-6 0.060 Class 4

(2) DISCONTINUED: We hereby certify that the following highways have been discontinued according to statute and are substantiated by the attached copy of the proceedings.
T-9 0.300 Class 4

(3) RECLASSIFIED/REMEASURED: We hereby certify that the following highways have been reclassified/remeasured and are substantiated by the attached copy of the proceedings.

(4) SCENIC HIGHWAYS: We hereby certify that the following highways have been designated or discontinued as "Town Scenic Highways", and are substantiated by the attached copy of the proceedings.

PART II CHECK BOX IF NO CHANGES IN MILEAGES.

PART III

SELECTMEN/ALDERMEN/TRUSTEES
 SIGNATURES

Joseph Beland
Frank Johnson
William Fitzpatrick

Town/City/Village/CLERK SIGNATURE: Jacqueline E. Beland attests that this record of highway mileage was filed and recorded on 7 FEB 89, 1989.

Approved: Vaile D. Beach, Jr. 2-14-89
 Representative, Agency of Transportation Date

Note: Applicable section of Vermont Statutes is printed on reverse side.

**Title 19, V. S. A. Section 305
Added 1985**

SEC. 305. MEASUREMENT OF HIGHWAYS

(a) A representative of the agency in the presence of the selectmen or their designee shall measure and inspect the class 1, 2 and 3 town highways in each town at least once every ten years. 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 selectmen shall, after review by a representative of the agency, file with the town clerk a sworn statement of the description and measurements of all class 1, 2 and 3 town highways, then in existence, including any special designation such as a throughway or scenic highway. When class 1, 2 or 3 town highways 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) 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.

(d) The selectmen 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 board by filing a notice of appeal with the executive secretary of the board.

**Title 19, V. S. A. Section 2502
Added 1985**

Sec. 2502. TOWN SCENIC ROADS; DESIGNATION AND DISCONTINUANCE

(a) On recommendation of the planning commission of a municipality, or on the initiative of the legislative body of a municipality, a legislative body may, after one public hearing warned for the purpose, designate or discontinue any town highway or portion of a town highway as a town scenic highway. Such action by the legislative body may be petitioned by the registered voters of the municipality pursuant to the provisions of section 1973 of Title 24.

(b) A town scenic road may be reconstructed or improved in a manner consistent with the standards established by the transportation board, pursuant to section 425 of Title 10. A class 1, 2 or 3 scenic highway shall still be eligible to receive aid pursuant to the provisions of this title.

(c) The legislative body of a municipality may appeal for a variance from standards promulgated by the transportation board, in these appeals the board's decision shall be final.

**RETURN TO: VERMONT AGENCY OF TRANSPORTATION
DEPARTMENT OF PLANNING AND PRECONSTRUCTION
PLANNING DIVISION
133 STATE STREET
MONTPELIER, VERMONT 05602**

1989
Wardsboro

page 65

REPORT OF BOARD OF SELECTMEN
AND ORDER TO
LAY OUT AND DISCONTINUE ROADS

On September 29, 1987 at 7:00 P.M. a hearing was held at the Wardsboro Town Office Building for the purpose of hearing all parties interested in a Petition made by the Wardsboro Board of Selectmen pursuant to the provisions of 19 VSA, Chapter 7 to lay out and discontinue the following public highways:

TO BE DISCONTINUED: Being a section of Town Road #9, so-called, and commencing at the intersection of Town Highway #9 and Town Highway #10, the latter being known as the Sheldon Hill Road, and continuing northwesterly through and along lands now or formerly of Adam Kleppner a total distance of approximately 1600 feet to the northerly side of the brook which traverses the premises from Carter's Swamp, so-called.

TO BE LAID OUT: Being a right of way fifty feet in width commencing on the westerly side of Susan Lynn Lane at the northeastern corner of lands now or formerly of Adam Kleppner being known as Lot D-6 of Snow Mountain Farms (Tax Map #2-80), and running in a generally westerly direction a distance of approximately 312 feet across said Lot D-6, and connecting with the aforesaid Town Highway #9 at a point which is a distance of approximately 985 feet from the northerly bank of the aforesaid brook.

Notice of this hearing was duly served by certified mail in timely fashion upon all persons owning or interested in lands through which the road passes. A copy of the notice was published in the Brattleboro Reformer not less than 10 days prior to the hearing, and a copy of the notice was placed in at least 5 conspicuous places within the Town, including the Office of the Town Clerk. At the aforesaid hearing, all interested parties were given ample opportunity to be heard. Prior and subsequent to the aforesaid hearing, the Board of Selectmen individually and collectively inspected the roads subject to their petition.

At the hearing, objection was made by an owner of a non-abutting property in Snow Mountain Farms. This objection was based upon allegations by the landowner that opening a path into Snow Mountain Farms would increase the likelihood of trail bike and all-terrain vehicle traffic on Susan Lynn Lane and other adjacent roads.

Subsequent to the hearing objections were made by the Snow Mountain Farms Improvement Association, non-abutting landowners and owners of the property adjoining the road to be laid out. These objections were based upon allegations by the landowners that granting access to Town Road #9 through Lot D-6 of Snow Mountain Farms would substantially increase traffic on Susan Lynn Lane, should the properties accessed by Town Road #9 be developed in future, and concerns about safety were also expressed. Several other freeholders and taxpayers indicated support for the laying out and discontinuance,

including the Vermont Department of Forests, Parks and Recreation.

Based upon the evidence presented to them during their inspection and at the hearing, and as a result of their deliberation and investigation, and after consideration of the objections raised, the Selectmen make the following findings:

1. That Lot D-6 is unencumbered by the usual Snow Mountain Farms restrictions against granting a right of way through to an adjoining property;
2. That the cost of maintenance on Town Road #9 would be minimized, due to the reduction in distance and elimination of bridge maintenance;
3. That all-terrain vehicles and trail bikes are not permitted on Class 3 town roads, and that therefore increased traffic from this source is unlikely;
4. That Town Road #9 as presently routed abuts the objecting parties' property, and that they would suffer no additional harm by the change in route in the event of future development of the accessed lands;
5. That the existing path of Town Road #9 crosses a brook with a bridge in extreme disrepair, and the use of said road for public travel would present an unreasonable safety hazard and the potential for unnecessary liabilities to attach to the Town;
6. That even if backlands were developed, the new road providing access would be safer than the existing road, less expensive for the Town to maintain, and of greater benefit to the community as a whole.
7. That properties accessed by Town Road #9 will be more conveniently reached by adopting the proposed changes.
8. That the property over which the right of way will pass is donated to the Town, and the landowner has agreed to pay for construction of a trail comparable to the existing Town Road #9, at no cost or expense to the Town.
9. That any new road laid out shall be classified as a Class 4 Highway.

Based upon the foregoing, it is the opinion of the Board of Selectmen of the Town of Wardsboro that the public good, necessity and convenience of the inhabitants of the Town require the discontinuance and laying out of the roads in question; and it is therefore

ORDERED: that the following highway of the Town of Wardsboro, Vermont be and hereby is DISCONTINUED:

Being a section of Town Road #9, so-called, and commencing at the intersection of Town Highway #9 and Town Highway #10, the latter being known as the Sheldon Hill Road, and continuing northwesterly

age 67

Wardsboro

through and along lands now or formerly of Adam Kleppner a total distance of approximately 1600 feet to the northerly side of the brook which traverses the premises from Carter's Swamp, so-called.

FURTHER ORDERED: that the following highway of the Town of Wardsboro, Vermont be and hereby is LAID OUT:

Being a right of way fifty feet in width commencing on the westerly side of Susan Lynn Lane at the northeastern corner of lands now or formerly of Adam Kleppner being known as Lot D-6 of Snow Mountain Farms (Tax Map #2-80), and running in a generally westerly direction a distance of approximately 312 feet across said Lot D-6, and connecting with the aforesaid Town Highway #9 at a point which is a distance of approximately 985 feet from the northerly bank of the aforesaid brook.

This order shall take effect at such time as the right of way is deeded to the Town and the roadway across said right of way is constructed.

Dated at Wardsboro, Vermont this 18th day of November, 1987.

BOARD OF SELECTMEN
TOWN OF WARDBORO, VERMONT

Pete M. DeMarsaud

Robert F. DeStor

William P. Fitzgerald

Fred A. Smith

Carole Melis

Wardsboro Town Clerk's Office 18 November A.D. 1987 at 7:10 P.M.
Received for Record an Instrument of which the foregoing is a True Copy.

Attest: Jacqueline E. Bedard Town Clerk

CERTIFICATE OF COMPLETION AND OPENING
OF A HIGHWAY FOR PUBLIC TRAVEL

_____, _____ Clerk of the Town _____
of Wardsboro, Vermont.

Pursuant to Title 19, V.S.A., Section 15, as amended 1973, this is to certify that
the following described section of Class 4 Highway in the Town _____ of
Wardsboro was COMPLETED AND OPEN FOR PUBLIC TRAVEL
on 22 January 1988, 19____.

DESCRIPTION OF RIGHT-OF-WAY: Beginning

Being a right of way fifty feet in width commencing on the westerly side of Susan
Lynn Lane at the northeastern corner of lands now or formerly of Adam Kleppner
being known as Lot D-6 of Snow Mountain Farms (Tax Map #2-80), and running
in a generally westerly direction a distance of approximately 312 feet
across said Lot D-6, and connecting with the aforesaid Town Highway #9 at
a point which is a distance of approximately 985 feet from the northerly
bank of the aforesaid brook.

and as shown on a Highway Map of the _____ of _____,
dated _____, 19____, and filed in Book _____ on page _____ of the Records
of the _____ of _____ by the _____ Clerk of
said _____ incorporated herein by reference and attested to on
said map by said _____ Clerk.

Dated at Wardsboro, County of Windham and State of
Vermont, this 7th day of February, A.D., 1989.

Myra L. Babits

Frederic J. Brown

William J. Fitzpatrick

BOARD
OF
SELECTMEN
ALDERMEN
TRUSTEES

and the MAYOR of the City of _____

Wardsboro, VERMONT
7 February, 1989.

THE ABOVE IS A TRUE COPY OF THE DESCRIPTION OF CLASS 4 HIGHWAY COMPLETED AND OPENED
FOR PUBLIC TRAVEL, RECORDED IN BOOK 10 ON PAGE 65 OF THE Town _____ RECORDS
OF THE Town _____ OF Wardsboro ON THE 11th DAY OF February,
1988, AT 7:10 O' CLOCK, P..M.

ATTEST: Jacqueline E. Bedard
TOWN CLERK OF WARDSBORO, VERMONT